

MONDAY, OCTOBER 19, 2020

MILLINGTON PLANNING COMMISSION REGULAR MEETING 6:00 PM

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM
2. APPROVE MINUTES

- September 14, 2020

Documents:

[PC MINUTES 9-21-20.PDF](#)

3. SIGN DESIGN APPLICATIONS

- Carwash USA Express – 5130 Copper Creek Blvd
- The Wing Guru – 8253 US Highway 51 N, Suite 103
- Armed Forces Career Center – 8412 US Highway 51 N, Suite 101
- T-Mobile – 8570 US Highway 51 N, Suite 103
- Millington Liquor Store – 5016 Navy Road

Documents:

[CARWASHUSA_A_LITCHANNEL.PDF](#)
[CARWASHUSA_B_FLUSHCHANNEL.PDF](#)
[CARWASHUSA_C_PYLON.PDF](#)
[WINGGURU_WALL.PDF](#)
[ARMEDFORCES_WALL.PDF](#)
[TMOBILE_PYLON.PDF](#)
[TMOBILE_WALL.PDF](#)
[MILL LIQUOR SIGN.JPG](#)

4. EXTERIOR BUILDING RENOVATION APPLICATION

- Roadmaster Driving School – 8050 Singleton Ave

Documents:

[ROADMASTER EXTERIOR.PDF](#)
[ROADMASTER MILLINGTON SITE PLAN.PDF](#)

5. SITE PLAN APPROVAL

- Margaritas – southeast corner of Copper Creek and Creek Mill (REVISED)

- Standard Construction Asphalt Facility – 7666 Raleigh Millington Road

Documents:

[MARGARITAS_SITEPLAT.PDF](#)
[10-13-20-SITE PLAN.PDF](#)
[10-13 2020-UTILITY PLAN.PDF](#)
[PRE AND POST DRAINAGE-POST.PDF](#)

6. DESIGN PLAT APPROVAL

- Williams Place – Highway 51/Shipp Rd

Documents:

[WILLIAMSPLACEPLAT-SD-090420.PDF](#)

7. REFERRAL TO BOARD OF ZONING APPEALS

- Standard Construction – Request for Special Exception Use
- Standard Construction – Request for Variance

Documents:

[10-13-20-SITE PLAN.PDF](#)
[VARIANCE_STANDARDCONSTRUCTION.JPG](#)
[VARIANCE_STANDARDCONSTRUCTION2.JPG](#)

8. DISCUSSION: REVISION TO SUBDIVISION REGULATIONS

Documents:

[FINAL DRAFT SUBDIVISION REGULATIONS 92820.PDF](#)

9. OTHER BUSINESS (As Necessary)

10. ADJOURN

ADA NOTICE

The City of Millington seeks to meet the needs of all individuals with disabilities Should you need accommodations for the above meeting, please call City Hall at (901)873-5701, at least 8 hours in advance of the meeting.

MILLINGTON PLANNING COMMISSION - MINUTES
CITY HALL CHAMBERS – 7930 NELSON
Monday, September 21, 2020

CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Chairman Chuck Hurt called the meeting to order at 6:00 pm, and roll call was taken to establish a quorum.

Present:

Mayor Terry Jones

Mike Caruthers

Curt Park

Leanna Dagen

Chuck Hurt, Jr.

Brenda Barber

Brett Morgan

Mr. Aitken was absent.

A quorum being present, the following proceedings were held:

APPROVE MINUTES

July 20, 2020 and August 17, 2020

Mr. Caruthers made motion to approve; second by Mr. Park; unanimous consent to approve.

SIGN DESIGN APPLICATIONS

Tiger Realty – 4879 Navy Road

The requested sign is within the allowable square footage based on a building width of 35' (35 x 1.5 = 52.5 sq. ft. plus 10% 5.25 sq. ft. for a total of 57.75 sq. ft.) The application does not state if there will be a building sign. If there is a building sign it needs to be submitted for review and it will be limited to 25.75 sq. ft.

Building ground signs must be solid to the ground and the proposed sign is not. It would be the City's preference that this sign have a brick or other solid base but that is not required in the ordinance. However, it is required that the sign be solid to the ground. Staff spoke to the sign company and suggested that they at least install properly supported aluminum panels from the sign to the ground to bring it into compliance with the ordinance.

The ground sign for Tiger Realty is recommended for approval with the following condition that the applicant shall submit a revised plan to staff that provides for the sign to be solid to the ground. The sign shall be a maximum of 32 sq. ft., 6 feet in height. Mr. Morgan made motion to approve with the condition; second by Mr. Caruthers; unanimous consent to approve.

King Seafood – 8025 US Highway 51 N

The building frontage is 34 feet and the business is entitled to 56.1 sq. ft. They are requesting a sign 32-inch-tall sign by 20 feet long or 53.3 sq. ft. The sign is made of individual and internally lit channel letters mounted on a raceway. There is a white circle with a red crab logo that is internally lit. The sign meets the ordinance and is recommended for approval with the condition that the raceway shall be painted to match the building façade. Motion to approve by Mr. Caruthers; second by Ms. Dagen; unanimous consent to approve.

RECOMMENDATION TO THE BZA

Dominion Christian Church – 7199 Raleigh Millington Road

This church is completing its building but has been significantly impacted by the Covid19 issue. The church was meeting at the chapel owned by Millington Schools but the facility was closed and the church has not been able to meet for months. In addition, the original plans for the church were for a total of 246 seats and 78 parking spaces. However, code issues with internal access reduced the seating to only 180 seats which would require 60 parking spaces.

The church has suffered financially with the inability to meet as a congregation and does not have adequate funds to pave the entire 60 spaces. In addition, they are further limited to only 60 useable seats in the building in accordance with the Covid19 spacing requirements of 6' between individuals or groups. The church is requesting approval at the BZA to pave the drive and 20 parking spaces at this time so they can begin meeting in the church. The zoning requirement is 1 space for every 3 seats and this would meet the zoning requirement for the reduced occupancy. The 20 spaces will include the required handicapped parking. Once the Covid19 restrictions are removed, the remaining 40 spaces would have to be paved before the entire 180 seats could be occupied. This request for a variance must:

- Relate to a physical hardship and not just a financial issue.
- Not be applicable to other property in the district
- Show the hardship was not created by the applicant
- And other issues.

The church has clearly been impacted by a pandemic unlike anything that has happened in 100 years. The impact is not just financial, it is a physical impact that limits the space they can use in the new building. To require them to complete all of the parking at this time would be a hardship with only 60 seats available. The staff feels that this is a minimum variance that will make possible the reasonable use of the land and building. It is recommended that the staff recommend that the BZA approve this request for a variance with the following conditions:

- The drive and 20 parking spaces shall be paved, including the handicapped parking.
- At such time as the COVID-19 restrictions are removed, the church shall pave the remaining 40 spaces prior to utilizing the remaining 120 seats.

Mr. Caruthers made motion to approve the recommendation with the above conditions; second by Ms. Barber; unanimous consent to approve.

DISCUSSION OF TEMPORARY BANNERS AND SIGNS DURING COVID-19 RESTRICTIONS

The Commission discussed a possible removal of restrictions on the time of placement of banners and A-frame signs during the Covid19 restrictions. It also needs to be determined what is a Covid19 impacted business and if restrictions need to be placed on which stores could be eligible under this waiver. Mr. Goforth said he would work on an ordinance.

OTHER BUSINESS (as Necessary)

None

There being no further business, the meeting was adjourned at 6:29 pm.
These minutes are approved as of October 19, 2020.

Chuck Hurt, Jr., Chairman

Karen Findley, City Clerk

Square Footage Calculation:

Code: 1 1/2 sf per 100 linear feet of occupant building frontage plus .5 sf/linear foot of bldg frontage greater than 100'

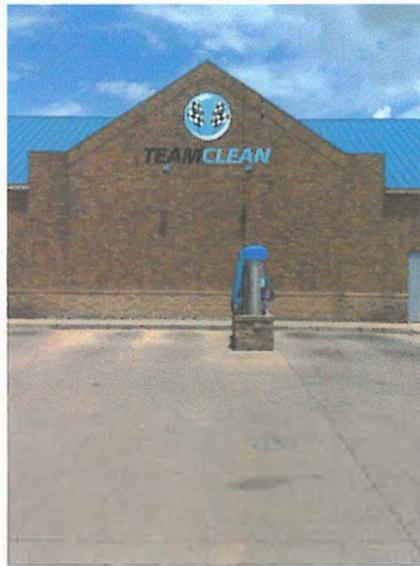
Calculation: 125 linear feet; 25 * .5= 14 sf

Allowed: 14 sf

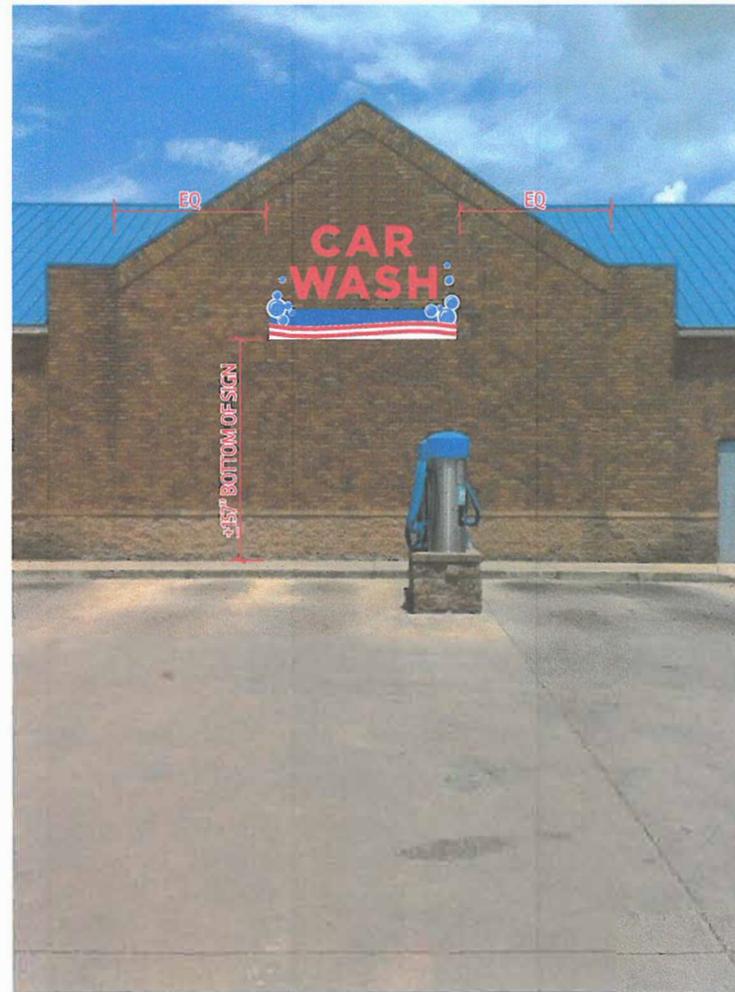
Used: 76.4 sf

Existing: 98.6 sf

Sign matched square footage of existing



Existing



Proposed



Client:

IMO US South, LLC
6300 S. Syracuse Way
Suite 205
Centennial, CO 80111

Location Address:

CWUSAE #TBD (Project Hexagon)
5130 Copper Creek Boulevard
Millington, TN 38053

Description:

CWUSAE-FMS-76

Illuminated Channel Letters
(76.4 sq ft)

Note:

Remove existing letterset & exterior lighting; patch wall as needed w/ clear caulk

Color Key:

- PMS 287 C
- PMS 1795 C
- PMS 2718 C
- White
- #2793 Red Acrylic
- Black

Layout Date:

08/06/2020 - AR

Revision Date:

08/13/2020 - VP
08/19/2020 - AR
08/27/2020 - AR
09/09/2020 - VP
09/21/2020 - VP
09/24/2020 - AR

A

Illuminated Channel Letters

**EGAN
SIGN**

1100 Berkshire Blvd. Suite 200, Wyomissing, PA | (Toll Free): 844.460.6631 | (Fax): 610.478.1332 | www.egansign.com

This design/engineering proposal will remain the exclusive property of Egan Sign until approved and accepted through purchase by client named directly on drawing and may not be duplicated by other parties or design fee will apply @ \$95 per hour.

Sign Management Made Simple

File Name:
25056_Millington.pdf
Project Number: 25056



Client:

IMO US South, LLC.
6300 S. Syracuse Way
Suite 205
Centennial, CO 80111

Location Address:

CWUSAE #TBD (Project
Hexagon)
5130 Copper Creek Boulevard
Millington, TN 38053

Description:

CWUSAE-WFM-59
Channel Letters - Flush Mount
(59.4 Sq. Ft.)

Note:

Remove existing exterior lighting;
patch wall as needed w/ clear caulk

Color Key:

- White
- Black
- PMS 287 C

Layout Date:

08/06/2020 - AR

Revision Date:

08/13/2020 - VP
08/19/2020 - AR
08/27/2020 - AR
09/09/2020 - VP
09/21/2020 - VP
09/24/2020 - AR

File Name:
25056_Millington.pdf
Project Number: 25056



Existing



Proposed

B

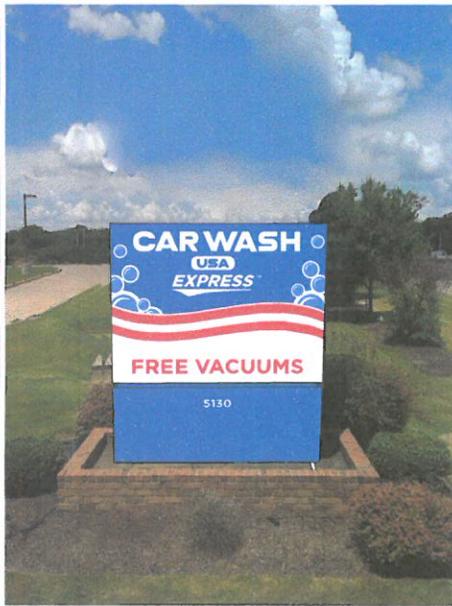
Channel Letters - Flush Mount

EGAN
SIGN

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Sign Management Made Simple



Proposed



Existing

Square Footage Calculation:

Code: NTE 50sf
Allowed: 50 sf
Used: 50 sf
 Existing: 96 sf



Client:

IMO US South, LLC.
 6300 S. Syracuse Way
 Suite 205
 Centennial, CO 80111

Location Address:

CWUSAE #TBD (Project Hexagon)
 5130 Copper Creek Boulevard
 Millington, TN 38053

Description:

Pylon Sign
 (50 Sq. Ft.)

Qty: 2 (1 per side)

Provide replacement cabinet w/
 digitally printed graphics to match
 color key applied to white flex face,
 skirt painted PMS 287 C & 4" h vinyl
 address.

Note: Using existing 8" pole and
 brick base

Color Key:

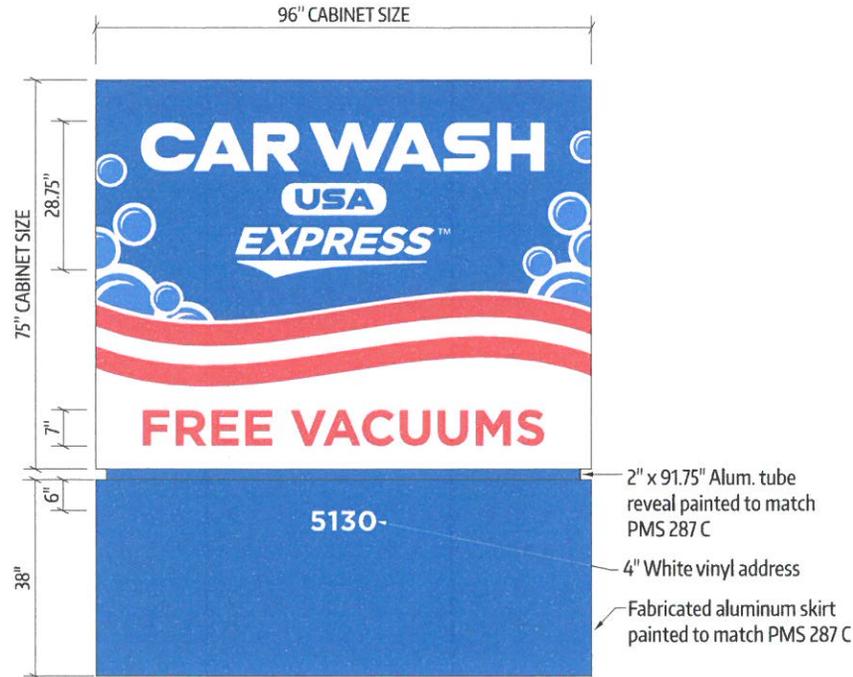
- PMS 287 C
- PMS 1795 C
- PMS 2718 C
- White

Layout Date:

08/06/2020 - AR

Revision Date:

- 08/13/2020 - VP
- 08/19/2020 - AR
- 08/27/2020 - AR
- 09/09/2020 - VP
- 09/21/2020 - VP
- 09/24/2020 - AR



C Pylon Sign
 Scale: 1/2"=1'-0"

**EGAN
SIGN**

1100 Berkshire Blvd. Suite 200, Wyomissing, PA | (Toll Free): 844.460.6631 | (Fax): 610.478.1332 | www.egansign.com

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Sign Management Made Simple

File Name:
 25056_Millington.pdf
 Project Number: 25056



The Wing Guru

CASH

Location Address



signpros
LIGHTED SIGNS

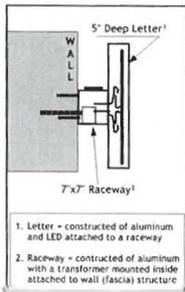
4535 Summer Ave. Memphis, TN 38122

Landlord Approval/Comments

Susan Cox 9-10-20



The Wing Guru

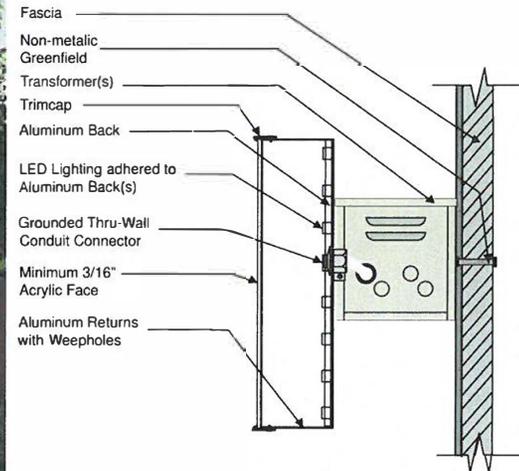


1. Letter - constructed of aluminum and LED attached to a raceway
2. Raceway - constructed of aluminum with a transformer mounted inside attached to wall (fascia) structure

The Wing Guru

144 in

25 in



CHANNEL LETTERS

Subject to local standards, the following guidelines will be followed:

Illumination to be White LED in Flag and Red LED in Letters operating on power source located in raceway. Raceway to be built from aluminum, painted to match building fascia. Raceways to be mounted to building using proper non-corrosive hardware and fasteners. NOTE: Channel letters may be applied directly to fascia rather than by raceway if desired.

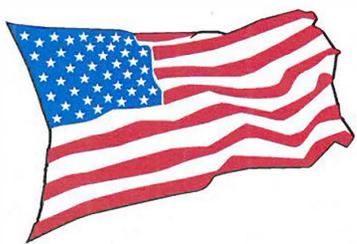
All electrical components to be UL listed.

LETTERS AND LOGO:

- FONT TO BE "Helvetica Condensed Bold."
- AS APPLICABLE, DUSK TO DAWN LIGHT SENSOR TO BE UTILIZED WITH MANUAL SHUT-OFF.

LETTERS AND LOGO COLOR

| Symbol Color | Pantone | Cyan | Magenta | Yellow | Black | Red | Green | Blue |
|--------------|---------|------|---------|--------|-------|-----|-------|------|
| Red | 1795C | 0 | 100 | 93 | 0 | 199 | 63 | 53 |
| Blue | 293C | 100 | 71 | 0 | 0 | 51 | 82 | 164 |



Armed Forces
Career Center

36 in

192 in

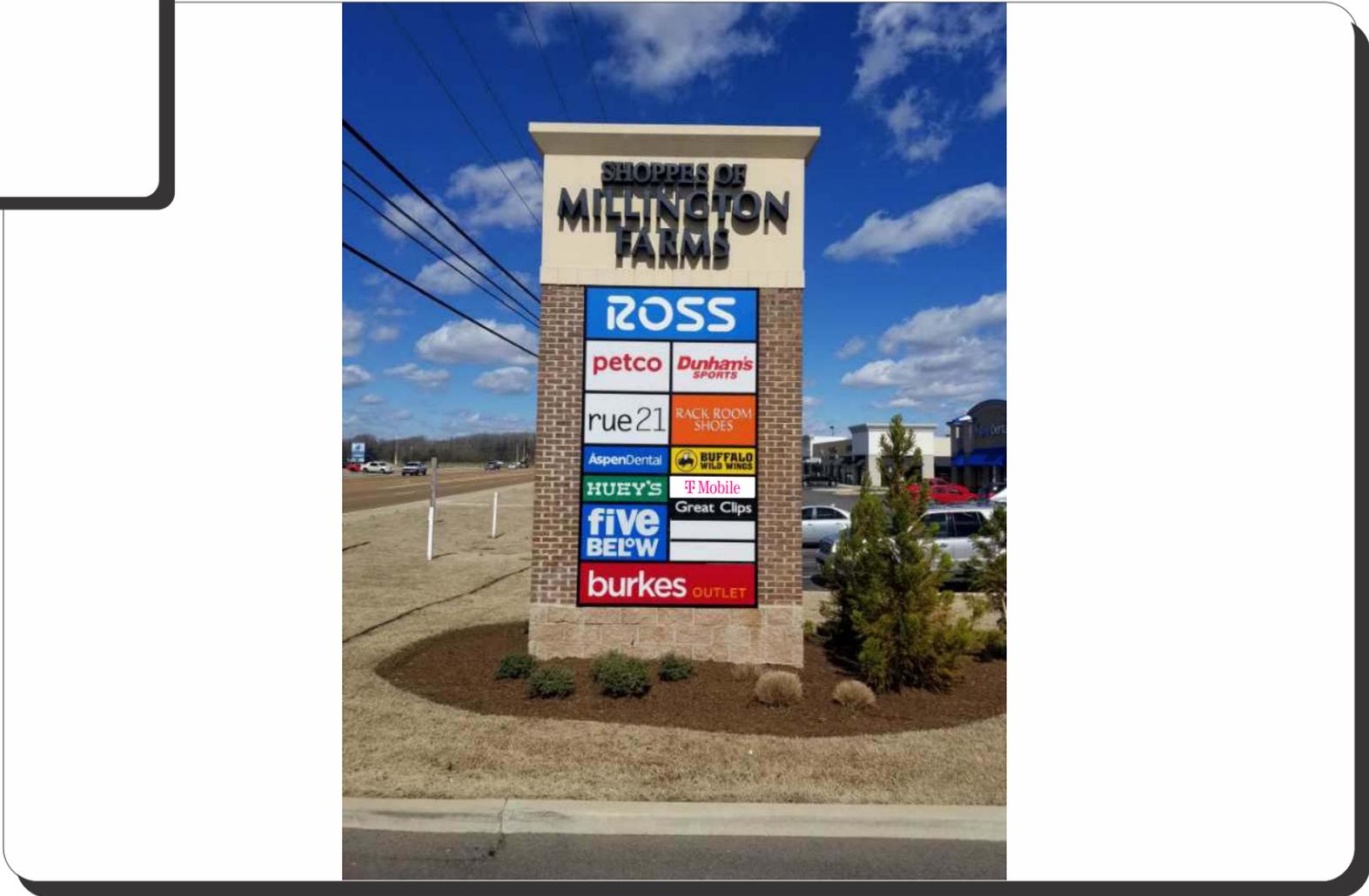
S-A

Existing/Proposed - T-MOBILE Tenant Panel White Field with Magenta Letters : Cut Size: 11 1/2" x 3' 4 3/4"

EXISTING ▼



PROPOSED ►



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BLAIR COMPANIES
ARCHITECTURAL IMAGING
SIGNS • FIXTURES • LIGHTING

5107 Kissell Ave
Altoona, PA 16601
P: 814.949.8287
F: 814.949.8293
blaircompanies.com

Drawing will expire 90 days after date on cover.
If production request is sent in after 90 days, 24 hours is required to review approval.

| | |
|-----------------|--------------------|
| BLAIR M# | RENDERED BY |
| 84223 | JGK |
| BLAIR PM | |
| Sue Brown | |
| | |

T-Mobile™

| | |
|--|---------------|
| ADDRESS | PAGE # |
| 8570 US Hwy 51 North Ste 103 Millington, TN 38053 | 4 of 6 |

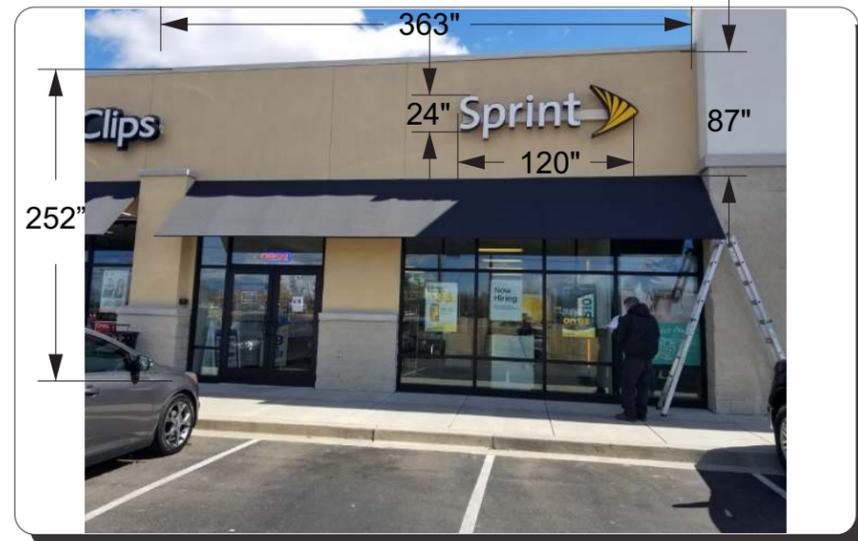
| | |
|-------------------------|----------------------------------|
| CLIENT SIGNATURE | DATE |
| | 5/17/2019 |
| APPROVAL DATE | DESIGN |
| | Carly Byfield and Jayson Laporga |
| | FILE NAME |
| | |

| REVISIONS | |
|-----------|---------------------------------|
| DATE: | DESCRIPTION: |
| PM | 06/23/20 Update per LL criteria |
| | |
| | |
| | |



Existing/Proposed - T-MOBILE 28" Channel Letters on Raceway Raceway Mounted 2' 4" x 11' 2 1/4"

EXISTING ▼



PROPOSED ►



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Altoona, PA 16601
P: 814.949.8287
F: 814.949.8293
blaircompanies.com

| | |
|-----------------|--------------------|
| BLAIR M# | RENDERED BY |
| 84223 | Amy Hughes |
| BLAIR PM | |
| Sue Brown | |



CLIENT SIGNATURE
D. J.

DATE
05/28/2019
PM
None

| REVISIONS | |
|-----------|------------------------------|
| DATE: | DESCRIPTION: |
| 06/23/20 | Update per LL criteria |
| 08/28/20 | Centered letters over awning |

ADDRESS
8570 US Highway 51 North
Millington, TN 38053

PAGE #
4 of 6

APPROVAL DATE
9-17-20

DESIGN
Carly Byfield/Jayson Laporga
FILE NAME
543928_sign_package.pdf

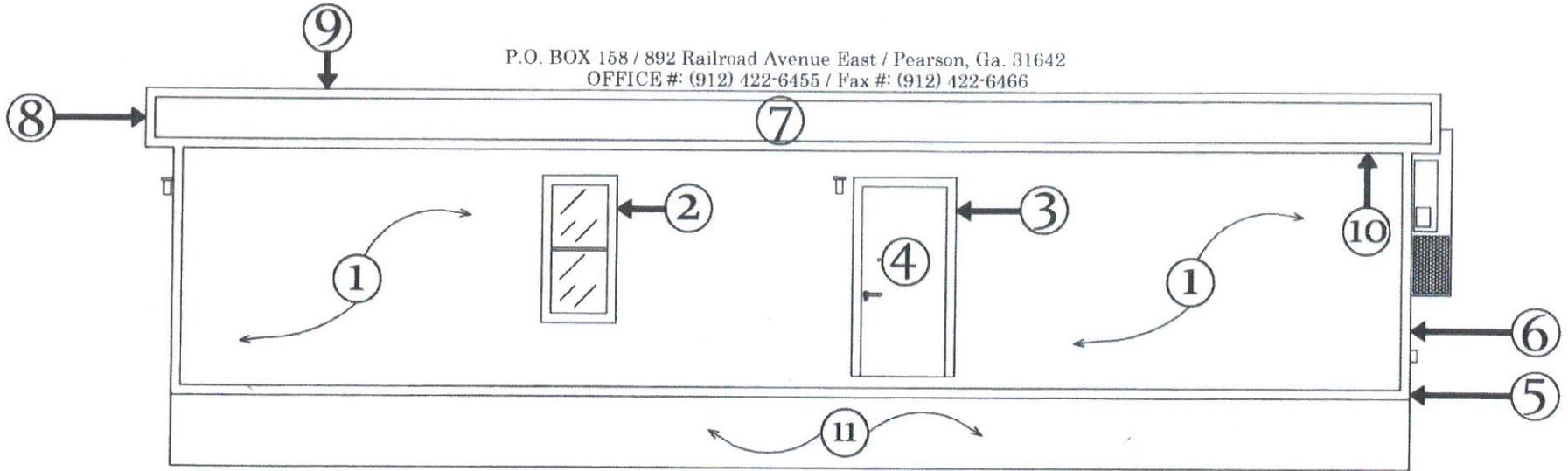
Drawing will expire 90 days after date on cover.
If production request is sent in after 90 days, 24 hours is required to review approval.





FSSI SN# _____

P.O. BOX 158 / 892 Railroad Avenue East / Pearson, Ga. 31642
 OFFICE #: (912) 422-6455 / Fax #: (912) 422-6466



EXTERIOR COLORS

INTERIOR COLORS

- ① EXTERIOR WALL Driftwood- SW 3027
- ② WINDOW TRIM Ironwood- SW 3028
- ③ DOOR TRIM Driftwood- SW 3027
- ④ DOOR COLOR Ironwood- SW 3028
- ⑤ BOTTOM TRIM Ironwood- SW 3028
- ⑥ CORNER TRIM Ironwood- SW 3028
- ⑦ MANSARD Ironwood- SW 3028
- ⑧ MANSARD CORNER TRIM Ironwood- SW 3028
- ⑨ MANSARD TOP TRIM Ironwood- SW 3028
- ⑩ MANSARD BOTTOM TRIM Ironwood- SW 3028
- ⑪ SKIRT COLOR Driftwood- SW 3027

Not Avail. in Aluminum

Not Avail. in Aluminum

FLOOR COVERING

TILE Blue/Gray #51903

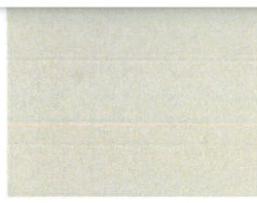
WALL COVERING

VINYL COVERED GYP (VCG) Ruff-Stuff White

BASE COVE Gray CB-67-2

Formica- Dove Gray

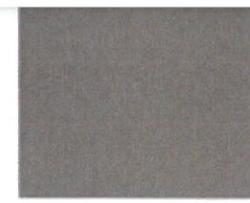
Modesty Partitions- Navy 950



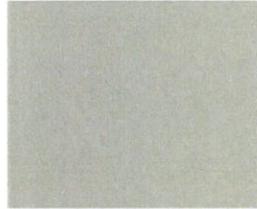
Casa Blanca - SW 2060



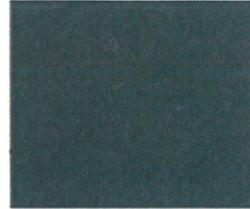
Blue Spruce - SW 3008



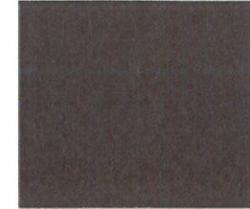
Rock Rose - SW 3016



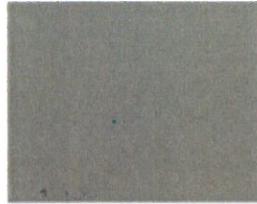
Navajo White - SW 3005



Pineneedle - SW 3009



Brickdust - SW 2715



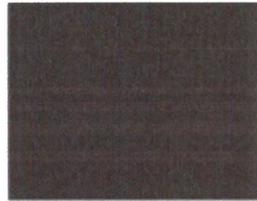
Sand Castle - SW 3006



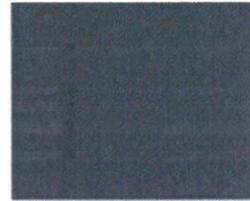
Driftwood - SW 3027



Sequoia - SW 3015



Lodge Brown - SW 3007



Ironwood - SW 3028



Black Adler - SW 3022

**ROADMASTER TRUCK
DRIVING SCHOOL
8050 SINGLETON AVE.
MILLINGTON, TN 38053**

**EXISTING SITE
PLAN**

5.5.2020

DRAWN BY:
J.HARDER

SHEET NO.
C1



KEY NOTES:

- ① EXISTING MODULAR BUILDING TO BE REMOVED
- ② EXISTING LIFT STATION
- ③ EXISTING POLE MOUNTED TRANSFORMER

**ROADMASTER TRUCK
DRIVING SCHOOL
8050 SINGLETON AVE.
MILLINGTON, TN 38053**

NEW SITE PLAN

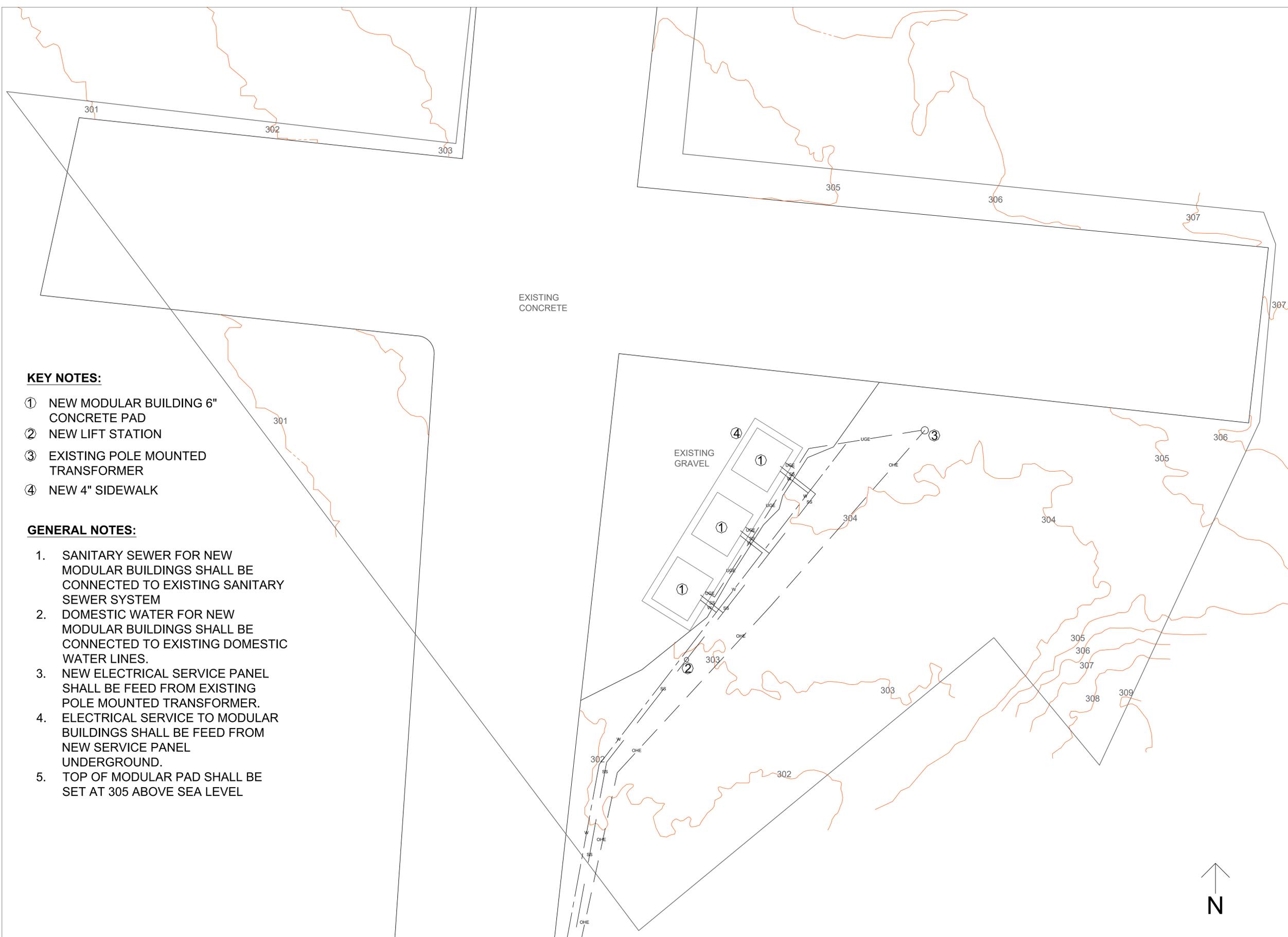
5.5.2020

DRAWN BY:

J.HARDER

SHEET NO.

C2



KEY NOTES:

- ① NEW MODULAR BUILDING 6" CONCRETE PAD
- ② NEW LIFT STATION
- ③ EXISTING POLE MOUNTED TRANSFORMER
- ④ NEW 4" SIDEWALK

GENERAL NOTES:

1. SANITARY SEWER FOR NEW MODULAR BUILDINGS SHALL BE CONNECTED TO EXISTING SANITARY SEWER SYSTEM
2. DOMESTIC WATER FOR NEW MODULAR BUILDINGS SHALL BE CONNECTED TO EXISTING DOMESTIC WATER LINES.
3. NEW ELECTRICAL SERVICE PANEL SHALL BE FEED FROM EXISTING POLE MOUNTED TRANSFORMER.
4. ELECTRICAL SERVICE TO MODULAR BUILDINGS SHALL BE FEED FROM NEW SERVICE PANEL UNDERGROUND.
5. TOP OF MODULAR PAD SHALL BE SET AT 305 ABOVE SEA LEVEL



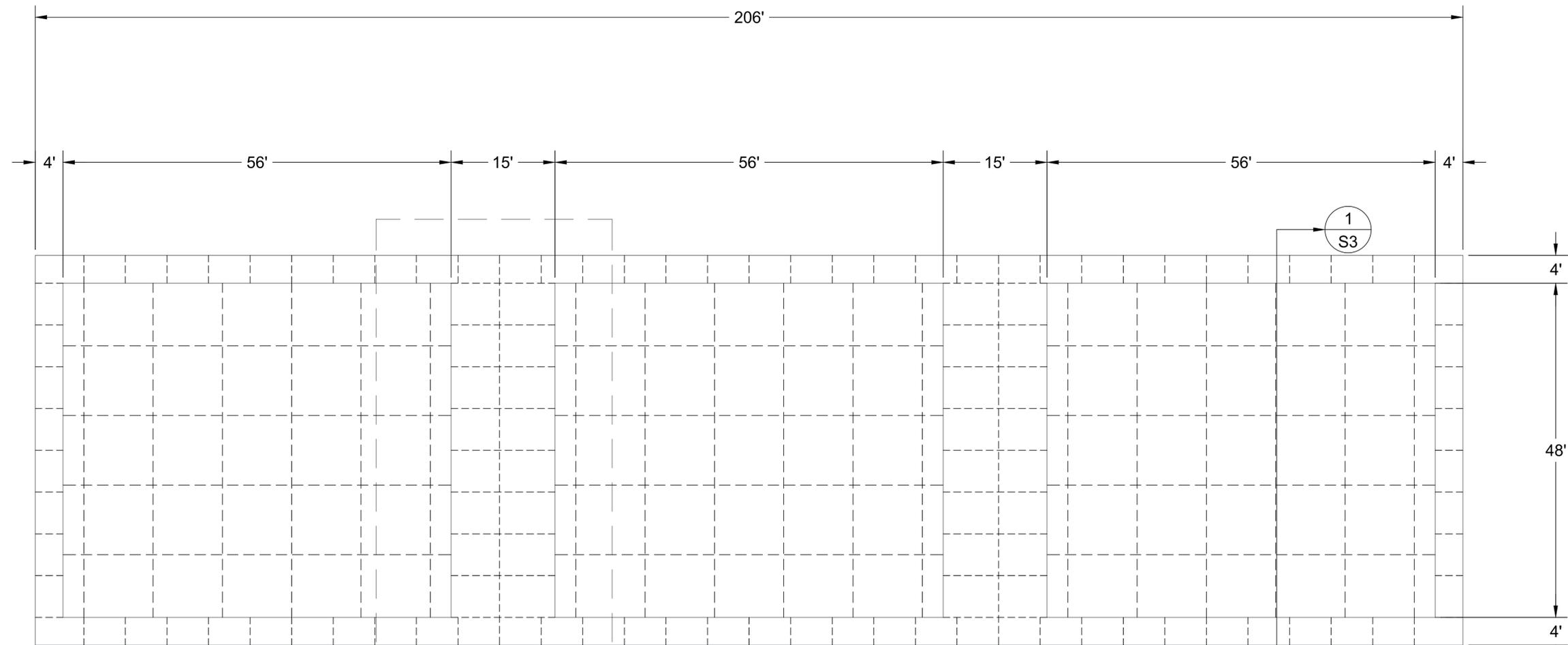
ROADMASTER TRUCK
DRIVING SCHOOL
8050 SINGLETON AVE.
MILLINGTON, TN 38053

CONCRETE PAD
PLAN VIEW

5.5.2020

DRAWN BY:
J.HARDER

SHEET NO.
S1



GENERAL NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION FOR ALL PLUMBING, AND ELECTRICAL CONNECTIONS FOR MODULAR BUILDING WITH BUILDING VENDOR.
2. SIDEWALKS AND MODULAR BUILDING PADS SHALL BE MADE OF 3,000 PSI CONCRETE.
3. SIDEWALKS SHALL HAVE CONTROL JOINT EVERY 4 FEET.
4. MODULAR BUILDING PADS SHALL HAVE CONSTRUCTION JOINT EVERY 10 FEET OC BOTH DIRECTIONS.
5. 6"x 6", #6 GAUGE WELDED WIRE FABRIC SHALL BE USED TO REINFORCE ALL MODULAR BUILDING PADS
6. ALL SIDEWALKS SHALL HAVE A LIGHT BROOM FINISH
7. ALL MODULAR PADS SHALL HAVE A SMOOTH TROWEL FINISH.
8. UNLESS OTHERWISE NOTED ALL SIDEWALKS SHALL HAVE A 2% SLOPE AWAY FROM THE BUILDING

1
S2

1
S3

ROADMASTER TRUCK
DRIVING SCHOOL
8050 SINGLETON AVE.
MILLINGTON, TN 38053

ENLARGED
DETAIL

5.5.2020

DRAWN BY:
J.HARDER

SHEET NO.
S2

2%
↑

2%
↑

15'

2%
↓

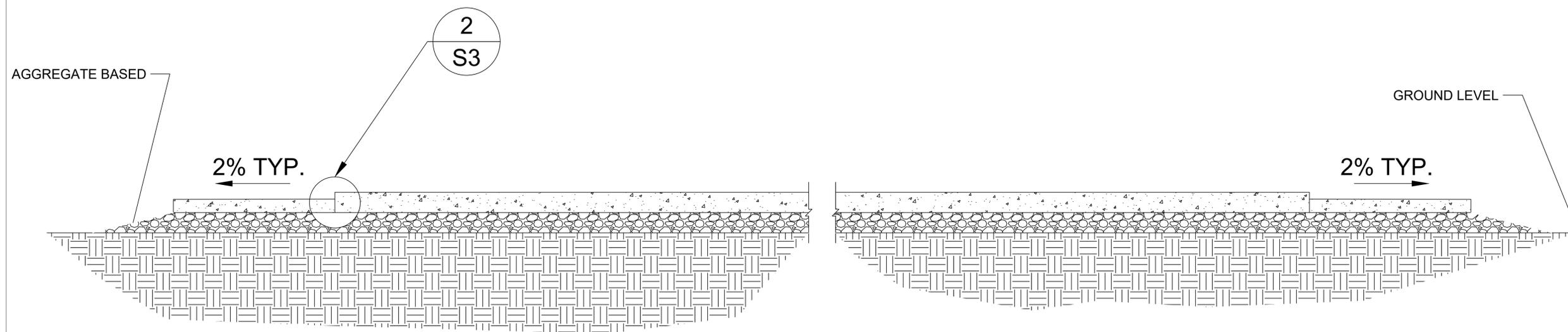
2%
↓

2%
↓

4' TYP.

GENERAL NOTES:

1. ALL SIDEWALKS SHALL HAVE A 2% SLOPE AWAY FOR THE MODULAR PADS UNLESS OTHERWISE NOTED.

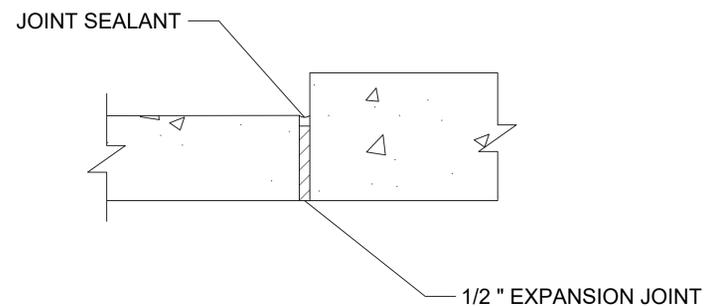


DETAIL 1- SECTIONAL VIEW

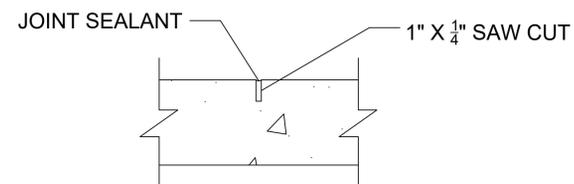
GENERAL NOTES:

1. ALL SIDEWALKS SHALL HAVE A 2% SLOPE AWAY FOR THE MODULAR PADS UNLESS OTHERWISE NOTED.

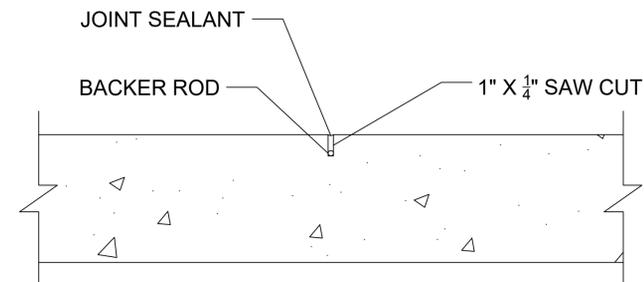
**ROADMASTER TRUCK
DRIVING SCHOOL
8050 SINGLETON AVE.
MILLINGTON, TN 38053**



DETAIL 2- ENLARGED VIEW



DETAIL 3- SIDEWALK CONTROL JOINT DETAIL



DETAIL 4- MODULAR PAD CONSTRUCTION JOINT DETAIL

**CONCRETE PAD
DETAILS**

DATE:

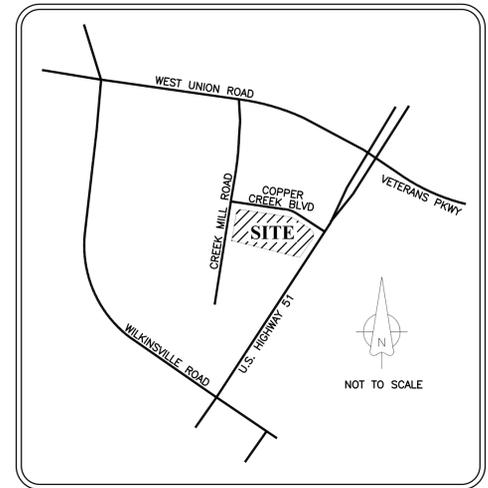
5.5.2020

DRAWN BY:

J.HARDER

SHEET NO.

S3



VICINITY MAP

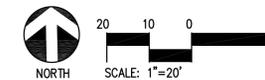
SITE DATA:

PROJECT INFORMATION
 NAME: MARGARITAS RESTAURANT
 LOCATION: COPPER CREEK & CREEK MILL ROAD
 SHELBY MALL SUBDIVISION - LOT 1

OWNER:
 JOSE FLORES
 1625 OLD MEMPHIS ROAD
 COVINGTON, TN 38019

SITE AREA: 1.26 ACRES
 ZONING DISTRICT: B-2 (GENERAL COMMERCIAL)
 PROPOSED USE: RESTAURANT
 BUILDING AREA: 5,200 SQUARE FEET
 FLOOR AREA RATIO: 9.47%
 BUILDING HEIGHT: 24'-6" FEET
 PERVIOUS AREA: 23%
 IMPERVIOUS AREA: 77%
 BUILDING SETBACKS: FRONT - 5'
 SIDE - 10'
 REAR - 20'

PARKING: PARKING REQUIRED 26
 PARKING PROVIDED 65
 HANDICAP PROVIDED 3
 TOTAL PARKING PROVIDED 68



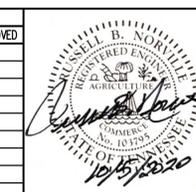
NOTES:

- Referenced Bench Mark: A disk, named Y 261, set in top of the northeast end of the concrete headwall of a triple channel culvert and on the east side of U. S. Highway 51 and on the south side of Shipp Road. Bench Mark elevation is 284.45 (NAVD 1988).
- Site Bench Mark: A chiseled square on top of and at the southwest end of the concrete headwall of a 36" concrete pipe west of U.S. Highway 51 and 97' south of center of Copper Creek Blvd. Mark elevation is 283.28 (NAVD 88).
- BOUNDARY & TOPOGRAPHIC SURVEY PROVIDED BY J. BRANTLEY MORRIS DATED 06/2020.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP, MAP NUMBER 47157C0160G, DATED FEBRUARY 08, 2013.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE CITY BUILDING DEPARTMENT A MINIMUM 24 HOURS PRIOR TO INITIATION OF ANY CONSTRUCTION.
- CONTRACTOR SHALL CONFIRM ALL EXISTING CONDITIONS, INCLUDING LOCATION, SIZE AND INVERT ELEVATIONS FOR ALL PIPES.
- ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE 2010 AMERICANS WITH DISABILITIES ACT (ADA) STANDARDS FOR ACCESSIBLE DESIGN.
- SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION AND DETAILS FOR BUILDING ENTRANCES, SIDEWALKS, AND HANDICAP ACCESS, MECHANICAL AND PLUMBING INFORMATION.
- SEE DETAIL SHEET AND GENERAL NOTES SHEET FOR ADDITIONAL INFORMATION PERTAINING TO THIS SHEET.
- DETENTION NOTE
 THE AREA DENOTED BY "RESERVED FOR STORMWATER DETENTION" SHALL NOT BE FILLED OR USED FOR ANY OTHER PURPOSE WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM THE CITY ENGINEER. THE STORMWATER DETENTION SYSTEMS LOCATED IN THESE AREA(S) SHALL BE OWNED AND MAINTAINED BY THE OWNERS OF THIS LOT. SUCH MAINTENANCE SHALL BE PERFORMED SO AS TO INSURE THE SYSTEM OPERATES IN ACCORDANCE WITH THE APPROVED PLANS LOCATED WITH THE CITY OF PIPERTON. SUCH MAINTENANCE SHALL INCLUDE, BUT NOT BE LIMITED TO, THE REMOVAL OF SEDIMENTATION, FALLEN OBJECTS, DEBRIS AND TRASH, MOWING, OUTLET CLEANING AND THE REPAIR OF DRAINAGE STRUCTURES.

LOT 3 PURE MILLINGTON SUBDIVISION
 PLAT BOOK 267, PG 45

RONALD RAY, ET AL
 INSTRUMENT NO. HU3619
 PARCEL ID: M0115 00992

| REVISIONS | | |
|-----------|--------------|----------|
| DATE | DESCRIPTIONS | APPROVED |
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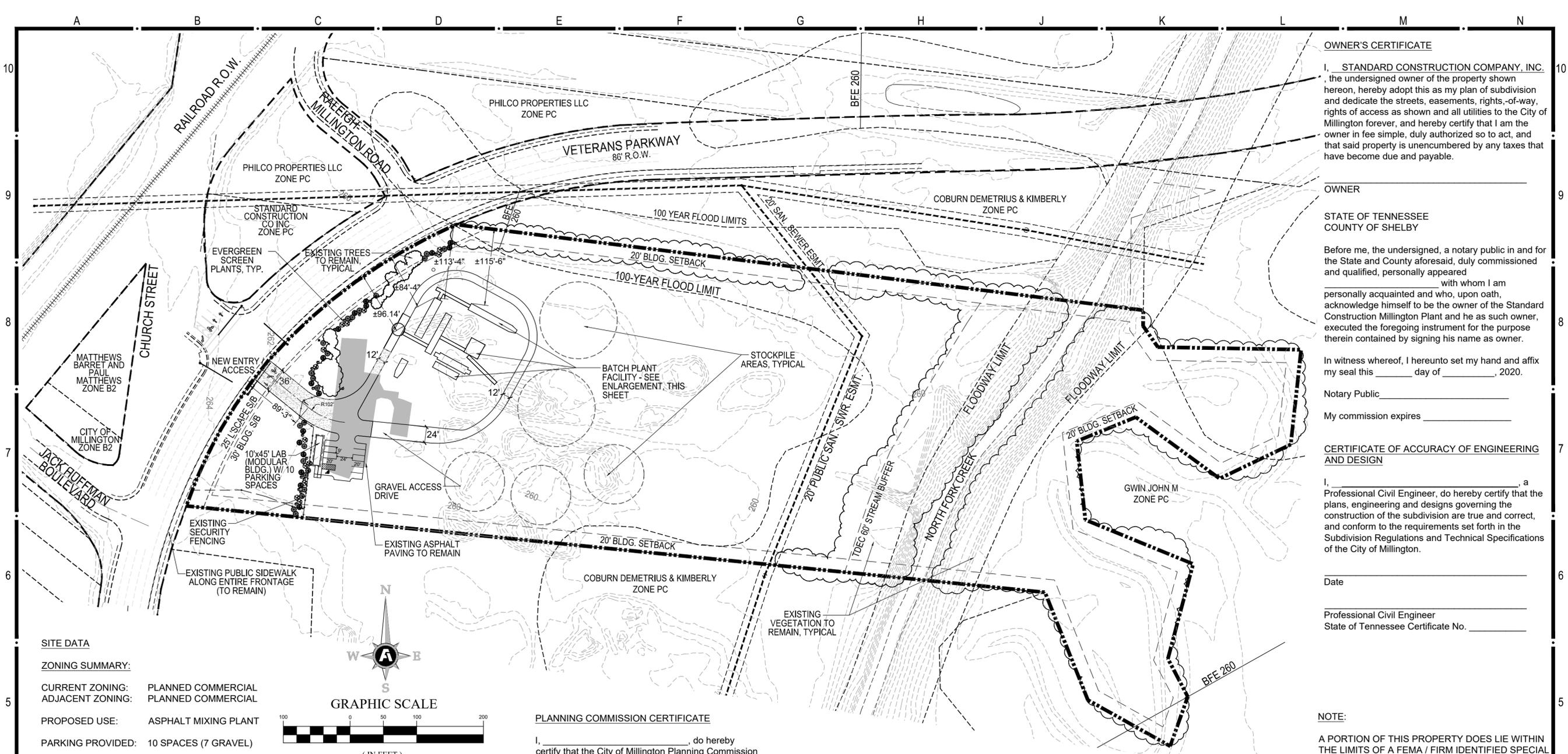


SHELBY MALL SUBDIVISION - LOT 1
MARGARITAS RESTAURANT
 DEVELOPER: JOSE FLORES
 ENGINEER: CIVIL ENGINEERING SOLUTIONS, LLC.

Sheet 1 of 1

SITE PLAN
 LOCATION: COPPER CREEK DRIVE AT CREEK MILL ROAD
MILLINGTON, TENNESSEE

SURVEY J.B. MORRIS DATE 6/2020 BOOK
 DRAFTED C.E.S. DATE 10/5/20 SCALE 1"=20'
 DESIGN C.E.S. DATE 10/5/20 CHECKED DATE
 APPROVED
 CITY ENGINEER DATE



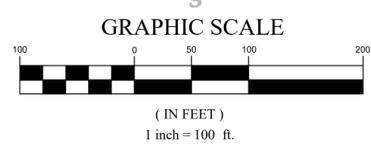
SITE DATA

ZONING SUMMARY:

CURRENT ZONING: PLANNED COMMERCIAL
 ADJACENT ZONING: PLANNED COMMERCIAL

PROPOSED USE: ASPHALT MIXING PLANT

PARKING PROVIDED: 10 SPACES (7 GRAVEL)



PLANNING COMMISSION CERTIFICATE

I, _____, do hereby certify that the City of Millington Planning Commission has approved this plat of subdivision for recording.

Date _____

Secretary, City of Millington Planning Commission

OWNER'S CERTIFICATE

I, STANDARD CONSTRUCTION COMPANY, INC., the undersigned owner of the property shown hereon, hereby adopt this as my plan of subdivision and dedicate the streets, easements, rights-of-way, rights of access as shown and all utilities to the City of Millington forever, and hereby certify that I am the owner in fee simple, duly authorized so to act, and that said property is unencumbered by any taxes that have become due and payable.

OWNER _____

STATE OF TENNESSEE
 COUNTY OF SHELBY

Before me, the undersigned, a notary public in and for the State and County aforesaid, duly commissioned and qualified, personally appeared _____ with whom I am personally acquainted and who, upon oath, acknowledge himself to be the owner of the Standard Construction Millington Plant and he as such owner, executed the foregoing instrument for the purpose therein contained by signing his name as owner.

In witness whereof, I hereunto set my hand and affix my seal this _____ day of _____, 2020.

Notary Public _____

My commission expires _____

CERTIFICATE OF ACCURACY OF ENGINEERING AND DESIGN

I, _____, a Professional Civil Engineer, do hereby certify that the plans, engineering and designs governing the construction of the subdivision are true and correct, and conform to the requirements set forth in the Subdivision Regulations and Technical Specifications of the City of Millington.

Date _____

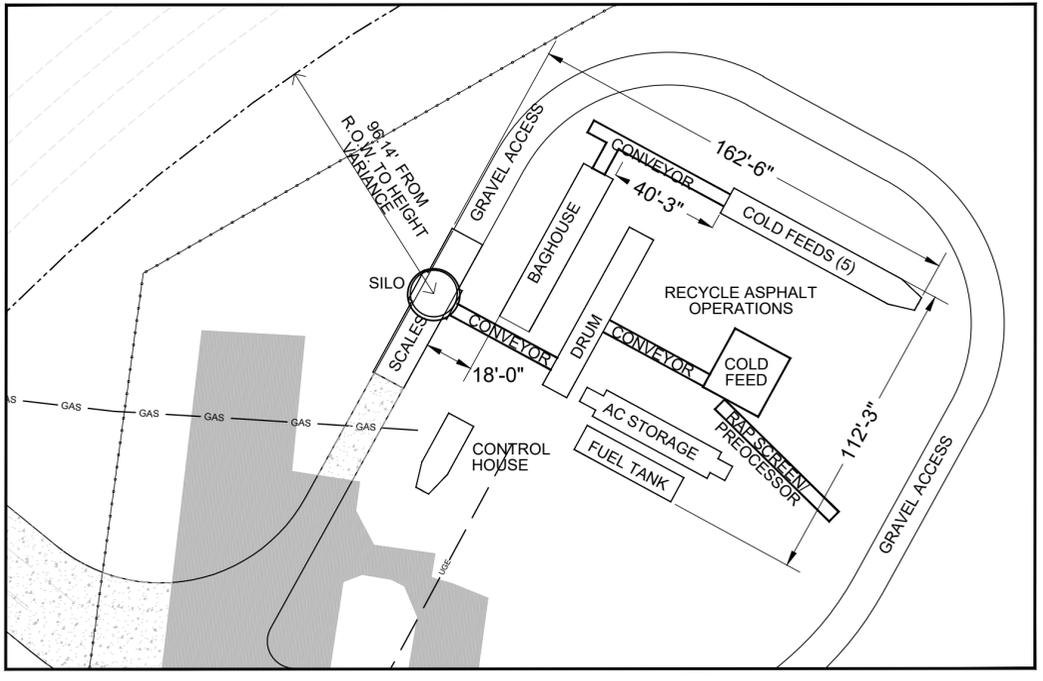
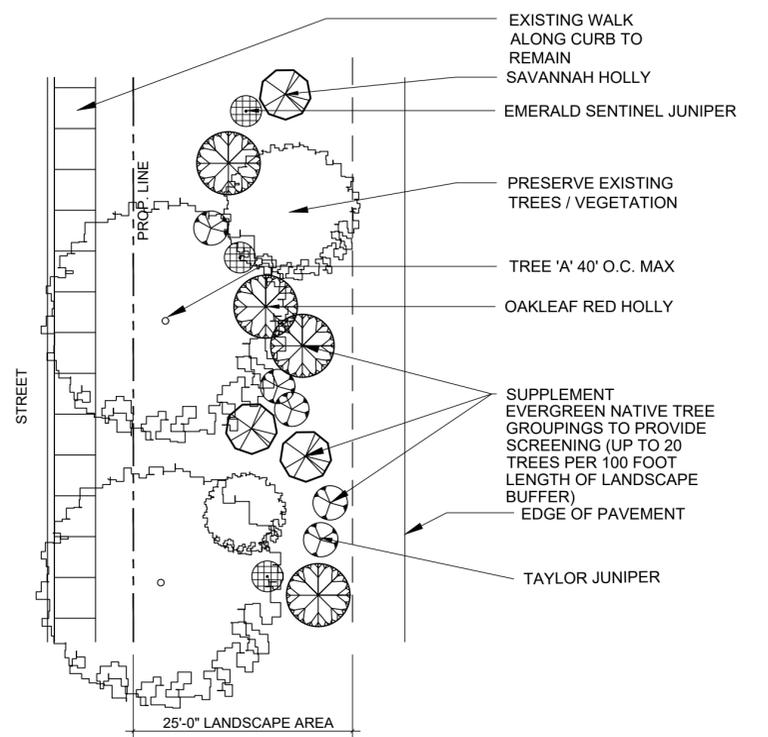
Professional Civil Engineer
 State of Tennessee Certificate No. _____

NOTE:

A PORTION OF THIS PROPERTY DOES LIE WITHIN THE LIMITS OF A FEMA / FIRM IDENTIFIED SPECIAL FLOOD HAZARD AREA AS SHOWN ON COMMUNITY PANEL 47157C 0160 G, DATED FEBRUARY 6, 2013.

NOTE:

BOUNDARY AND TOPOGRAPHIC INFORMATION OBTAINED FROM SHELBY COUNTY GIS DATA.



SITE PLAN

STANDARD CONSTRUCTION

MILLINGTON PLANT

M0115 PARCEL 725

MILLINGTON, TENNESSEE

SEPTEMBER, 2020

TOTAL AREA: 645,089 Sq. Ft. / 14.81 Ac.
 FEMA PANEL NO. 47157C0160G / ELEV. 260

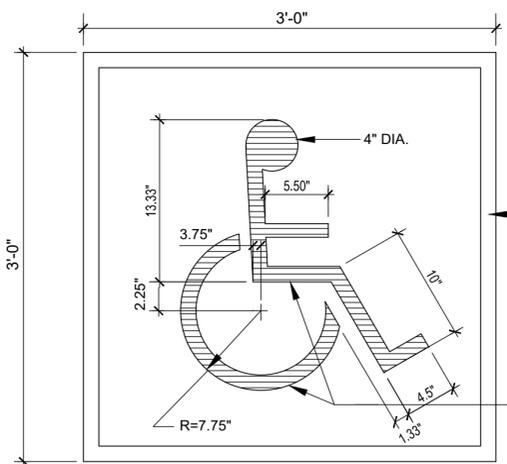
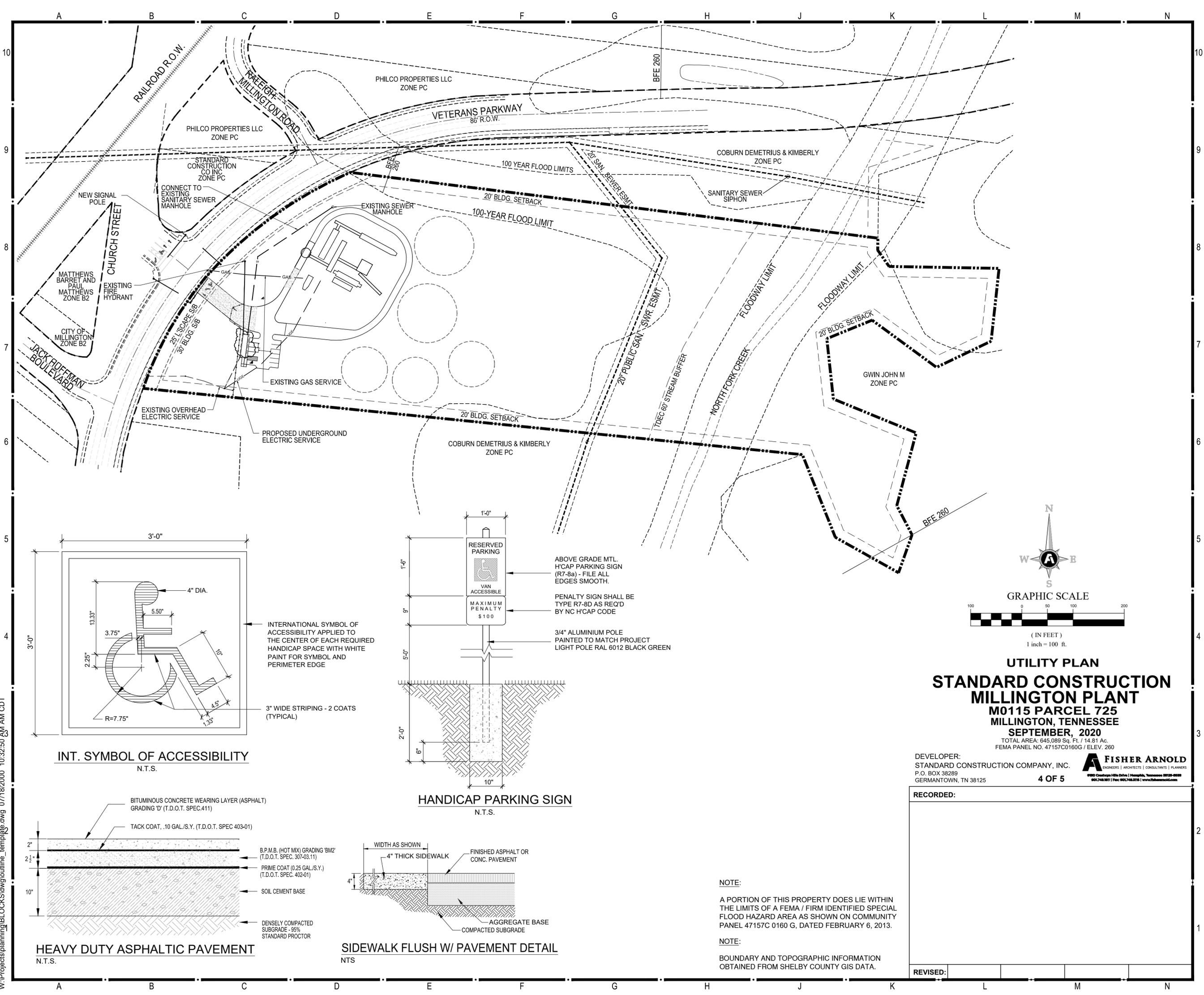
DEVELOPER:
 STANDARD CONSTRUCTION COMPANY, INC.
 P.O. BOX 38289
 GERMANTOWN, TN 38125

2 OF 5

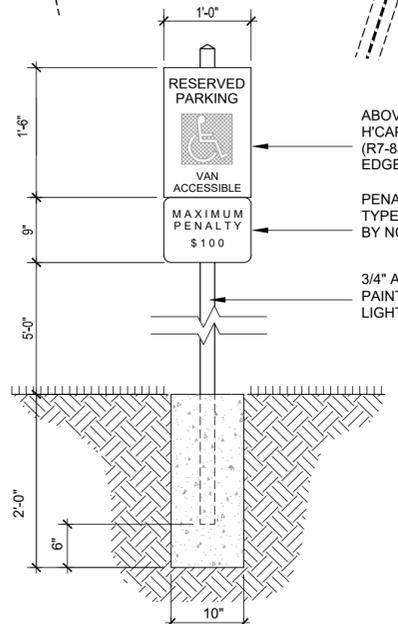
FISHER ARNOLD
 ENGINEERS | ARCHITECTS | CONSULTANTS | PLANNERS
 8900 Century Hills Drive | Memphis, Tennessee 38125-9928
 901.748.9111 | Fax: 901.748.8116 | www.fishernad.com

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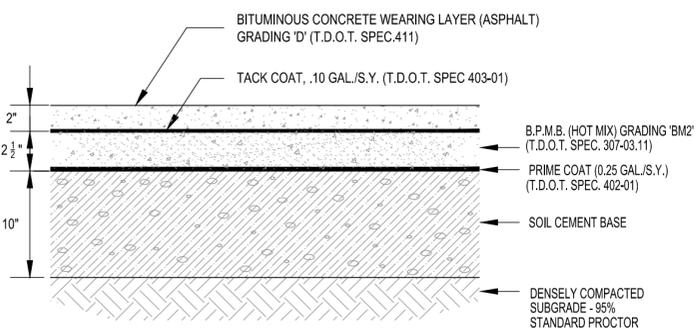


INT. SYMBOL OF ACCESSIBILITY
N.T.S.

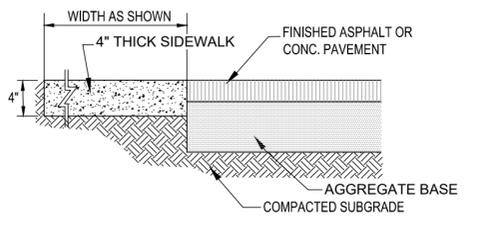


HANDICAP PARKING SIGN
N.T.S.

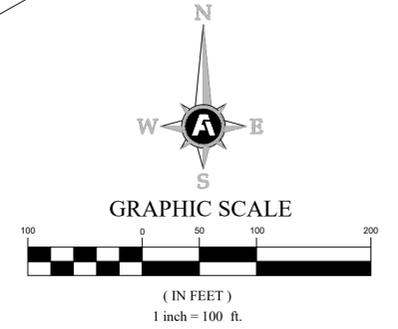
ABOVE GRADE MTL. H'CAP PARKING SIGN (R7-8a) - FILE ALL EDGES SMOOTH.
PENALTY SIGN SHALL BE TYPE R7-8D AS REQ'D BY NC H'CAP CODE
3/4" ALUMINIUM POLE PAINTED TO MATCH PROJECT LIGHT POLE RAL 6012 BLACK GREEN



HEAVY DUTY ASPHALTIC PAVEMENT
N.T.S.



SIDEWALK FLUSH W/ PAVEMENT DETAIL
NTS



UTILITY PLAN
STANDARD CONSTRUCTION
MILLINGTON PLANT
M0115 PARCEL 725
MILLINGTON, TENNESSEE
SEPTEMBER, 2020
TOTAL AREA: 645,089 Sq. Ft. / 14.81 Ac.
FEMA PANEL NO. 47157C0160G / ELEV. 260

DEVELOPER:
STANDARD CONSTRUCTION COMPANY, INC.
P.O. BOX 38289
GERMANTOWN, TN 38125

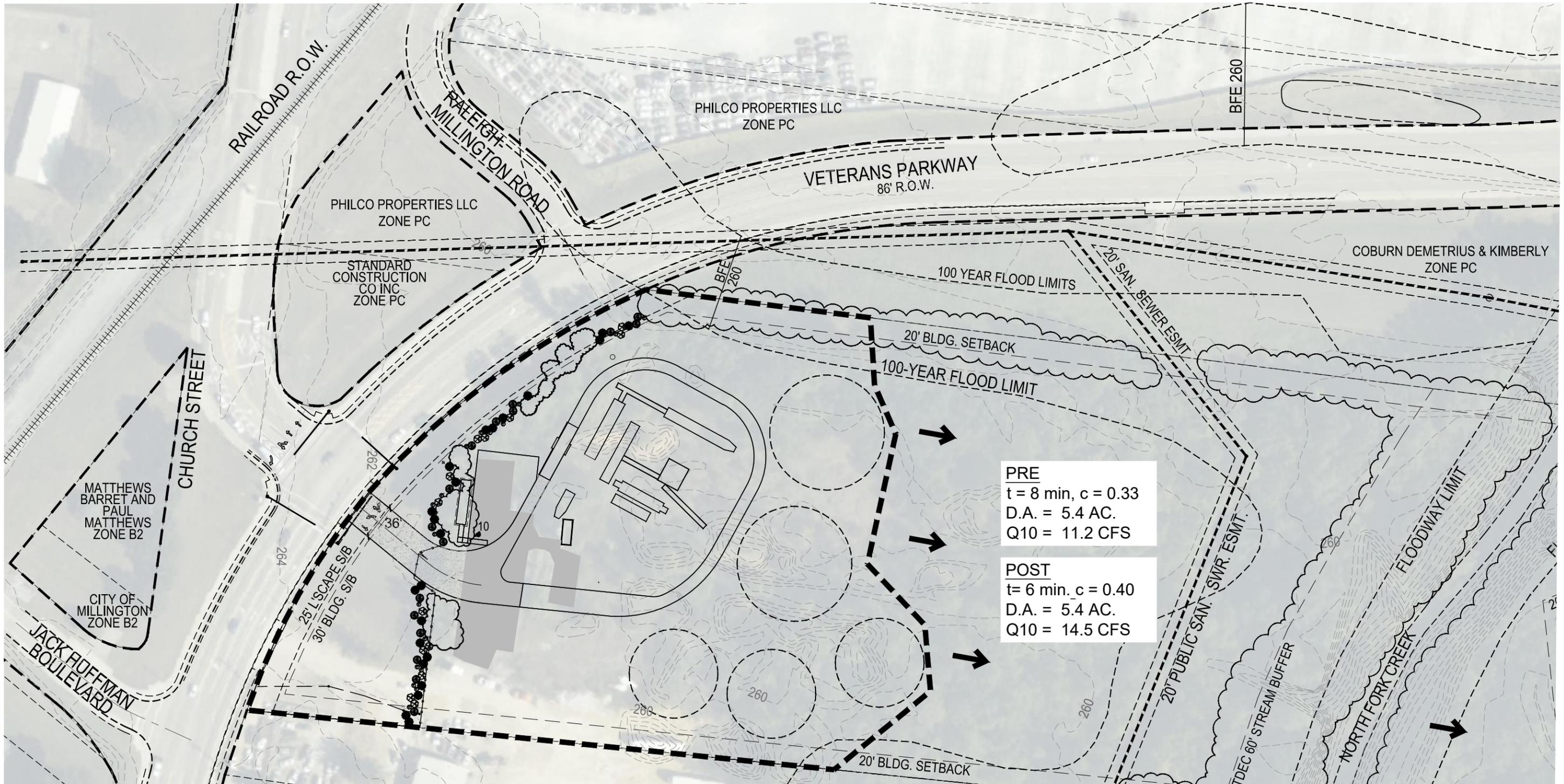
FISHER ARNOLD
ENGINEERS | ARCHITECTS | CONSULTANTS | PLANNERS
9900 Century Hills Drive | Memphis, Tennessee 38125-9929
901.748.9111 | Fax: 901.748.8116 | www.fishernad.com

NOTE:
A PORTION OF THIS PROPERTY DOES LIE WITHIN THE LIMITS OF A FEMA / FIRM IDENTIFIED SPECIAL FLOOD HAZARD AREA AS SHOWN ON COMMUNITY PANEL 47157C 0160 G, DATED FEBRUARY 6, 2013.

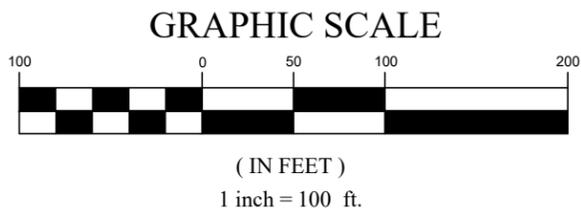
NOTE:
BOUNDARY AND TOPOGRAPHIC INFORMATION OBTAINED FROM SHELBY COUNTY GIS DATA.

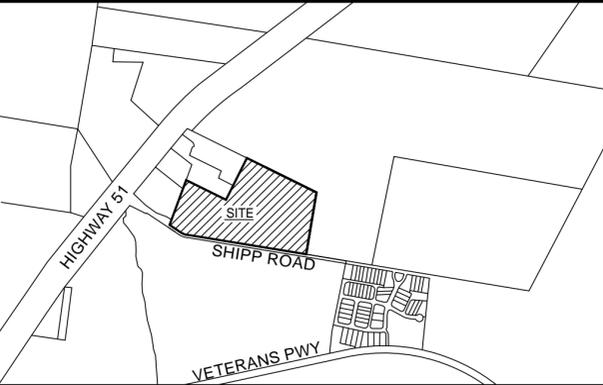
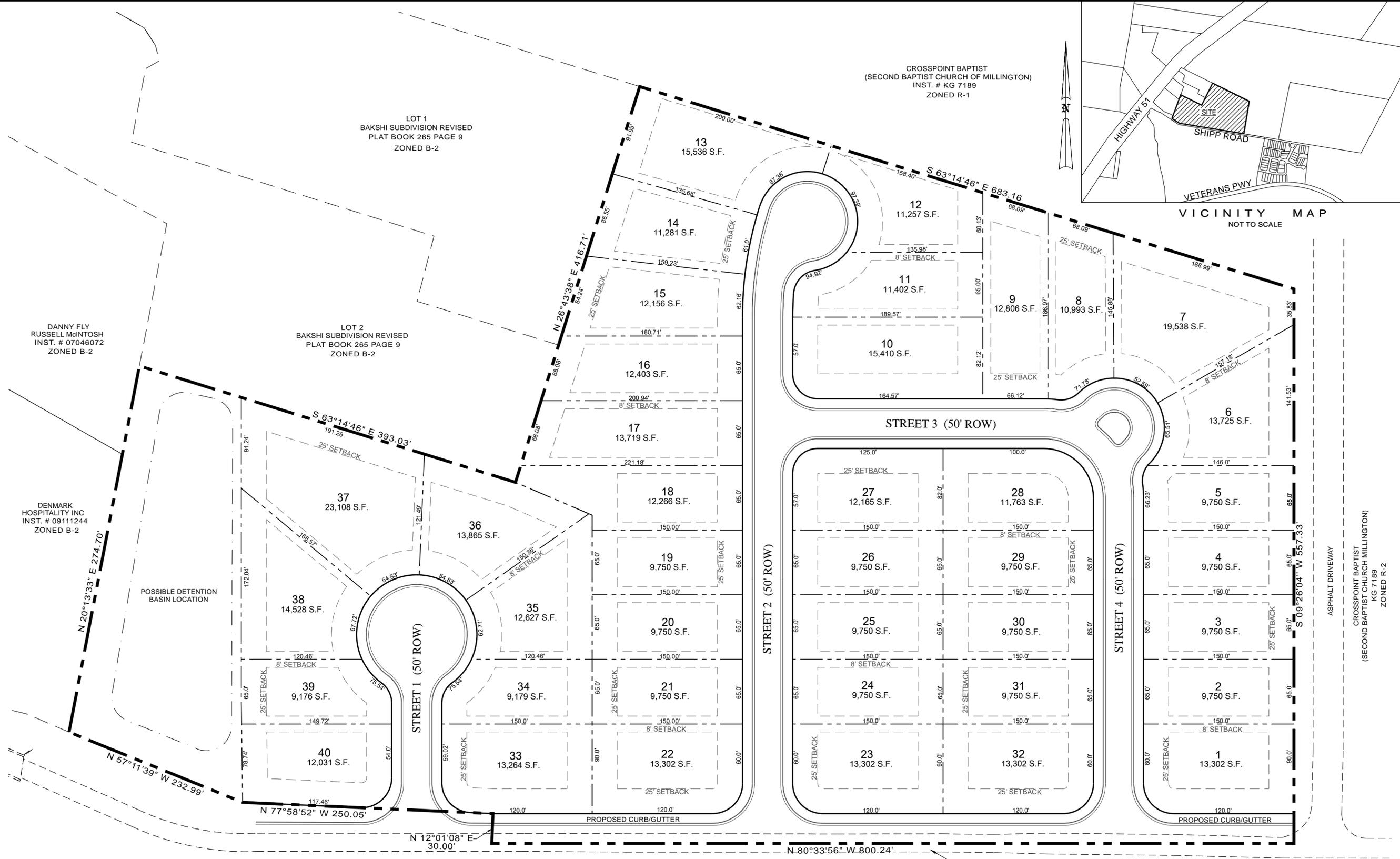
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DANNY FLY
RUSSELL McINTOSH
INST. # 07046072
ZONED B-2

LOT 2
BAKSHI SUBDIVISION REVISED
PLAT BOOK 265 PAGE 9
ZONED B-2

CROSSPOINT BAPTIST
(SECOND BAPTIST CHURCH OF MILLINGTON)
INST. # KG 7189
ZONED R-1

DENMARK
HOSPITALITY INC
INST. # 09111244
ZONED B-2

POSSIBLE DETENTION
BASIN LOCATION

DARIN A & DENISE R PETERSON
INST. # 06032278
ZONED B-2

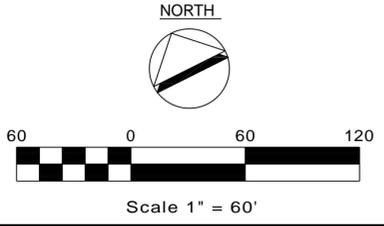
CROSSPOINT BAPTIST
(SECOND BAPTIST CHURCH MILLINGTON)
KG 7189
ZONED R-2

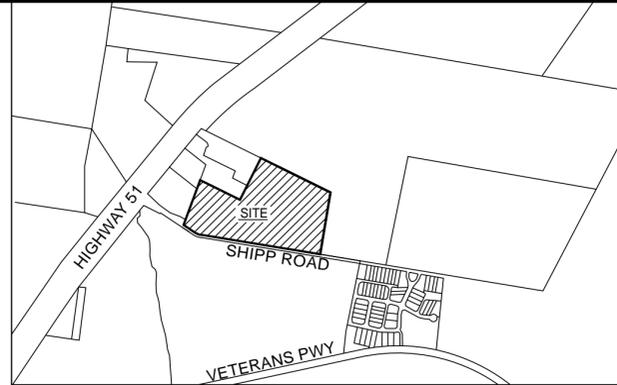
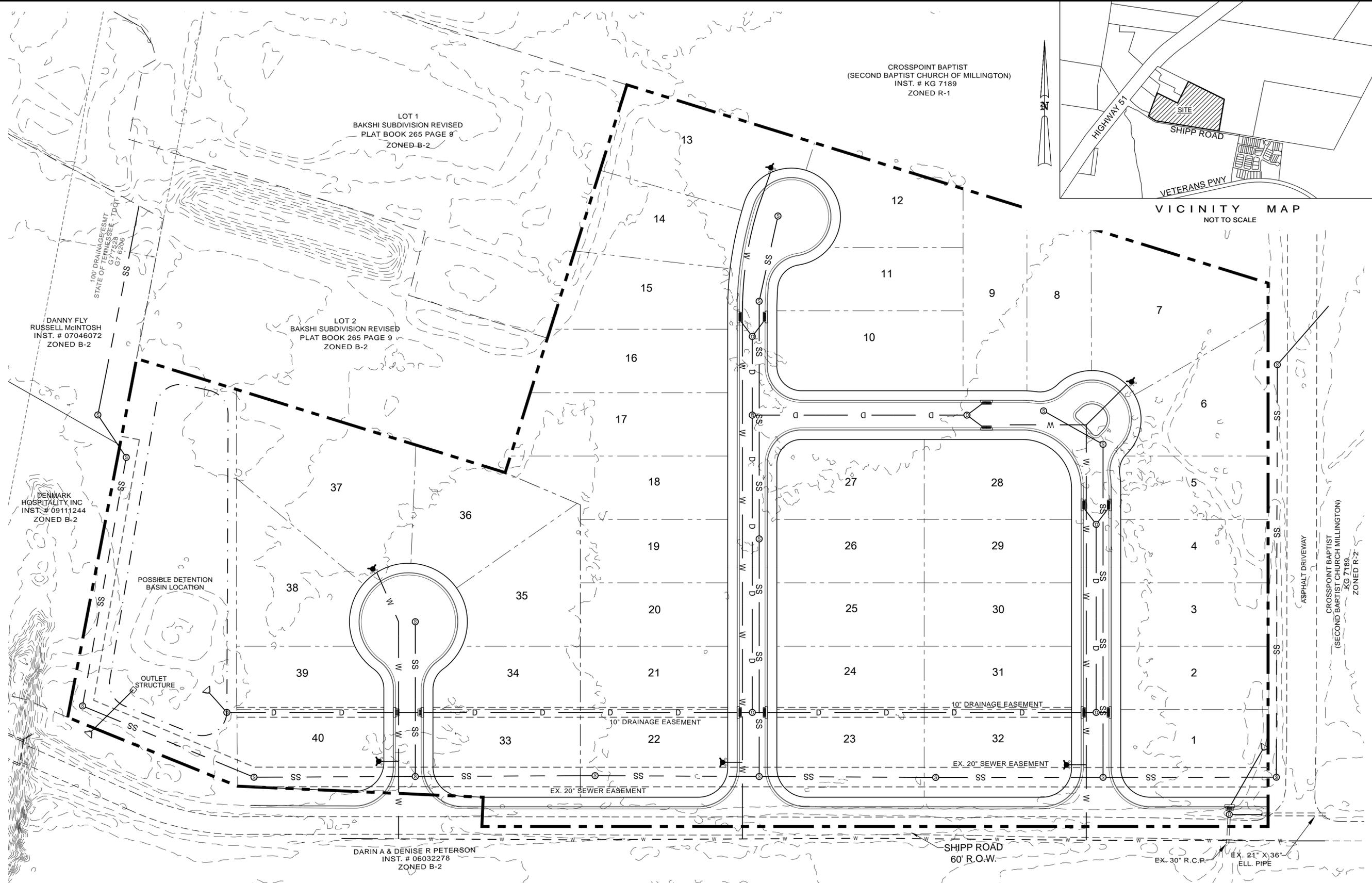
THIS DESIGN PLAT IS BASED ON A SURVEY PERFORMED BY
RAYMOND PITTMAN DATED 6-14-2004 AND INFORMATION TAKEN
FROM EXISTING RECORDS. NO FIELD SURVEY HAS BEEN
CONDUCTED SINCE THIS TIME.

| Chart 2 - District and Use Bulk Regulations | Minimum Lot Requirements | | Minimum Yard Requirements | | | Maximum Requirements | | |
|---|--------------------------|--------------|---------------------------|-------------|-------------|----------------------|----------------|------------------|
| | Lot Area (Square feet) | Width (Feet) | Front (Feet) | Side (Feet) | Rear (Feet) | Height (Feet) | Units per Acre | (%) Lot Coverage |
| R-2 Residential District | | | | | | | | |
| Single Family Detached Dwelling | 6,500 | 65 | 25 | 8 | 25 | 35 | 6.7 | 30 |
| Public Uses | 20,000 | 100 | 35 | 35 | 35 | 35 | n/a | 25 |
| Schools, public private | 5 acres *** | 300 | 35 | 35 | 35 | 35 | n/a | 25 |
| Churches | 3 acres | 200 | 35 | 35 | 35 | 35 | n/a | 25 |
| Golf Courses and Country Clubs | 10 acres | 200 | 35 | 35 | 35 | 35 | n/a | 25 |

*** 5 acres plus one acre for each one-hundred or fraction of one-hundred students over one-hundred

| | | |
|---|---|---------------------------------|
| DESIGN PLAT | | |
| WILLIAMS PLACE | | |
| ZONING DISTRICT: R-2 | PHASE: N/A | |
| MILLINGTON, SHELBY COUNTY, TENNESSEE | | |
| NUMBER OF LOTS: 40 | AREA: 15.07 ACRES | M0105 00209 |
| OWNER: PFMT 5055 PLEASANT VIEW ROAD MEMPHIS, TN 38134 901-730-1104 | ENGINEER: W.H. PORTER CONSULTANTS 6055 PRIMACY PARKWAY MEMPHIS, TENNESSEE 38119 901-363-9453 | |
| 100 YEAR FLOOD ELEVATION: N/A | FEMA MAP PANEL NUMBER: 47157C0160 G | FEMA MAP DATE: FEBRUARY 6, 2013 |
| DATE: 9/11/2020 | SCALE: 1" = 60' | SHEET 1 OF 2 SHEETS |





CROSSPOINT BAPTIST
(SECOND BAPTIST CHURCH OF MILLINGTON)
INST. # KG 7189
ZONED R-1

LOT 1
BAKSHI SUBDIVISION REVISED
PLAT BOOK 265 PAGE 9
ZONED B-2

LOT 2
BAKSHI SUBDIVISION REVISED
PLAT BOOK 265 PAGE 9
ZONED B-2

DANNY FLY
RUSSELL McINTOSH
INST. # 07046072
ZONED B-2

DENMARK
HOSPITALITY, INC
INST. # 09111244
ZONED B-2

DARIN A & DENISE R PETERSON
INST. # 06032278
ZONED B-2

SHIPP ROAD
60' R.O.W.

EX. 21" X 36" ELL. PIPE
EX. 30" R.C.P.

LEGEND

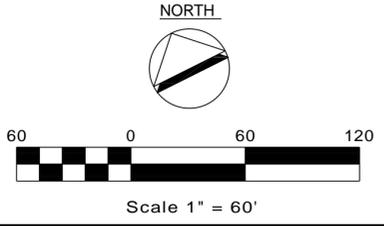
- W --- EXISTING WATER LINE
- W --- PROPOSED WATER LINE
- P --- POWER POLE
- G --- GUY ANCHOR
- V --- WATER VALVE
- S --- SEWER MANHOLE
- F --- FIRE HYDRANT
- D --- EXISTING DRAIN LINE
- D --- PROPOSED DRAIN LINE
- SS --- EXISTING SEWER LINE
- SS --- PROPOSED SEWER LINE
- M --- DRAIN MANHOLE
- I --- 6-72 INLET
- T --- TWIN 6-72 INLET
- H --- HEADWALL

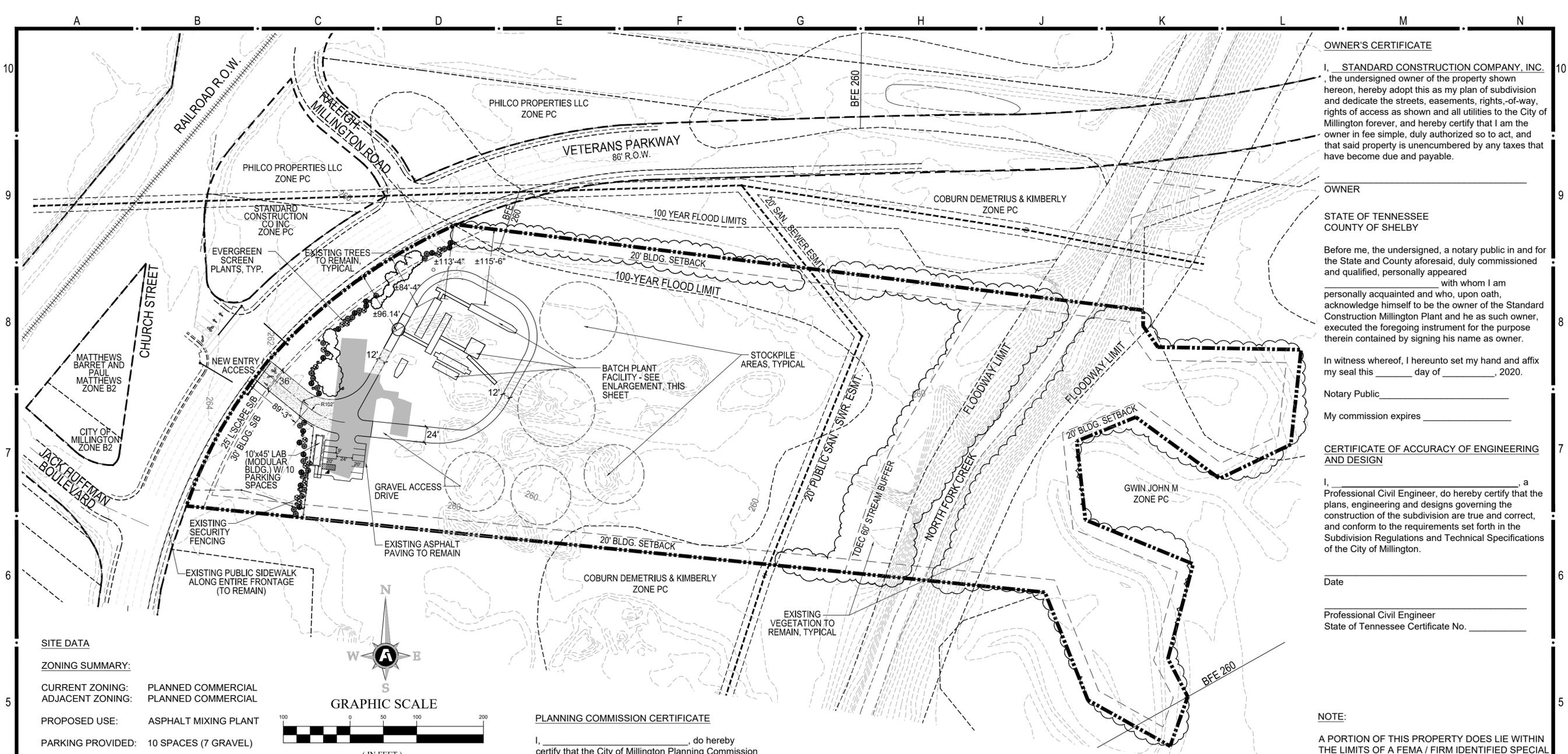
THIS DESIGN PLAT IS BASED ON A SURVEY PERFORMED BY RAYMOND PITTMAN DATED 6-14-2004 AND INFORMATION TAKEN FROM EXISTING RECORDS. NO FIELD SURVEY HAS BEEN CONDUCTED SINCE THIS TIME.

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| R-2 Residential District | | | | | | | | |
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| Public Uses | 20,000 | 100 | 35 | 35 | 35 | 35 | n/a | 25 |
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| Golf Courses and Country Clubs | 10 acres | 200 | 35 | 35 | 35 | 35 | n/a | 25 |

*** 5 acres plus one acre for each one-hundred or fraction of one-hundred students over one-hundred

| | | |
|---|---|---------------------------------|
| DESIGN PLAT | | |
| WILLIAMS PLACE | | |
| ZONING DISTRICT: R-2 | PHASE: N/A | |
| MILLINGTON, SHELBY COUNTY, TENNESSEE | | |
| NUMBER OF LOTS: 40 | AREA: 15.07 ACRES | M0105 00209 |
| OWNER: PFMT 5055 PLEASANT VIEW ROAD MEMPHIS, TN 38134 901-730-1104 | ENGINEER: W.H. PORTER CONSULTANTS 6055 PRIMACY PARKWAY MEMPHIS, TENNESSEE 38119 901-363-9453 | |
| 100 YEAR FLOOD ELEVATION: N/A | FEMA MAP PANEL NUMBER: 47157C0160 G | FEMA MAP DATE: FEBRUARY 6, 2013 |
| DATE: 9/11/2020 | SCALE: 1" = 60' | SHEET 2 OF 2 SHEETS |





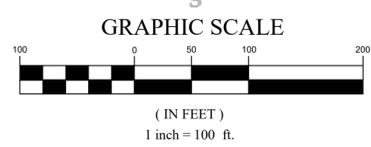
SITE DATA

ZONING SUMMARY:

CURRENT ZONING: PLANNED COMMERCIAL
 ADJACENT ZONING: PLANNED COMMERCIAL

PROPOSED USE: ASPHALT MIXING PLANT

PARKING PROVIDED: 10 SPACES (7 GRAVEL)



PLANNING COMMISSION CERTIFICATE

I, _____, do hereby certify that the City of Millington Planning Commission has approved this plat of subdivision for recording.

Date _____

Secretary, City of Millington Planning Commission

OWNER'S CERTIFICATE

I, STANDARD CONSTRUCTION COMPANY, INC., the undersigned owner of the property shown hereon, hereby adopt this as my plan of subdivision and dedicate the streets, easements, rights-of-way, rights of access as shown and all utilities to the City of Millington forever, and hereby certify that I am the owner in fee simple, duly authorized so to act, and that said property is unencumbered by any taxes that have become due and payable.

OWNER _____

STATE OF TENNESSEE
 COUNTY OF SHELBY

Before me, the undersigned, a notary public in and for the State and County aforesaid, duly commissioned and qualified, personally appeared _____ with whom I am personally acquainted and who, upon oath, acknowledge himself to be the owner of the Standard Construction Millington Plant and he as such owner, executed the foregoing instrument for the purpose therein contained by signing his name as owner.

In witness whereof, I hereunto set my hand and affix my seal this _____ day of _____, 2020.

Notary Public _____

My commission expires _____

CERTIFICATE OF ACCURACY OF ENGINEERING AND DESIGN

I, _____, a Professional Civil Engineer, do hereby certify that the plans, engineering and designs governing the construction of the subdivision are true and correct, and conform to the requirements set forth in the Subdivision Regulations and Technical Specifications of the City of Millington.

Date _____

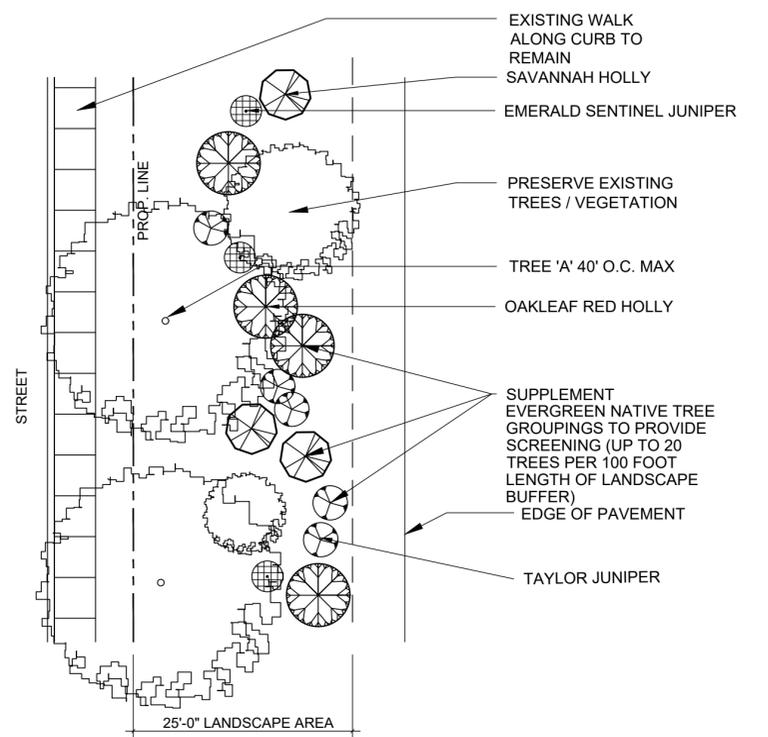
Professional Civil Engineer
 State of Tennessee Certificate No. _____

NOTE:

A PORTION OF THIS PROPERTY DOES LIE WITHIN THE LIMITS OF A FEMA / FIRM IDENTIFIED SPECIAL FLOOD HAZARD AREA AS SHOWN ON COMMUNITY PANEL 47157C 0160 G, DATED FEBRUARY 6, 2013.

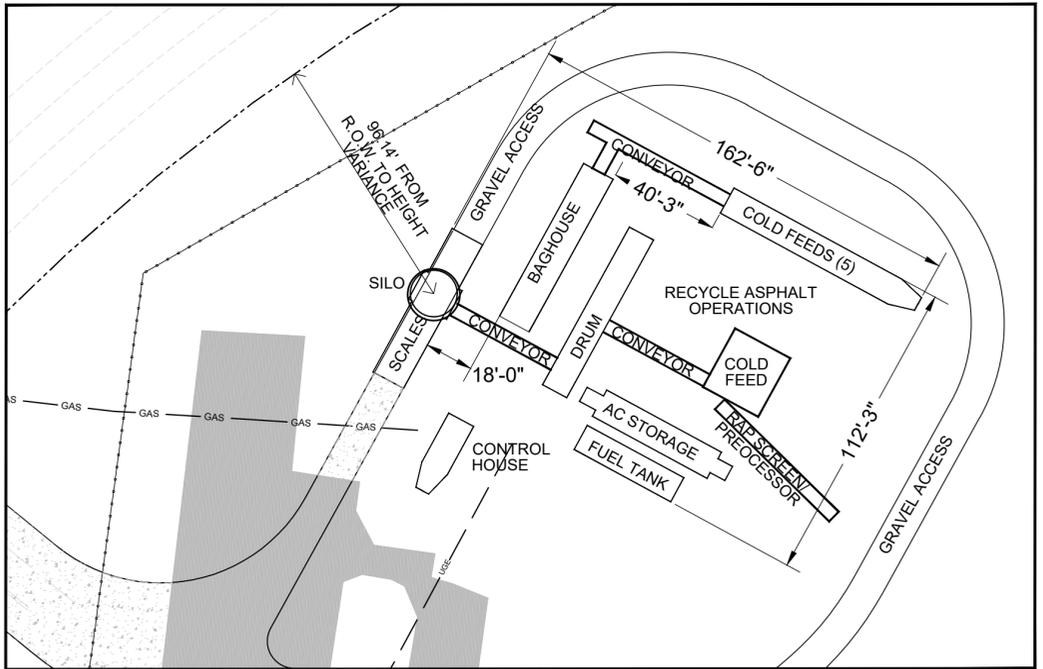
NOTE:

BOUNDARY AND TOPOGRAPHIC INFORMATION OBTAINED FROM SHELBY COUNTY GIS DATA.



LANDSCAPE PLATE AT RALEIGH- MILLINGTON / VETERANS PARKWAY

N.T.S.



BATCH PLANT FACILITY ENLARGEMENT

N.T.S.

SITE PLAN

STANDARD CONSTRUCTION MILLINGTON PLANT

M0115 PARCEL 725

MILLINGTON, TENNESSEE

SEPTEMBER, 2020

TOTAL AREA: 645,089 Sq. Ft. / 14.81 Ac.
 FEMA PANEL NO. 47157C0160G / ELEV. 260

DEVELOPER:
 STANDARD CONSTRUCTION COMPANY, INC.
 P.O. BOX 38289
 GERMANTOWN, TN 38125

FISHER ARNOLD
 ENGINEERS | ARCHITECTS | CONSULTANTS | PLANNERS
 8900 Centenary Hills Drive | Memphis, Tennessee 38125-9928
 901.748.9111 | Fax: 901.748.8116 | www.fishernad.com

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| REVISED: | | | |

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SUBDIVISION REGULATIONS



UPDATES THROUGH ~~FEBRUARY 1998~~ [September 2020](#)

City Hall
7930 Nelson St.
Post Office Box 247
Millington, Tennessee 38053

(901) 873-5701 Phone
(901) 872-4113 Fax

Prepared for
MILLINGTON PLANNING COMMISSION

Chuck Hurt Jr., Chairman
Brett Morgan, Vice Chairman
Leanna Dagen, Secretary
Terry Jones, Mayor
Mike Caruthers, Alderman
Brenda Barber
Curtis Park
Rodger Aitken, Ex Officio

Prepared by
**WEST TENNESSEE OFFICE TENNESSEE STATE
PLANNING COMMISSION**

Updated September 2020

Subdivision Regulations
Municipal Planning Commission
City of Millington, Tennessee

I. ARTICLE I General Provisions

A. Purpose

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult.

Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and future owners that subdivision be conceived, designed and developed in accordance with sound rules and proper minimum standards.

The following subdivision standards guiding the Planning Commission are designed to secure a coordinated layout with adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities and services; to promote a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity.

The following regulations set forth the minimum standards to be adhered to by developers of lands for residential, commercial, and industrial uses, and to provide a guide for the Planning Commission and other city officials exercising their duties pertaining to the review, approval and administration of land subdivision development with the jurisdiction of the City of Millington.

B. Authority

These Subdivision Regulations and the procedures and standards set forth herein are adopted by the Planning Commission under the authority granted by Tennessee Code Annotated, Section 13-4-301 through 13-4-309. The Planning Commission has fulfilled the requirements set forth in these statutes as prerequisites to the adoption of such standards, having filed a certified copy of the Major Street Plan the Office of the Register of Shelby County, Tennessee.

C. Jurisdiction

These regulations shall govern all subdivision of land within the corporate limits of Millington, Tennessee. Within these regulations the term "subdivision" shall mean the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided.

Any owner of land within this area wishing to subdivide land shall submit to the Millington Planning Commission a plat of the subdivision according to the procedures outlined in Article II, which plat shall conform to the minimum requirements as set forth in Article III. The property owner shall submit said plat and for the purposes of this section, owner means: legal or beneficial owner or owners of all the land proposed to be included in the proposed subdivision or the holder of a written option or contract to purchase the land, or the attorney or authorized representative of the owner.

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Improvements shall be installed as required by Article IV of these regulations

D. Policy

It shall be the policy of the Planning Commission to encourage subdivision development which enhances the health, safety, and welfare of the community and which optimize the use of the land while providing a prudent balance between the economic considerations of the developer and the public interest. Conversely, it shall be the policy of the Planning Commission to disapprove proposed subdivision development which is deemed to be inefficient use of land, inconsistent with the needs and character of the community, economically untimely, or otherwise not in the public interest. Further, it shall be the policy of the Planning Commission to consider each proposed subdivision development on its merits in context with existing or planned land use, population and traffic distribution, and the needs and best interest of the community; consequently, the mere compliance with minimum standards set forth in these regulations does not grant to the developer an implicit or explicit right to subdivision approval; accordingly, the Planning Commission may require that a proposed subdivision development exceed the minimum standards to satisfy site peculiar conditions or to conform to the existing neighborhood.

E. Technical Specifications Included as Part of the Regulations

The "Local Government Public Works Standards and Specifications" by the Municipal Technical Advisory Service of the University of Tennessee as amended as set forth in the Appendix is hereby adopted as the Technical Specifications of the City of Millington.

F. Basic Definitions and Interpretations

Except as specifically defined herein all words used in these regulations shall have their customary dictionary definitions where not inconsistent with the context.

For the purposes of these regulations and in order to carry out the provisions and intentions as set forth herein certain words, terms and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense include the future tenses; words in the singular number include the plural; and words in the plural number include the singular; the word "person" includes a firm, partnership, or corporation as well as an individual; the word "lot" includes the word "plot" or "parcel"; the word "building" includes the word "structure"; and the terms "shall" and "will" are always mandatory and not directory; and the word "may" is permissive.

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout these regulations.

Arterial. Major Highways.

Block. A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

Bond. Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the [Planning Commission City of Millington](#). All bonds amounts shall be approved by the Planning Commission whenever a bond is required by these regulations.

Building. Any structure built for the support, shelter, or enclosure of persons, animals, or movable property of any kind and includes any structure.

Building Setback Line. A line in the interior of a lot which is generally parallel to and a specified distance from, the street right-of-way line or lines; which creates a space between such lines in which no building shall be placed.

Buildable Area of a Lot. That portion of a lot bounded by the required rear and side yards and the building setback line.

Collector. Streets that carry traffic from local streets to the major system of arterial streets.

Cul-de-sac. Permanent dead-end streets with a turn-around provided at the dead-end.

Dedication. The setting aside of land/or improvements for a particular use.

Design Plat. A map of a proposed subdivision showing the lot sizes and layout, location and sizes of streets and used as an aid in discussing the design of the proposed subdivision.

Developer. An individual, partnership, corporation, or other legal entity or agent thereof which undertakes the activities covered by these regulations. In as much as the subdivision plan drawings are merely a necessary means to the end of assuring satisfactory development, the term "developer" includes "subdivider", "owner" or "builder" even though the persons and their precise interests may vary at different project stages.

Easement. The right to use another person's property but only for a limited and specifically named purpose, the owner generally continues to make use of such land since he has given up only certain and not all, ownership rights.

Easement, Access, Travel. ~~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. For the purpose of these regulations any easement created for this purpose shall have a minimum width of fifty (50) feet, serve as access to only one lot and be permanently recorded in perpetuity. An easement serving more than one lot shall be considered a private street.~~

The right granted by the owner of land to another party by deed or prescription, to allow access across one parcel or parcels of land to another. For the purpose of these regulations any easement created for this purpose shall have a minimum width of fifty (50) feet, serve as access to only one residential lot and be permanently recorded in perpetuity. An easement serving more than one lot shall be considered a private street.

Any easement created in commercial and industrial areas shall be established at a width deemed appropriate by the Planning Commission and serve one or more properties and be permanently recorded in perpetuity, following Planning Commission approval.

Easement Area. A strip of land over, under, or through which an easement has been granted.

Easement, Utility. The right granted by the owner of land to allow facilities to be constructed, maintained or preserved. Utility easements shall include but is not limited to easements for storm drainage, water lines, sewer lines, electric power lines, and pipe lines.

Engineer. A qualified Civil Engineer registered and currently licensed to practice engineering in the State of Tennessee.

Engineering Plat. A map of the proposed subdivision including engineering design drawings of streets, drainage and utilities.

Final Plat. The map or plan or record of a subdivision and any accompanying material as described in these regulations.

Floodplain. An area of a river or stream, together with appropriate adjacent land, established to insure adequate and safe drainage.

Frontage. That side of a lot abutting on a street and ordinarily regarded as the front of the lot. For the purposes of these regulations, lot frontage on the outside street radius may be measured at the minimum building setback line.

Grade. The slope of a road, street, or other public way specified in percentage (%) terms.

Health Department. Shelby County Health Department.

Highway Department. Shelby County Highway Department.

Improvements. Physical changes made to raw land and structures on or under the land surface in order to make the land more usable for man's activities. Typical improvements in these regulations would include but not be limited to grading, street pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, street name signs and street trees.

Individual Sewage Treatment Facility. A sewage disposal system developed to function on an individual lot basis. A septic tank is a type of individual sewage treatment facility.

Local Streets. Streets that provide access to property abutting the public right-of-way. (Also known as minor streets).

Lot. A parcel of land which is or may be occupied by a building and its accessory building or use customarily incidental thereto, together with such yards or open spaces within the lot lines as may be required by these regulations.

Lot Corner. A lot of which at least two (2) adjoining sides abut on a street, provided that the interior angle at the intersection of two such sides is less than one-hundred thirty-five (135) degrees.

Lot Area. The total horizontal area included within lot lines.

Lot Depth. The average distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

Lot Frontage. The dimension of a lot or portion of a lot abutting on a street excluding the side dimension of a corner lot. For the purposes of these regulations, lot frontage on the outside street radius may be measured at the minimum building setback line.

Lot Lines. The lines bounding a lot as defined herein.

Lot Number. The official number assigned to a lot for identification purposes.

Lot Width. The width of a lot at the building setback line measured at right angles to its depth.

Major Street Plan. The official plan adopted by the Millington Municipal Planning Commission designating types and locations of streets within the corporate limits.

Monuments. Markers placed on or in the land.

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Percolation Test. An examination of subsoil used in determining the acceptability of the site and the design of the subsurface disposal system.

Planning Commission. The Municipal Planning Commission of Millington, Tennessee.

Private Streets. A street which has not been dedicated to the public use, and to which the general public is denied access.

Protective Covenants. Contracts between the land subdivider and lot purchaser expressing agreement covering use of the land.

Public Sewer System. A central sewer system owned operated and maintained by the City of Millington.

Public Hearing. A meeting for the review of a matter where opinions may be presented by the public. These hearings may take place during the regular Planning Commission meetings and are held according to State laws.

Public Street. A street dedicated to the public use and open to the public access.

Public Uses. Public parks, schools and administrative, cultural and service buildings, not including public land or buildings devoted solely to storage and maintenance of equipment and material.

Public Utility. Any person, firm, corporation, municipal department or board duly authorized to furnish under state or municipal regulations to the public electricity, gas, steam, communications, telegraph, transportation, water, or sewer.

Recreational Facilities. Country clubs, riding stables, golf courses and their similar recreational areas and facilities including swimming pools.

Register of Deeds. Shelby County Register of Deeds.

Reserve Strip. A portion of land set aside to prevent and prohibit access to adjoining property or public thoroughfare.

Resubdivision. A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivision.

Right-of-way. A dedication of land to be used generally for streets, alleys, or other public uses wherein the owner gives up all his rights to the property as long as it is being used for the dedicated purpose. Also, a land measurement term meaning the distance between lot property lines which generally contain not only the street pavement but also the sidewalks, grass area and utilities.

Road. For the purpose of these regulations, "road" shall be defined the same as "street".

Roadway. The portion of the street right-of-way which contained the street pavement, curb, and gutter and is used primarily as a channel for vehicular movement and secondarily as a drainage channel for storm water. In these regulations the pavement is measured from face to face of the curbs.

Sanitary Sewer System. A public or community sewage disposal system of a type approved by the State Department of Public Health.

Secretary. The person designated by the Planning Commission as its secretary.

Septic Tank. See Individual Sewage Treatment Facility.

Setback. The distance required to obtain the minimum front, side and rear yards.

Street. A general term used to describe a right-of-way which provides a channel for vehicular and pedestrian movement between certain points in the community, which may provide for vehicular and pedestrian access to properties adjacent to it, and which may also provide space for the location of underground and above ground utilities.

Street, Half. A street having width less than required by these and other appropriate regulations.

Street, Intersecting. Any street which joins another street at an angle, whether or not it crosses the other.

Street Classification. Types of streets as set forth in the Major Street Plan.

Street Furniture. Any improvements placed within the street right-of-way, such as utility poles, street signs, etc.

Street Grade. The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street at the mid-point of the lot shall be taken as the street grade.

Street Line. The legal line between street right-of-way and abutting property.

Street Sign. The sign designating the official name of the street.

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.

Surveyor. A qualified surveyor registered and currently licensed to practice surveying in the State of Tennessee.

Test Holes. Openings dug, bored, or drilled in the ground for conducting soil tests.

Unit. A subsection of a total subdivision developed as a complete segment.

Use. The specific purpose for which land or a building is designed, arrange, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

Way. A street or alley or other thoroughfare or easement permanently established for passage of persons or vehicles.

Yard, Front. An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line (extended) of the building and the street line.

Yard, Rear. An open (other than for permitted accessory structures) space on the same lot with the principal building between the rear line of the building and the rear line of the lot and extending the full width of the lot.

Yard, Side. An open unoccupied space on the same lot with the building, situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

Zoning Ordinance. The duly adopted Zoning Ordinance of Millington, Tennessee

II. ARTICLE II Procedure for Subdivision Approval

A. General

The subdivider shall consult early and informally with the Planning Commission and its technical staff for advice and assistance before the preparation of the Design Plat and its formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Thoroughfare Plan and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.

The procedure for review and approval of subdivisions and its documentation consists of three (3) separate steps. The first formal step is the preparation of a Design Plat submitted to the Planning Commission. The second step is the Engineering Plat which will be reviewed by the city engineer and the subdivision review committee. The third step is the preparation of a Final Subdivision Plat with all the required certificates for submission to the Planning Commission. The Final Plat, once approved by the Planning Commission and signed by the Secretary of the Planning Commission becomes the instrument to be recorded by the Office of the Shelby County Register

B. Application Administration and Fees

Any owner of land lying within the area of the jurisdiction of the Planning Commission wishing to divide such land into two (2) or more lots, sites or divisions for the purpose of either immediate or future sale or building shall make application to the Planning Commission by submitting the required plans and plats of the proposed subdivision along with the application fees. Such plans and plats shall conform to the minimum standards for subdivision design as set forth in Article III of these regulations and such additional site peculiar criteria as may be deemed necessary by the Planning Commission or its technical staff.

1. Official Submission Dates and Deadlines

All plats and plans of subdivisions shall be submitted to Planning and Zoning Department no less than thirty (30)?? days prior to the regularly scheduled Planning Commission meeting. Any plat or plan submitted less than thirty (30) days prior to the regularly scheduled Planning Commission meeting will not be considered until the subsequent meeting.

For the purpose of these regulations, the official submission date of a plat shall be the date of the first regular Planning Commission meeting after the plat was submitted to the Planning and Zoning Department. The statutory period required for formal approval or disapproval shall not begin to run until that date.

2. Official Submission of Revision of Plats

A plat that is resubmitted to the Planning Commission to be on the agenda of a subsequent Planning Commission shall be accompanied by a letter reporting how revisions requested by the Planning Commission or staff have been resolved.

The resubmitted plat and accompanying letter shall be submitted to the [Millington Building Inspection Department](#) Planning and Zoning Department no less than fifteen (15) days prior to the regular Planning Commission meeting.

3. Required Submission

Prior to commencing any street improvements, substantial grading, installation of utilities or any horizontal construction the developer shall submit plans to obtain the approval of the indicated agencies as follows:

- a. A Design Plat to the Planning Commission in accordance with Section “C” of this Article.
- b. An Engineering Plat to the Subdivision Review Committee and the Planning Commission in accordance with Section "D" of this Article. The Subdivision Review Committee shall include at least:
 - (1) City Engineer
 - (2) Public Works
 - (3) Building Inspection
 - (4) Fire Department
 - (5) Planning Staff

The water and sewer plans shall also be approved by the Tennessee Department of Public Health.

Upon approval of the Engineering Plat by the Planning Commission and the execution of a subdivision contract by the City of Millington, the developer may commence construction to the grades and elevations required by the approved engineering Plat. No construction of structures shall commence until after approval has been given the final plat nor shall any building permits be issued.

- c. A Final Plat in accordance with Section “E” of this Article.

4. Application Fees

The schedule of subdivision application and review fees required shall be established by the Board of Mayor and Aldermen.

C. Design Plat

The Design Plat is the initial formal plat for a proposed subdivision and shall include the full area of the proposed subdivision though the subdivision may be developed in stages. The purpose of the design plat is to ensure the proposed subdivision conforms with the Zoning Ordinance and all related plans and regulations. The developer should consult with the planning staff and review the cities' drainage plan, water and sewer maps and Future Land Use Plan prior to submitting the Design Plat.

1. Submission of the Design Plat

After consultation with the Planning Commission and/or staff, but not less than fifteen (15) days prior to the meeting at which the Planning Commission shall consider the Design Plat, the developer shall submit to the Planning and Zoning Department of City Hall, ~~14 copies~~ [the appropriate number of copies](#) of the plat [as provided in the application checklist](#). The plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') together with the applicable fee.

2. Contents of the Design Plat

The Design Plat shall meet the minimum standards of design as set forth in Article III and shall give the following information.

- a. The proposed subdivision's name and location.
- b. The name(s), addresses, and phone numbers of the owner or owners and of the designer of the Design Plat
- c. Date, approximate north point and graphic scale.
- d. The location of existing property lines, streets, building, bridges, right-of-way and easements, and drainage ditches.
- e. The location, dimensions, and names of proposed streets, alleys, and lots.
- f. Present zoning classification both on lot to be subdivided and adjoining land.
- g. The area of the smallest, largest, and average lot.
- h. The acreage of the land to be subdivided.
- i. Location map showing the relationship of the subdivision site to the town.

- j. In addition to the required information, the following information, though not required, would assist in design review and would help avoid later redesign and engineering expense.
 - 1. Contours at vertical intervals of not more than two (2) feet.
 - 2. Location and line size of closest existing water and sewer lines.

3. Planning Commission Review

~~Within thirty (30) days after submission of the Design Plat, the Planning Commission will review it and indicate its approval, disapproval, or approval subject to modifications. If a plat is disapproved, reasons for such disapproval shall be stated in writing. If approved subject to modifications, the nature of the required modifications will be indicated.~~

~~— If revisions to the Design Plat are requested by the Planning Commission, the developer shall submit the revised Design Plat to the Planning Commission. The revised plat shall be submitted fifteen (15) days prior to the Planning Commission meeting.~~

~~— Failure of the Planning Commission to act on the preliminary Design Plat within thirty (30) days will be deemed approval of this Design Plat, provided, however, that the applicant may waive this requirement and consent to the extension of such period.~~

The commission shall approve or disapprove a plat within sixty (60) days after the initial consideration of the plat by the commission meeting in a regularly scheduled session, unless at the end of the sixty-day period there is a holiday or an unexpected interceding event that would close municipal or county offices and thus affect the normal computation of the sixty-day period, in which case the plat shall be approved or disapproved after the interrupted sixty-day period at the next regularly scheduled meeting of the commission; otherwise, the plat shall be deemed approved and a certificate to that effect shall be issued by the commission on demand. The applicant for the commission's approval may waive the time requirement set in this section and consent to an extension or extensions of the applicable time period. When a plat has been filed with the appropriate officials of the planning commission, the plat shall be placed on the agenda of the planning commission within thirty (30) days of the filing or the next regularly scheduled planning commission meeting after the thirty-day period. The applicant may waive the time frame requirement for the appearance of the plat on the agenda.

The ground of disapproval of any plat shall be stated upon the records of the commission.

Any plat submitted to the commission shall contain the name and address of a person to whom notice of hearing shall be sent; and no plat shall be acted upon by the

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commission without affording a hearing thereon, notice of the time and place of which shall be sent by mail to such address not less than five (5) days before the date fixed for such hearing.

4.3. Effect of Approval on Subsequent Plat Submissions

The approval of the Design Plat by the Planning Commission will not constitute acceptance of the Engineering Plat and will not be indicated on the Design Plat.

5.4. Expiration of Approval

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

D. Engineering Plat

The Engineering Plat is a fully engineered design of all or part of the proposed subdivision in sufficient detail for the local and state review agencies to determine compliance with the public works construction standard, state public health regulations and other applicable regulations.

1. Submission of Engineering Plat

After the Design Plat has been approved and thirty (30) days prior to the Planning Commission meeting at which it is to be considered the developer shall submit ~~seven (7) paper copies~~ three (3) paper and one (1) electronic copies of the Engineering Plat including all plans and profiles and eight (8) additional copies of the Engineering Plat to the Planning and Zoning Department which are drawn to a scale of not less than one inch equals one hundred feet (1" = 100').

2. Conformance with the Design Plat

If in the process of completing the Engineering Plat, it becomes necessary to redesign the subdivision, a revised design plat will have to be submitted to the Planning Commission for their review.

3. Contents of the Engineering Plat

The Engineering Plat shall, at least, meet the minimum design standards in Article III, meet the construction standards included herein and as a supplement and conform substantially to the design plat.

- a. The engineering plat shall contain the following information even when the subdivision is to be developed in phases or sections.
1. The proposed subdivision's name and location, the names(s) and address(es), phone numbers, and emails of the owners or owners AND the name, address, and phone number and email of the designer of the plat who shall be an engineer.
 2. Date, approximate north point and graphic scale.
 3. The location of existing and platted property lines, existing streets, buildings, water courses, sewers, bridges, culverts, drain pipes, water mains and any public utility easements, or lines, the present zoning classification, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.
 4. The proposed street names and the locations and dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines, building setback lines and utilities.
 5. Contours at vertical intervals of not more than two (2) feet except when specifically, not required by the Planning Commission. All new developments greater than 50 lots or 5 acres, whichever is lessor, shall include base flood elevation data. If any portion of the land being subdivided is subject to flooding, the plat will show the limit and elevation of the 100-year floodplain.
 6. The acreage of the land to be subdivided.
 7. Location sketch map showing relationship of subdivision site to area and town.
 8. A comprehensive drainage plan per the City of Millington Drainage Design Manual which shall include, but not be limited to an analysis of the drainage area, a storm water routing plan showing maximum quantity of flow and maximum rates of flow before and after development. A map of the drainage area in which the subdivision is located shall be included with the drainage plan and shall include the drainage structures leading to and from the subdivision with their sizes. The scale of the required map can be less than one inch equals one hundred feet (1" = 100").
 9. The location and sizes of proposed water and sewer lines.
- b. When the subdivision is developed in phases or sections the following information is required for the phase or section to be

developed.

1. Plans and profiles of proposed utility layouts (sewers, water, and electricity) showing feasible connections to the existing or any proposed utility systems.
2. A grading plan showing the existing contours in dashed lines and the finished contours in solid lines plotted at vertical intervals of not more than two (2) feet. Contours shall be extended fifty (50) feet beyond property boundary.
3. Development plans for drainage structures and channels with the hydraulic data used in designing and sizing such structures and channels, the water surface profiles in open channels at peak flow and peak back water conditions. The limits of the drainage design parameters shall be determined by the City Engineer and the Department of Public Works.
4. Plan and profile sheets showing all engineering data necessary for construction of proposed streets, storm drainage controls for surface and ground water, arid utility layout (water and sewer) and showing all connections to existing and/or proposed streets, storm drainage and utility systems. The street profiles shall be plotted along the centerline showing the existing and finished grades, and sewer locations, drawn to a scale of not less than one inch equals one hundred feet (1" = 100') horizontal and one inch equals 10 ft. (1" = 10') vertical. Typical street cross sections shall be shown.
5. Erosional Control Plan which shall include adequate plans showing all erosion and sediment control measures or other protective devices to be constructed in connection with or as a part of the proposed work, such as, retaining walls, cribbing and vegetative practices.

4. Estimate Costs of Improvement by City Engineer

While the City Engineer is reviewing the Engineering Plat, an estimate of the cost of installing all improvements in the subdivision will be developed and presented to the Planning Commission. This cost should include anticipated inflation during the one-year plat approval period.

5. Planning Commission Review

~~Within thirty days (30) after submission of the preliminary plat, the Planning Commission shall review and indicate approval, disapproval, or approval subject to modifications. A certification of action shall be issued by the Planning Commission~~

~~noting approval, modifications to which the approval is subject, or if disapproved a list of reasons for disapproval.~~

The commission shall approve or disapprove a plat within sixty (60) days after the initial consideration of the plat by the commission meeting in a regularly scheduled session, unless at the end of the sixty-day period there is a holiday or an unexpected interceding event that would close municipal or county offices and thus affect the normal computation of the sixty-day period, in which case the plat shall be approved or disapproved after the interrupted sixty-day period at the next regularly scheduled meeting of the commission; otherwise, the plat shall be deemed approved and a certificate to that effect shall be issued by the commission on demand. The applicant for the commission's approval may waive the time requirement set in this section and consent to an extension or extensions of the applicable time period. When a plat has been filed with the appropriate officials of the planning commission, the plat shall be placed on the agenda of the planning commission within thirty (30) days of the filing or the next regularly scheduled planning commission meeting after the thirty-day period. The applicant may waive the time frame requirement for the appearance of the plat on the agenda.

The ground of disapproval of any plat shall be stated upon the records of the commission.

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Any plat submitted to the commission shall contain the name and address of a person to whom notice of hearing shall be sent; and no plat shall be acted upon by the commission without affording a hearing thereon, notice of the time and place of which shall be sent by mail to such address not less than five (5) days before the date fixed for such hearing.

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If modifications are requested by Planning Commission or staff: the developer shall submit the revised Engineering Plat, along with a letter addressing the revisions requested, no less than thirty (30) days prior to the Planning Commission meeting.

~~Failure of the Planning Commission to act on the Engineering Plat within thirty (30) days will be deemed approval of this plat provided, however, that the applicant for the Commission's approval may waive this requirement and consent to the extension of such period.~~

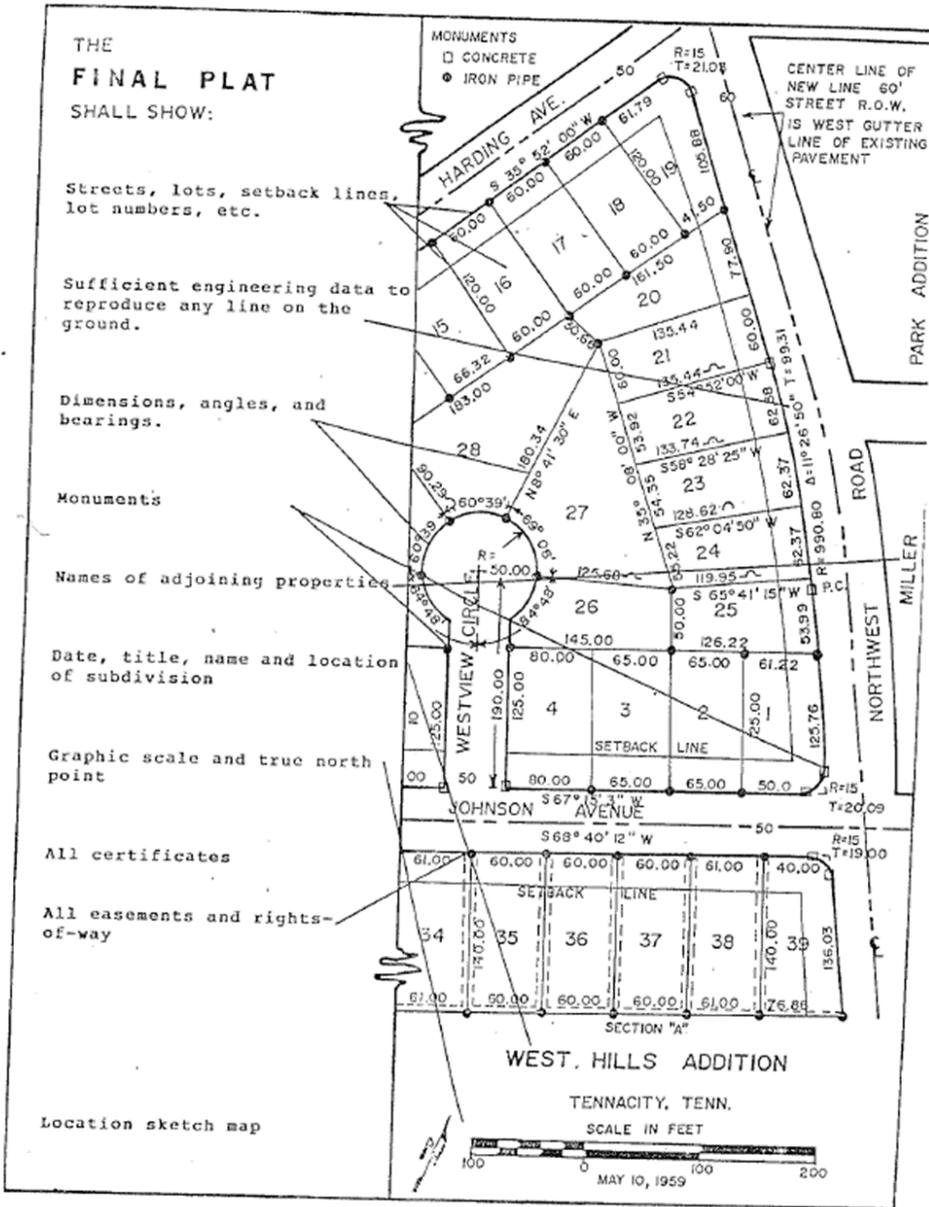
6. Expiration of Approval

The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within one (1) year from the date of such approval unless an extension of

time is applied for and granted by the Planning Commission.

7. Commencing Construction Prior to Final Approval

After Planning Commission approval and the entering into a subdivision contract between the developer and the City of Millington the contractor may commence the grading, installation of utilities and streets in accordance with the public works standards and subject to inspection by the Public Works Department and City Engineer. No construction of structures and no building permit shall be issued prior to final plat approval.



E. Final Plat

The Final Plat is the culmination of the land subdivision process. When approved and duly recorded as provided by law, the Final Plat becomes a permanent public record of the survey of the lots or parcels, rights-of-way, easements and public lands, and the restrictive covenants as may be applicable to the lots or parcels within the boundary of the subdivision. As such, it serves as a vital instrument in the sale and transfer of real estate, in the dedication of rights-of-way, easements and public lands and in future land survey of the properties contained in or adjoining the subdivision.

1. Submission of Final Plat

- a. The developer shall submit ~~fourteen copies of the Final Plat to the Millington Building Inspection~~ two (2) paper and one (1) electronic copies of the Final Plat to the Millington Planning and Zoning Department no less than fifteen (15) days prior to the Planning Commission meeting at which it is to be considered. The Final Plat shall conform substantially to the approved Engineering Plat.
- b. The original of the Final Plat shall be in black permanent ink on a sheet of moisture resistant drawing cloth or drafting film, twenty inches by twenty-four inches (20" x 24"), to a scale of one inch equal one-hundred feet (1" =100'). If more than one sheet is required, an index sheet of the same size shall be filed and shall show a key map of the entire area being platted. The separate sheets of the Final Plat shall be keyed alphabetically and shall have match lines with the adjoining sheets.

2. Contents of Final Plat

- a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, reservations for easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
- b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight, and curved property lines that are not the boundary of curved streets.
- c. All dimensions to the nearest one hundredth (100th) of a foot and bearings to the nearest minute.
- d. Location and description of monuments.
- e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
- f. Date, title name and location of subdivisions and streets and the location and ownership of adjoining unsubdivided property.

- g. Date, title name and location of subdivision, graphic scale, and true north point.
- h. Any restrictive covenants which are to apply to lots or other parcels within the subdivision.

3. Certificates Required on Plat

- a. Certification showing that applicant is the land owner and dedicates streets, rights-of-way, utilities and any sites for public use to Millington.
- b. Certification by surveyor ~~or engineer~~ to accuracy of survey and plat and placement of monuments.
- c. Certification by the Department of Public Works and the City Engineer of approval of water lines and sewer lines.
- d. Certification of receipt of a letter from Tennessee Department of Health of their approval of water and sewage system plans signed by the Director of Public Works.
- e. Certification of approval of installation of streets, water, sewer and drainage or the posting of sufficient financial surety to ensure completion of all required improvements signed by the City Engineer.
- f. Certification of approval to be signed by the Secretary of the Planning Commission.

4. Subdivision Development Contract

If a subdivision contract between the developer and the City of Millington was not entered into prior to submission of the Final Plat then one shall be entered into prior to the Secretary of the Planning Commission signing the certificate of the Final Plat ~~(an example of the contract is in the appendix).~~

5. Planning Commission Review

~~Within thirty (30) days after submission of the final plat, the Planning Commission shall review and indicate approval, disapproval, or approval subject to modifications. A certification of action shall be issued by the Planning Commission noting approval, modifications to which the approval is subject and if disapproval, a list of reasons for disapproval.~~

~~Failure of the Planning Commission to act on the final plat within thirty (30) days will be deemed approval of this plat provided, however, that the applicant for the Commission approval may waive this requirement and consent to the extension of such period.~~

The commission shall approve or disapprove a plat within sixty (60) days after the initial consideration of the plat by the commission meeting in a regularly scheduled session, unless at the end of the sixty-day period there is a holiday or an unexpected interceding event that would close municipal or county offices and thus affect the normal computation of the sixty-day period, in which case the plat shall be approved or disapproved after the interrupted sixty-day period at the next regularly scheduled meeting of the commission; otherwise, the plat shall be deemed approved and a certificate to that effect shall be issued by the commission on demand. The applicant for the commission's approval may waive the time requirement set in this section and consent to an extension or extensions of the applicable time period. When a plat has been filed with the appropriate officials of the planning commission, the plat shall be placed on the agenda of the planning commission within thirty (30) days of the filing or the next regularly scheduled planning commission meeting after the thirty-day period. The applicant may waive the time frame requirement for the appearance of the plat on the agenda.

The ground of disapproval of any plat shall be stated upon the records of the commission.

Any plat submitted to the commission shall contain the name and address of a person to whom notice of hearing shall be sent; and no plat shall be acted upon by the commission without affording a hearing thereon, notice of the time and place of which shall be sent by mail to such address not less than five (5) days before the date fixed for such hearing.

6. Submission of "as built utilities drawings"

Prior to the release of bond or recording of the final plat under the "no bond" procedure the developer shall cause to be delivered to the City of Millington a set of original "as built" drawings which show, as a minimum location by station and depth of all sanitary sewer services and water services, actual location of all other utilities and indicating any deviations from the original plans which were approved or field engineered after the construction plans were approved. The final plat will not be released for recording or the bonds and security will not be released until said "as built" drawings are accepted.

7. Effect of Final Plat Approval

Approval of the Final Plat by the Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public ways or grounds, until all water, sewer, streets, drainage and other improvements shall have been installed, approved and accepted by the City of Millington.

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8. Recording of the Approval Final Plat

Upon approval of the Final Plat by the Planning Commission, the developer shall submit to the Planning and Zoning Department the original and one (1) copy of the Final Plat. The Secretary of the Planning Commission shall attest to approval by signing the appropriate certificate of the original and copy of the plat. The Secretary of the Planning Commission shall deliver the original to the Planning and Zoning Department, who shall have the approved plat recorded in the Office of the Register of Shelby County, Tennessee and shall note the date, plat book and page number of recording on the file copy of the plat.

F. Minor Subdivision

When an existing property line between two existing parcels is being relocated; two (2) existing parcels are being combined into one (1); or two lots are being created; and there is no adjustment to an existing street or extension of water or sewer lines required, the subdivision will be considered a minor subdivision. The procedure for approval of a minor subdivision plat shall consist of presenting a Final Plat per Section E of this article.

If the plat of subdivision divides the tract into no more than two (2) lots, then the approval may be endorsed in writing on the plat by the secretary of the commission or by another designee of the planning commission without the approval of the municipal planning commission, upon certification by the planning staff of the municipal planning commission that the subdivision complies with such regulations governing a subdivision of land as have been adopted by the planning commission pursuant to § 13-4-303; and provided further, that no request for variance from such regulations has been requested.

III. ARTICLE III General Requirements and Standards of Design

A. General Design Concepts

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 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 building constructed, correction of defects is costly and difficult. Moreover, the development pattern is permanently engrained upon the community and unlikely to be changed.

Ultimately, subdivided land becomes a public responsibility requiring the maintenance of improvements and the provisions of public services.

Additionally, for the sake of future owners and the community, subdivided lands 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 City of Millington 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 of related flood lands, and the reservation of needed school 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, powers lines and associated easements, poorly subdivided lands, and unsightly strip commercial developments, may require special design techniques to minimize their depreciatory 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 conditions 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, lots, utilities, needed open space 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. Water Drainage

Storm water drainage is a major aspect of land subdivision design; however, it should not dominate over other important design considerations. Nevertheless, considerable attention must be given to drainage design because of the potential disastrous effects on life and property resulting from defective design. Accordingly, no land subdivision shall be approved within the City of Millington, unless a detailed drainage plan for such subdivision has been submitted to and approved by the City Engineer, the Department of Public Works and the Planning Commission. The following principles are to be applied to all drainage design for land subdivision within the City of Millington. (Refer to Millington Technical Specifications, Design Criteria Section 300). The standards for the design of the drainage are contained in the City of Millington Drainage Design Manual.

1. Internal Regulation of Drainage

The amount and rate of water from all sources leaving a subdivision or other developed areas shall not be significantly different after than before development unless approved by the City of Engineer.

2. Drainage System Design

The storm water drainage system shall consist of a major and a minor element. The major element, which will operate infrequently, shall be designed to prevent the loss of life and significant property damage from any reasonably foreseeable rainfall event. The minor element, operating frequently, shall provide for an acceptable degree of convenient access to property during and after frequent normal rainfall events. Both elements of the drainage system shall incorporate storage (retention and detention) where necessary, to provide an effective solution to the problem of controlling the amount and rate of runoff. Storm drainage systems for drainage areas of less than 100 acres shall be designed to accommodate the 25-year design storm. Storm drainage system for drainage areas of 100- acres or more shall be designed to accommodate the 100-year design storm. All open channels shall be sized to

accommodate the 100-year design storm plus one foot of freeboard.

3. Integrated Drainage Planning

The developer's engineer shall submit to the Planning Commission and the City Engineer calculations showing the changes in run-off characteristics resulting from the proposed development. The City Engineer will determine the necessity of storm water retention/detention systems and notify the Developer's engineer and the Planning Commission.

The storm water drainage solution for each subdivision shall be consistent with limits as determined by the City Engineer. The overall storm water management system for the City of Millington, of which each subdivision becomes an integral part, is predicated on accommodating water from upstream while mitigating the impact of outflow on downstream areas.

C. Street Layout

The layout or arrangement of streets is the singularly most important aspect of subdivision design. To a large extent it determines the effectiveness of the drainage system. Additionally, the street layout determines the shape, size, and orientation of building sites and to a major extent, the character and beauty of residential neighborhoods and the attractiveness of non-residential developments (Refer to Millington Technical Specification, Design Criteria Section 400).

1. Conformity to Major Street Plan

The location and width of all streets and roads shall conform to the Official Major Street Plan and any other plans of the City of Millington.

2. Relation to Adjoining Street System

The arrangement of streets in a subdivision shall provide for the continuation of existing streets in adjoining subdivisions (or their projection when adjoining property is not subdivided). The width shall be the same or greater than the existing street, but in no case less than the minimum width required. The arrangement of streets shall be such as to provide for future extension of utilities and storm water drainage, to prevent creation of severed parcels of land and to cause no undue hardship on owners of adjoining properties.

3. Relation to Existing Topography

The arrangement of streets in a subdivision shall make optimum use of the existing natural topography by designing the layout around the natural drainage routing and by carefully adjusting the streets to the topography so as to minimize grading and drainage problems. Collector streets should generally follow valley lines and land access streets should cross contours at right angles. Side hill street locations are to be avoided where possible.

4. Relation to Land Use Density

The arrangement of streets shall, insofar as is practical, optimize the total length of streets such that the cost per lot or building site for the construction and maintenance of streets, underground utilities, and other improvements are minimal. The use of cul-de-sacs in a subdivision may be an effective means of optimizing land use density relative to other improvements.

5. Relation of Street Elevation to Drainage

Surface street elevation, at all points, shall be set to preclude periodic inundation due to the overflow of constructed or natural open channels, or due to local storm water runoff which has a flow depth exceeding the curb height. Street elevation may be raised by fill embankment providing such embankment does not result in flooding of lots or building sites within the subdivision, nor in increased flood heights upstream and downstream.

Drainage openings through roadbed embankment shall not impede the flow of water except where such embankment is an integral part of a planned detention basin requiring regulated outflow. In no case shall flooding of residential lots or building sites be permitted by design.

6. Street Right-of-way

Street right-of-way, measured from lot line to lot line, shall be as shown on the Major Street Plan, or if not shown on such plan, shall be not less than listed below (in case where topography or other physical conditions make a street of the minimum required width impracticable, the Planning Commission may modify the above requirements by not more than ten (10) percent of the specified width. In no case shall the street widths be modified solely for the purpose of increasing the area of marketable land, nor to accommodate a land use which might otherwise be inappropriate):

- | | |
|---------------------------|----------|
| a. Major Thoroughfare | 106 feet |
| b. Thoroughfare | 80 feet |
| c. Major Collector Street | 68 feet |
| d. Minor Collector Street | 60 feet |

- e. Commercial Access Street 60 feet

Commercial access streets are land access streets which are primarily intended to provide access to commercial and industrial properties, to office parks, and to any significant volume of traffic.

- f. Residential streets 50 feet

Single family residential streets are land access streets which are primarily for access to abutting residential properties and which are designed to discourage through traffic.

- g. Dead-end Street (Cul-de-sac) 50 feet

Cul-de-sacs are permitted dead-end street which may provide access to commercial, industrial, or residential properties, and which are designed to prevent future extension. A right-of-way of 60 feet radius shall be provided for turnarounds.

- h. Planned Unit Residential Development Street 50 feet

Planned Unit Residential Development Streets are land access streets which provide access to properties within a Planned Unit Residential Development and are designed to be an integral part of the developments landscaping and open space and to avoid through traffic and on-street parking.

- i. Marginal Access Street 50 feet

Marginal access streets are minor land access streets which are normally parallel to and adjacent to arterial streets and highways; which provide access to abutting properties (usually office, commercial or industrial uses); and which are designed to provide protection from through traffic and to provide maximum control of ingress and egress onto heavily travelled thoroughfares.

- j. Alleys 20 feet

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

7. Additional Width on Existing Street and Sight Distance Improvements

1. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
2. Where the subdivision is located only one side of an existing street, one-half (1/2) of the required right-of-way measured from the centerline of the existing right-of-way shall be provided.
3. A non-residential subdivision abutting and having access on a residential street shall provide the total additional right-of-way required for a commercial access street.
4. Where subdivision development requires an existing street be cut down for proper sight distance and the subdivision is on both sides of the street the developer shall improve both sides of the street.
5. Where subdivision development requires an existing street be cut down for proper sight distance and the subdivision is on one side of the street the developer shall improve that side of the street.

8. Restriction of Access

1. Where a subdivision fronts on an arterial street or highway, or where a non-residential use abuts on a street opposite a residential use area, the Planning Commission may require that frontage be provided on a marginal access street. Double frontage shall not be permitted between any residential or major street and a marginal access street.
2. For residential subdivisions bordering on an arterial street or highway, the Planning Commission may require, in lieu of a marginal access street, that "through" and "corner" lots be provided with double frontage on both the arterial street or highway and a single-family residential street. In this case, the right of vehicular access to the arterial street or highway shall be permanently dissolved and such dissolution shall be noted permanently on the Final Plat of the Subdivision.

9. Street Alignment and Grades

In setting the alignment and grades for streets, due consideration shall be given to storm drainage. In general, the depth of flow in gutters and the allowable spread of water shall be consistent with the functional classification of the street. Arterial streets shall be designed to remain virtually free of water. Deeper flows and wider spreads may be tolerated on collector and land access streets. Street alignment and

grades shall be designed so that, during sever rainfall events, appreciable runoff shall not be permitted to flow across intersection. The rate of flow for runoff contained on streets shall not normally exceed ten (10) feet per second.

10. Maximum Street Grade

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

11. Horizontal Curves

The minimum centerline radius permitted for each street classification is as shown below.

| | |
|---------------------------|--------------------------------|
| Arterial Street | as determined by City Engineer |
| Non-residential Collector | 400 feet |
| Residential Collector | 250 feet |
| Minor Residential Street | 100 feet |
| Marginal Access Street | 100 feet |
| Loop Street | 100 feet |
| Dead End Street | 100 feet |

In all cases, horizontal curves shall be designed to provide a minimum two hundred (200) feet sight distance between any two points within the paved street surface.

All street radii will be subject to review by the city engineer and may be required to be greater than the minimum where necessitated by design and safety considerations.

12. Vertical Curves

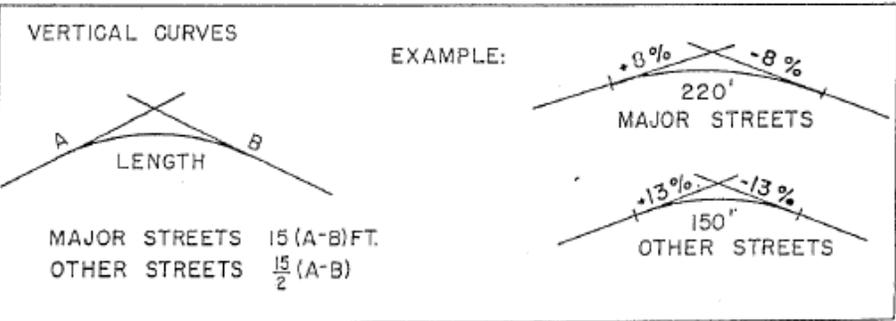
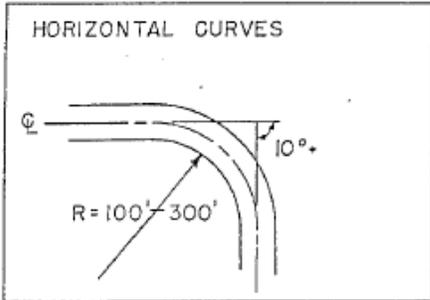
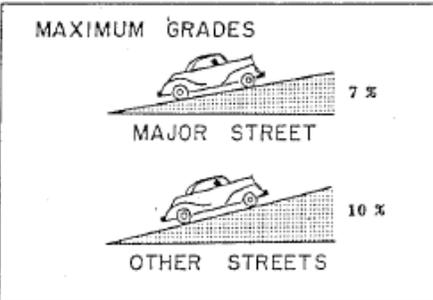
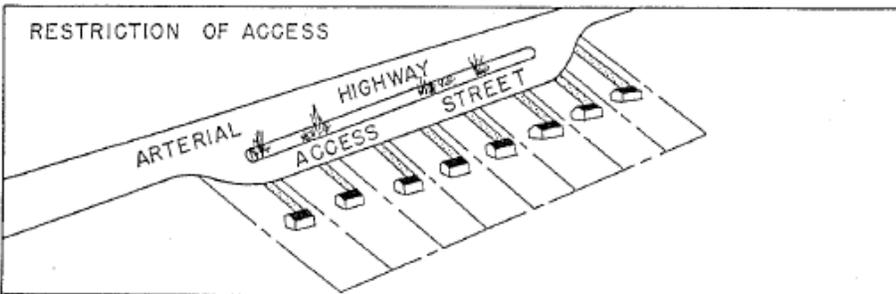
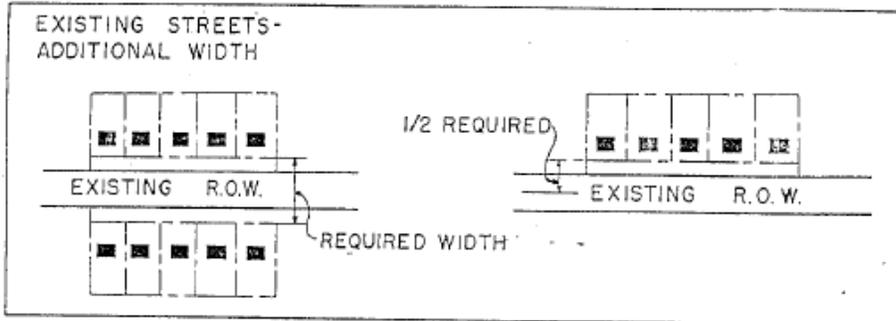
Every change in street grade shall be connected by a vertical curve designed to afford a minimum sight distance of two hundred (200) feet as measured from a driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the paved surface, to an object four (4) inches high on the pavement.

Vertical curves shall be of standard parabolic design. (Refer to Chart in Millington Technical Specifications, Design Criteria Section 400).

13. Intersections

- a. The angle of intersection between two major streets or between a major street and a land access street shall, generally, be a right angle,

but in no case shall such intersection be less than eighty-five (85) degrees of arc.



- c. Property line radii at street intersections involving arterial or collector street shall be not less than thirty-five (35) feet. All other intersections shall have property line radii of not less than twenty-five (25) feet.

14. Intersection Sight Distance

- a. On a corner lot, within the area formed by the centerlines of streets at a distance of one hundred (100) feet from their intersections, there shall be no obstruction of vision between a height of two and one-half (2 1/2) feet and a height of ten (10) feet above the average grade of such street or railroad at the centerline thereof. The requirements of this section shall not be deemed to prohibit any necessary retaining wall.
- b. In instances of streets with more than a single lane in each direction, i.e. two or more lanes in each direction, on a corner lot, within the area formed by the intersections of the outer or right hand lanes of each street at a distance of one hundred (100) feet from their intersection there shall be no obstruction of vision between a height of two and one-half (2 1/2) feet and a height of ten (10) feet above the average grade of such street or railroad at the intersection thereof. This shall not prohibit any necessary retaining wall.

15. Tangents

A tangent street segment shall be introduced between reverse or compound curves, where necessary, to provide a minimum sight distance of two hundred (200) feet from any two points within the paved street surface. Between reverse curves on arterial and collector streets, a tangent of not less than one hundred (100) feet in length shall be provided.

16. Street Jogs or Offsets

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

17. Dead-End Streets

- a. Cul-de-sacs designed to have one end permanently closed shall be no more than six hundred (600) feet long. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred (100) feet and a street right-of-way diameter of at

least one hundred and twenty (120) feet. The Planning Commission may approve an alternate design to meet unusual site conditions.

- b. Where the Planning Commission determines a need for future access to adjacent properties, proposed subdivision streets shall be extended or additional street segments provided to the boundary of the subdivision at locations specified by the Planning Commission. Such extensions or additions shall be designed as temporary turnarounds having a paved area with a diameter equal to the width of the required street right-of-way.

18. Private Streets, Access Easements and Reserve Strips

Private streets will meet the same standards as public streets as set forth in Article IV and the technical specifications of the Millington Subdivision Regulations.

~~a. Private streets will meet the same standards as public streets as set forth in Article IV and the technical specifications of the Millington Subdivision Regulations. Access or Travel easements shall be permitted provided that they have a minimum width of fifty (50) feet, that they serve no more than one lot and that they be permanently recorded in perpetuity. Utility easements shall be provided as required by the Planning Commission and other provisions of these regulations. Access or Travel easements shall have a minimum width of fifty (50) feet, serve as access to only one residential lot and be permanently recorded in perpetuity. An easement serving more than one lot shall be considered a private street.~~

~~a.b. Any easement created in commercial and industrial areas shall be established at a width deemed appropriate by the Planning Commission and may serve one or more properties and be permanently recorded in perpetuity, following Planning Commission approval.~~

~~b.c. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the City of Millington under conditions approved by the Planning Commission.~~

19. Street Names

Proposed streets which are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for a proposed street duplicate an existing street name irrespective of the suffix used, i.e.,

street, avenue, boulevard, drive, parkway, cove, court, or place. All street names shall be approved by Memphis Light Gas and Water prior to recording the Final Plat.

20. Alleys

Alleys must be provided unless specifically waived by the Planning Commission to serve the rear of lots or building sites used for commercial or industrial purposes. Alleys shall not be provided in any solely residential block. Resubdivision of land for residential use in areas where alleys exist shall provide for vacation of such alleys.

D. Blocks

Block configuration within a subdivision is essentially determined by the street layout; hence, it must be considered concurrently with the alignment of streets.

1. Block Length

Blocks shall be not less than three hundred (300) feet nor more than fifteen hundred (1500) feet in length measured centerline to centerline of street, except as the Planning Commission may deem necessary to secure efficient use of the land or desired features of street pattern. The Planning Commission may require one or more public cross walks of not less than ten (10) feet in width extending entirely across the street at locations deemed necessary.

2. Block Width

Blocks shall be wide enough to allow two (2) rows of lots, except where double frontage or open space is provided or required, or where prevented by topography or other physical conditions of the site. In such cases, the Planning Commission may permit a single row of lots.

E. Lot Layout

In general, all lots within a Subdivision shall have about the same area. Minimum lot areas and frontages are specified in the Millington Zoning Ordinance, however, a subdivision plan should not be predicated solely on producing a maximum density, the lot layout plan should give balanced consideration to the natural topography of the tract being subdivided, to the conservation and preservation of the natural environment, to the provision of adequate open space, to the enhancement of the character and beauty of the community, to the optimization of lot density, to improvements ratio, and to the protection of life and property.

1. Adequate Building Site

Each lot shall contain a building site not subject to flooding or other hazards as defined in Section G of this article, and such site shall be outside the limits of any easements, rights-of-way, building lines, side yards, rear yards, buffers, screens, or landscaped areas which are existing or are required by the Millington Zoning Ordinance.

2. Arrangement of Lots

Where practical, side lot lines shall be at right angles to street lines and radial to curved street lines. Each lot shall front on a public street, ~~or road,~~ or access or travel easement which has a right-of-way width of not less than fifty (50) feet. Where lots abut on an arterial street; double frontage, marginal access or other acceptable arrangements shall be made to control ingress and egress onto such streets from the individual lots.

3. Minimum Size Lot

The size, shape and orientation of lots or building sites shall be as the Planning Commission deems appropriate for the intended use and topography of the site, for adjoining land uses, and for the protection of life and property.

- a. The minimum area and dimensions of residential lots shall be as specified by the Millington Zoning Ordinance.
- b. The minimum area and dimensions of office, commercial and industrial tracts shall be as specified by the Millington Zoning Ordinance and such tract shall also provide adequate space for the off-street service and parking facilities, landscaping and screening required by the type of use and proposed development.

4. Building Setback and Yard Requirements

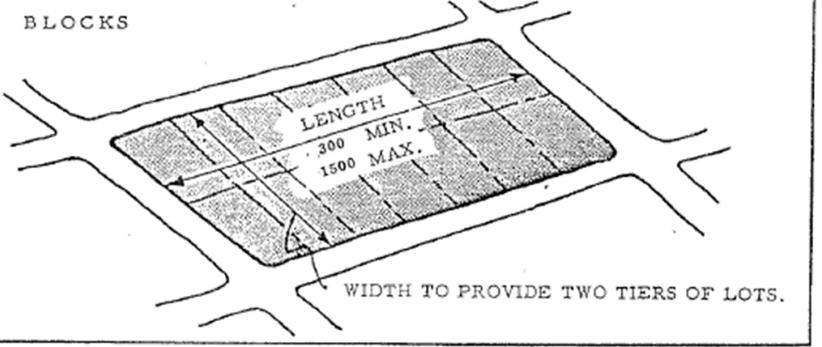
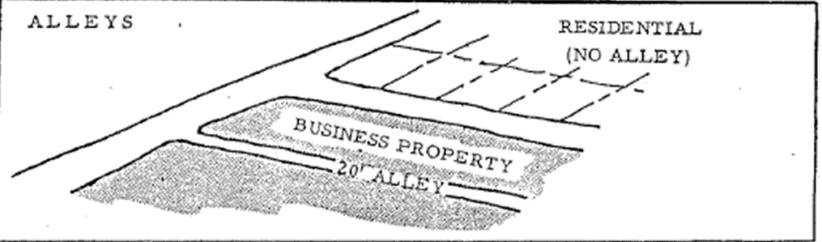
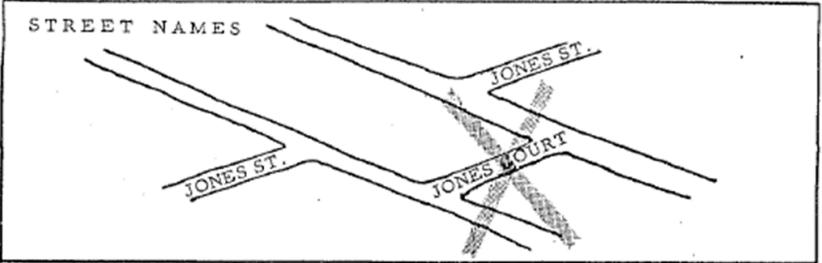
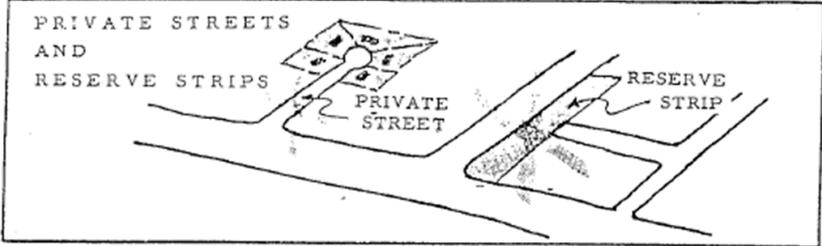
All lots or tracts shall have at least the minimum front, side, and rear yard that is required by the Millington Zoning Ordinance. To accommodate site peculiar conditions, such as side yard drainage, the Planning Commission may require increasing the yard requirements for a given lot or tract.

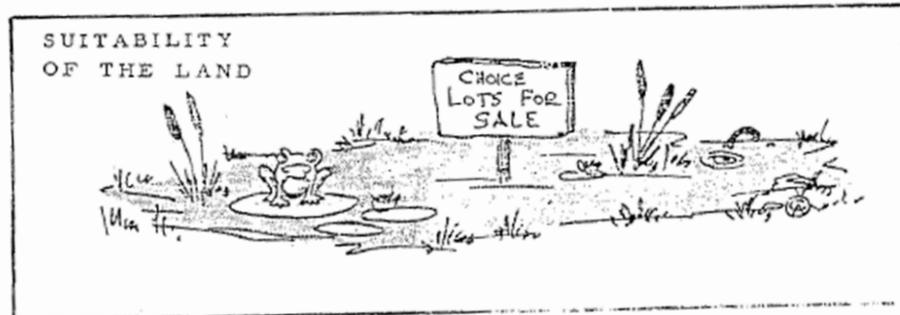
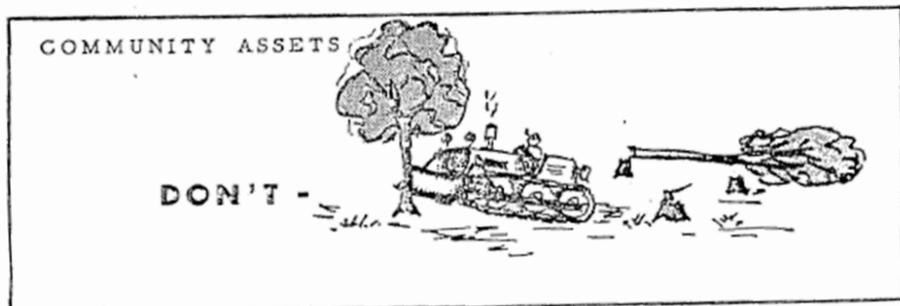
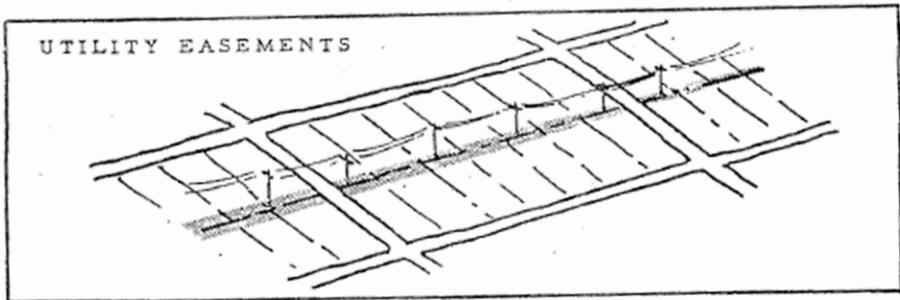
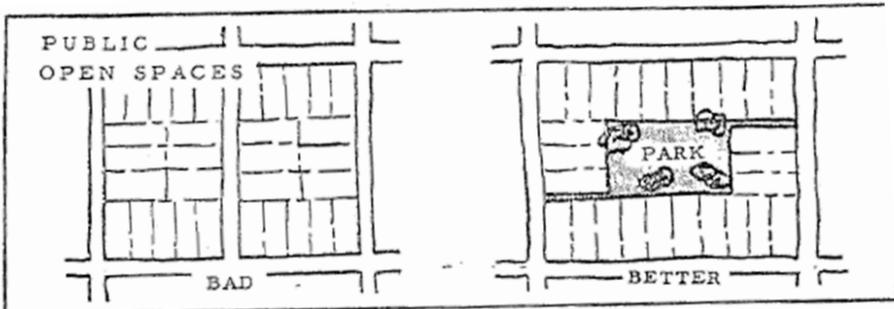
5. Large Tracts or Parcels

Where land is subdivided into larger parcels than ordinary building sites, such parcels shall be arranged to allow for future opening of streets and for logical resubdivision. In no case shall this be construed to allow the creation of severed parcels.

6. Lot Drainage and Grading

Where possible, lots shall drain toward the street or toward both the street and the rear lot lines. In case of drainage to the rear lot line, lateral drainage along rear lot lines shall be required, necessitating careful attention to grading. Where required by the topography, side yard drainage may be required, in which case it may be necessary to increase minimum side yard requirements. Terracing of lots, particularly in residential subdivisions, shall be avoided unless essential for erosion control or to reduce the velocity of runoff.





F. Open Space and Easement

No single aspect of subdivision design contributes more to the attractiveness and value of a subdivision development than the effective use of open space. The provision of open space and easements, preferably designed for multiple uses, is an essential consideration in the planning and design of both residential and non-residential subdivisions.

1. Conformity to Land Use Plans

Where a school, park, playground, or access to water frontage, shown on an official land use map or plan adopted by the Planning Commission, is located wholly or partially within the proposed subdivision, the Planning Commission may require the reservation, for a period of time not to exceed six (6) months from final plat approval, of needed open space within the tract being subdivided; however, such reservations shall no exceed twenty-five (25) percent of the gross area of said tract.

2. Open Space for Control of Storm Water Runoff

Where necessary, design of permanent and temporary ponding shall be an integral part of subdivision design. Such design shall consider opportunities to create open space and landscaped areas for ponding while at the same time considering dual uses, such as public neighborhood parks and playgrounds or private use recreational areas.

3. Easement for Open Channel Draining

Each open channel, including retention and detention ponds, natural or constructed, shall be provided an easement of width sufficient to accommodate major runoff events. Such an easement shall also provide for operation of construction and maintenance equipment, erosion control, insect vector control, landscaping and operations of any water level flow control structures. The easement shall be a minimum of ten (10) feet in width and a maximum of twenty (20) feet on either side of the channel.

4. Easement for Utilities

Utility easements with a minimum width of five (5) feet shall be provided along all rear lot lines. Utility easements with a minimum width of five (5) feet shall be provided along all front lot lines. Where required to permit efficient layout of utilities or to provide access to rear lot lines, utility easements not less than five (5) feet in width shall be provided alongside lot lines. Where deemed necessary, the Planning Commission may require utility easements to have a width to a maximum of fifteen (15) feet. Unless approved by the Planning Commission, no landscape plantings except for lawn grasses and other appropriate ground cover vegetation, shall be

permitted within a required utility easement. Planting restrictions within utility easements shall be noted on the Final Plat.

5. Landscaped Buffers and Screens

Open space shall be reserved for fences and vegetative screening and other landscape areas as required by the Millington Zoning Ordinance and by these Subdivision Regulations. The design of landscaped buffers and screens shall be in accordance with the Technical Specifications of the City of Millington and shall be subject to review and approval of the Planning Commission.

Where residential lots have a double frontage on public streets, there shall be a continuous screening of acceptable design along the rear of such lots.

6. Conservation and Preservation of Community Assets

For all types of land uses, due consideration shall be given to providing open space needed to conserve notable features of the natural environment such as large trees, watercourses, and prominent scenic terrain. Adequate provision shall be made to protect and preserve historical sites or similar community assets which add to the attractiveness and value of property.

7. Private Use Open Space

Open space may be reserved for private use contingent upon residency or employment; however, such open space shall not become the responsibility of the City of Millington, rather the owners or members of an owner's association shall have full responsibility for all care, preservation, and maintenance of the grounds and facilities contained within the reserved open space. An appropriate provision, declaring the responsibilities of the owner or owner's association and absolving the City of Millington of any responsibility for private use open space, shall be included in the covenants and restrictions of the subdivision.

8. Preservation of Open Space

Once an area has been designated as a landscaped area, buffer, screen or other permanent open space, whether for public or private use, it shall not be encroached upon by any building, structure, or parking area, and shall be so noted on the Final Plat of the subdivision.

G. Suitability of Land

The Planning Commission shall not approve the subdivision of land where it has been found that, in the public interest, the land is not suitable for subdivision development of the type proposed. Any land use which shall result in increased upstream or downstream flooding, endanger health, life or property or aggravate downstream erosion, sedimentation or pollution shall not be approved for subdivision. Any land within a proposed subdivision which is unsuitable for the intended use shall be reserved for open space or other compatible uses which will not be endangered by any inherent hazard of the site.

1. Residential Land Use

Land which is subject to flooding or which has unsuitable soil or ground water conditions shall not be subdivided for any type of residential use.

2. Building Site Suitability

No lot or tract intended for use as a building site shall be permitted where a natural or manmade condition, on or adjacent to such lot or tract, may endanger the integrity of any building or structure erected on the site.

H. Planned Unit Development

The concepts of Planned Unit Developments may be applied to residential developments. The purpose of Planned Unit Development is to provide for comprehensive larger scale site planning which may be carried out concurrently with land subdivision planning and design, and to permit maximum innovation and design variation while requirements of the Millington Code of Ordinances shall be complied with and unless specifically waived or modified by the Planning Commission, all requirements of these Subdivision Regulations shall be adhered to.

IV. Article IV Prerequisites to Final Subdivision Approval

A. General Requirements

As a condition precedent to the final acceptance of any subdivision, subdivision addition or resubdivision, every subdivision developer shall be required to grade and improve streets and other public rights-of- ways, to install survey monuments, utilities, curbs, sidewalks, sewers, water mains, storm water inlets, surface and ground water drainage channels and structures, and buffer screens, and to prepare and plant landscaping in accordance with these regulations and the Technical Specifications of the City of Millington. In lieu of the completion of such improvements prior to final subdivision acceptance, the Planning Commission may accept a bond, or other financial surety in an amount and with surety and conditions satisfactory to it, providing for and securing to the City of Millington the actual construction and installation of such improvements within a period specified by the Planning Commission and expressed in the bond, or financial surety agreements.

B. Subdivision Development Contract

The Board of Mayor and Aldermen of the City of Millington will enter into development contracts with a subdivision developer. Other provisions of these regulations notwithstanding, prior to recording an approved final subdivision plat, a subdivision development contract between the developer and the City of Millington must have been approved and issued and sealed by the Mayor of the City of Millington and all required deposits of funds shall have been made by the developer by competent negotiable instruments.

C. Planned Unit Residential Developments

No final subdivision plat shall be approved by the Planning Commission for a Planned Unit Residential Development until the applicable requirements of the Planning Unit Regulations of the Millington Zoning Ordinance have been complied with by the developer and necessary variances have been favorably acted on by the Board of Zoning Appeals.

D. Survey Monuments

Permanent and semi-permanent survey monumentation is an essential by-product of the land subdivision process. Such monumentation facilitates resurvey of the lands contained within the subdivision and provides survey control points for future cadastral and cartographic surveys and mapping. Each subdivision developer shall provide, at their expense, all survey monumentation and documentation specified herein.

1. Permanent Monuments

Concrete monuments four (4) inches in diameter or four (4) inches square, three (3) feet long with a flat top, shall be set at all corners on the exterior boundaries of the subdivision. The top of the monument shall be set with a 2 1/4" Brass cap stamped "control monument" and the name and license number of the firm or surveyor setting said monument. The top of the monument shall be set flush with the finished grade. Permanent monuments will be referenced to the National Geodetic Survey Standards and reference information shall be included on the final plat.

2. Semi-Permanent Monuments

- a. All lot corners in the Subdivision not set with a permanent monument shall be marked with an iron rod not less than five- eighths inch (5/8") in diameter and twenty-four inches (24") long, set flush with the finished grade of the surrounding surface.
- b. Upon completion of subdivision development, these metal rods shall be protected by one (1) or more flagged guard stakes.

3. Unauthorized Survey Marks

Survey reference marks, benchmarks, witness marks, or auxiliary corners which are unsightly or damaging to curbs, gutters, sidewalks, driveways and street pavements shall not be permitted. Any such unauthorized marks and corners shall be removed or repaired by the developer at his expense, prior to final subdivision plat approval.

a. Survey Documentation

The developer shall provide to the City Engineer, prior to final plat approval, a detailed description of all new and recovered permanent survey monuments lying within or on the boundary of the subdivision. Each description shall include:

- 1) A physical description of the monuments.
- 2) Instructions for locating the monuments with respect to a fixed prominent landmark.
- 3) Survey data in addition to that shown on the final plat which shall, when available, consist of adjacent plane coordinates and

elevation, survey precision and accuracy and datum to which coordinates and elevation refer.

E. Storm Drainage

The developer shall construct and install at his expense within the subdivision all channels, ditches, structures, and storage basins with sufficient hydraulic capacity to control storm water runoff and emergent ground water originating within and upstream of the subdivision. Drainage improvements also include proper building site and lot grading and erosion and insect control. (Refer to Millington Technical Specifications, Design Criteria ~~Section 300 Division 33~~ and ~~Site Work Section 2721~~, and the City of Millington Drainage Design Manual).

1. Drainage Channels and Structures

- a. The size and quality of drainage channels and structures shall conform to the drainage plan approved for the subdivision. The required drainage facilities include all underground pipe, inlets, catch basins, manholes, retention and detention ponds, open-channel ditches, and porous pipe and French drains.
- b. All storm drainage pipe shall be reinforced concrete pipe. The maximum size of underground storm sewers shall be sixty (60) inch diameter and the minimum size shall be eighteen inch (18") diameter.
- c. All open channel drainage requiring a cross-sectional area of one hundred (100) square feet or less shall be contained in concrete lined vertical wall ditches.

Where cross sections in excess of one-hundred (100) square feet are required, at minimum, that portion of the ditch carrying the 10-year storm shall be concrete lined by the developer. The remainder of the channel wall will be improved and provide sufficient easements and capacity for drainage, bank stabilization and the access of maintenance equipment. (Easement widths are in Article III "General Requirements and Standards of Design").

Drainage channel design and installation will be subject to review and approval of the City Engineer.

[All requirements of this section are subject to the review of the Tennessee Department of Environment and Conservation \(TDEC\). Open channel drainage improvements shall be consistent with TDEC](#)

[approvals and standards. TDEC requirements shall supersede Millington Subdivision Regulations where they are not consistent.](#)

2. Insect Vector Control

All drainage channels and structures shall be constructed to eliminate breeding areas for mosquitoes and other insect pests. Other improvements such as widening, deepening, relocating, clearing, protecting or otherwise improving stream beds and other water courses within the subdivision, and including such water courses as may be constructed by the developer outside of the subdivision for the control of mosquitoes and other public health nuisances shall be provided by the developer in accordance with the standards and requirements of the City Engineer and the Shelby County Health Department.

3. Lot and Building Site Drainage

- a. The developer shall provide to each building within the subdivision a detailed, coordinated grading plan designed to ensure proper drainage of all lots and building sites. Lot and site grading by individual builders shall conform to the coordinated grading plan furnished by the subdivision developer. Detailed storm water management plans are required by the Zoning Ordinance. The builder shall present his drainage/grading plan at that time and it will be compared to the developer's drainage/grading plan to ensure drainage from the lot will not substantially deviate from that proposed by the developer.
- b. All lots and building sites within the subdivision shall be graded to provide drainage away from all principal use buildings, and all accessory use buildings covering two-hundred (200) square feet or more of the lot or site. A minimum of 3.3 percent slope shall be required to provide positive drainage of front yards to adjacent streets, or to an adequate drainage system. Deviations from this requirement may be allowed for unusual topographic conditions only with prior approval of the City Engineer.

4. Non-Residential Development Drainage Requirements

- a. There shall be no off-site surface drainage from commercial and industrial developments. Within such subdivision developments all storm water drainage shall be collected on site and conveyed by drainage structures to the public storm sewer system in accordance with an approved drainage plan.

- b. Commercial and industrial developments shall have all drainage structures designed by the retention and slow release method. The design calculations for such structures shall be submitted to the City Engineer for approval prior to construction.

F. Street Improvements

The developers shall construct and pave all public or private streets, roads and alleys at his expense to the approved alignment, grades and cross sections. Deviations due to site peculiar conditions may be allowed only with prior approval of both the Planning Commission, Department of Public Works and the City Engineer. The developer will pay for all engineering inspection and laboratory cost incidental to the construction of subdivision streets including, but not limited to material and density tests. (Refer to Millington Technical Specifications, Design Criteria, Section 400 and Site Work, Sections 2110, 2210, 2215 and 2221).

1. Special Precautions

Where streets are constructed under or adjacent to existing major electric transmission lines or major gas transmission lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission line structure. All street grading shall be done in a manner which will not disturb the structure nor result in erosion endangering the structure. In the case of electric transmission lines, the clearance from the pavement surface to the nearest conductor shall meet the requirements of the National Electrical Safety Code.

- 2. Minimum pavement width for all subdivision streets shall have a paved surface as set forth below measured from curb to curb.

- a. Arterial Streets (See Major Road Plan)
- b. Collector Streets 40 feet
- c. Minor Residential Streets ~~34~~30 feet
- d. Marginal Access ~~34~~30 feet
- e. Loop Street ~~34~~30 feet
- f. Dead End Streets (Cul-de-sac) ~~34~~30 feet
Maximum length 600 feet or 15 dwelling units. Cul-de-sacs shall have a paved turnaround with a 50 foot radius

3. Roadway Subgrade Preparation

- a. Clearing and Grubbing

Before roadway grading for public and private streets is started, the entire right-of-way area shall be cleared of all stumps, brush, roots, all trees not

intended for preservation, and all other objectionable materials, The cleared and grubbed material shall be disposed of in a legal manner, away from the construction site and subdivision. (Refer to Millington Technical Specifications, ~~site Work, Section 2110~~ Earthwork, Section 31 11 00)

b. Excavation

During construction, roadbed excavations for public and private streets should be maintained in a smooth condition with sufficient slope to insure adequate drainage under all weather conditions. All obstructions, such as roots, stumps, boulders and other similar material, shall be removed to a depth of two (2) feet below the subgrade.

Rock, when encountered shall be scarified to a depth of twelve (12) inches below the subgrade. All loose material in the roadway shall be compacted in the manner prescribed by the City Engineer. All work shall be in conformance with Division 31 sections 2110 and 2215-31 20 00 and 31 23 00 of the Technical Specifications.

c. Embankment

All suitable material from roadway excavations for public and private streets may be used in the construction of roadway embankments. Excess or unusable materials shall be legally disposed of away from the construction site. Maximum density and optimum moisture shall be determined in accordance with AASHTO T-99, method maximum density, unless otherwise specified. The fill material used in the construction of embankment shall be spread in layers no to exceed six (6) inches loose and shall be compacted at optimum moisture content by a sheep's foot roller or other compaction equipment approved by the City engineer.

During construction, embankments shall be maintained in a smooth condition with sufficient slope to insure adequate drainage under all weather conditions. (Refer to Millington Technical Specifications, ~~site work, Section 2221~~ Division 31: Section 31 23 00).

4. Pavement Base Course

After preparation of the subgrade, the roadbed shall be surfaced with an approved material conforming to the Technical Specifications of the City of Millington. The base material shall be either: gravel base material which shall be a hard, durable road type gravel ~~with size gradation from two (2) inches down to fine dust in accordance with Section 02215~~ as required in Division 32, Section 32 11 00 of the Millington Technical Specifications; or a soil cement base as designed by an accepted soils laboratory testing firm under direct approval by the city engineer. After compaction, the base shall be at least six (6) inches thick for all streets with 40 or less of pavement and eight (8) inches thick for all streets greater than 40 feet in pavement width. ~~Or more~~

~~as specified on page nine (9) of the Design Criteria, Section 400.~~ When curbs and gutters have been waived per the provisions of Article IV, Section H, the pavement base shall extend 3 feet beyond the required width of the paved surface to serve as shoulders for the road.

5. Roadway Surfacing

The road or street surface shall consist of two (2) inches of approved asphalt and shall be installed per ~~Section 2513~~ Division 32 of the Technical Specification as a base course with a one (1) inch wearing surface added within one year.

Before laying asphalt, a prime coat of bituminous material shall be uniformly applied per ~~Section 2513~~ Division 32.

The Planning Commission and the City Engineer may specify additional requirements for road improvements warranted by soil conditions or the type and amount of traffic.

G. Environmental Protection Preservation

Protection and preservation of the environment, particularly its natural features such as ground cover, trees, soils, and watersheds, is an essential element of subdivision design. The developer shall provide, at his expense, all erosion control revegetation planting, and protection for existing vegetation.

1. Erosion Control

- a. During all phases of subdivision development, positive measures shall be taken to minimize erosion by wind and water. Where necessary, appropriate erosion protection shall be provided to prevent interference with drainage and roadways by build-up of eroded soil and associated debris. Such eroded material shall be promptly removed by the developer and where necessary streets shall be cleaned at the developer's expense.
- b. The developer shall submit a plan and schedule for soil erosion and sedimentation control to the Planning Commission and City Engineer for approval. The developer shall provide necessary erosion control such as seeding for gentle slopes ~~(1:25 slope)~~, and grass sod for sharper slopes, with special grading and terracing in accordance with the plans approved by the Planning Commission and City Engineer. All freshly excavated and embankment areas not covered with satisfactory vegetation shall be fertilized, mulched and seeded and/or sodded as required to prevent erosion. Storm sewer inlets shall have debris and sediment guards as approved by the Planning Commission

and City Engineer to trap sediment and avoid possible drainage by blockage. Provisions shall be made to accommodate increased runoff caused by changed soil and surface conditions during development.

Runoff shall be intercepted and safely conveyed to storm drains or natural outlets where it will not erode or flood land. Sediment basins shall be installed and maintained to collect sediment from runoff waters. If it is determined by the City of Millington that the necessary erosion control is not being provided by the subdivider, the City of Millington shall officially notify the subdivider of the problem. If the developer has not begun to provide satisfactory erosion control within fifteen (15) days after the notice, the City of Millington shall make the necessary improvements to eliminate the erosion problem documenting all expenses incurred. Prior to release of the bond or recording of a final plat under the "no bond" procedure, all expenses incurred by the City of Millington shall be paid in full by the developer.

2. Preservation of Trees and Revegetation

No trees of caliper ten (10) inches or larger measured five (5) feet above the surrounding ground surface shall be removed if at all possible and special attention shall be given to preserving larger trees. For removal of trees greater than twelve (12) inches in diameter, the Planning Commission may require a plan of revegetation, in order to recover soil stabilization, percolation or buffering lost by removal of such trees.

H. Sidewalks, Curbs, Gutters, and Handicap Ramps

The developer shall install along all public and private streets, at his expense, all sidewalks, curb and gutters and handicap ramps within the subdivision and within the right-of-way of all existing streets bordering the subdivision. (Refer to Millington Technical Specifications, ~~site work, Section 2528, Section 32~~). The Planning Commission shall have the authority to waive the installation of curb, gutter and sidewalks within the Residential Large Lot (RLL) zoning district. When the Planning Commission waives the requirement for curb, gutter and sidewalk, the developer will install 3 foot wide gravel shoulders and sod all drainage ditches. The drainage ditches shall be designed according to the Millington Drainage Design Manual. The slope of the sides of the drainage ditch shall not exceed 2.5 to 1 and the bottom of the ditch shall be 24 inches wide. The bottom of the drainage ditch shall be paved with the pavement being 4 inches thick and 2 feet wide, [where permitted by TDEC.](#)

1. Sidewalk Locations

For the safety of pedestrians and of children at play or in route to school, sidewalks shall normally be required on both sides of streets. Sidewalks shall be located in the

street right-of-way with the outside edge coinciding with the light-of-way line.

2. Minimum Sidewalk Width and Cross Section

All sidewalks shall have a main slab not less than four (4) inches thick. For proper drainage, all sidewalks shall have one-fourth inch (1/4) per foot slope toward the adjacent street. Sidewalks shall conform to the following minimum widths:

- a. Single-family Residential Sidewalks 4-5 feet
- b. Multi-family 5 feet
- c. Commercial Non-residential Sidewalks 5 feet

3. Curbs and Gutters

Curbs and gutters shall be permanent integral type six inch (6") concrete curbs with twenty-four inch (24") concrete gutters. Only the standard six inch (6") and twenty-four inch (24") curbs and gutters shall be permitted. On arterial and collector street's gutter thickness shall be an eight (8") inch minimum.

4. Handicap Ramps

In all subdivisions where sidewalks, curbs or gutters are required, handicap ramps shall be installed at all crosswalks so as to make the transition from street to sidewalk easily negotiable for physically handicapped persons in wheelchairs and for others who may have difficulty in making the step up or down from curb level to street level. This requirement is not subject to waiver.

5. Quality of Concrete

All sidewalks, curbs gutters, handicap ramps and driveway aprons shall be constructed of high-quality durable Portland cement concrete. The concrete shall be read-mixed, air entrained, 4,000 lb. concrete. All concrete shall be Class A and shall be placed, curbed and tested in accordance with the Technical Specifications, [Section 03004 Division 03, Section 03 00 00](#).

6. Waiver for Installation of Sidewalks

The Planning Commission may upon application of the subdivision developer may waive the requirements for sidewalk in residential areas. Such waivers shall be granted only under the following conditions provided that the safety of pedestrians and children is not a factor.

- a. Where a park, railroad, or other use on one side of a street makes a sidewalk non-essential.

- b. Where ninety percent (90%) of the lots in residential subdivision exceed an area of one (1) acre, the requirement for sidewalks may be waived.
- c. Within Residential Planned Unit Developments sidewalks may be waived upon Planning Commission approval: [when alternative walkways or paths are provided.](#)

I. Installation of Utilities and Sanitary Sewers

After roadway grading is completed and approved and before any base course is applied, all of the underground work on water mains, sewers, etc., and all service connections shall be installed completely and approved throughout the length of the roadway and across the width of the roadway.

1. Water Supply System

(Refer to Millington Technical Specifications, [Design Criteria Section 100 and Site work, Section 2722 Division 33, Section 33 10 00](#))

- a. Water mains in the subdivision shall be connected to the city water system. The water system in the subdivision will be looped if possible, so as to provide adequate water pressure for fire protection. The water mains will be a minimum eight (8) inches with fire hydrants no further apart than ~~five~~ ~~four~~ hundred (~~500~~ ~~400~~) feet. A greater line size may be required when it is determined that future development will require the addition size.
- b. All water mains installed within the subdivision shall be designed to minimize the infiltration of flood water.
- c. The developer shall be responsible for installing individual lot services to property line consisting of connection to main, service tubing, curb stop and meter box. All Water Service location shall be marked with a "W" chiseled and painted on the face of curb.
- d. All water supply system construction plans and specifications shall be approved by the area office of the Tennessee Department of ~~Public Health, Environmental Health Services~~ [Environment and Conservation](#), prior to any construction in accordance with Section ~~68-13-102~~ [221](#), Tennessee Code Annotated, copies of comments and certificates of approval from the above agency shall be forwarded to the City of Millington. The construction will be inspected by the City Engineer for compliance with the approved plans.

2. Sanitary Sewer System

(Refer to Millington Technical Specifications, Design Criteria, Section 200 and Sitework Section 2722 Division 33, Section 13 30 00.

- a. Sanitary sewers shall be installed by the developer. Sewer lines shall be a minimum of 8" diameter for gravity lines and a minimum 4" for force mains. The Planning Commission may require greater line sizes, pumping stations or other design modifications upon recommendation by the planning staff and/or City Engineer. The sewer system will connect into the city system. All subdivisions within the city limits will be required to connect to the system at their expense. All systems shall be designed to minimize or eliminate infiltration of, or discharge into flood water.
- b. The developer shall be responsible for installing individual lot services to property line consisting of connection to main and service pipe with plug. All sewer services locations shall be marked with a "S" chiseled and painted on the face of the curb. The service pipe will be a 6" minimum per the technical specifications.

Sewer service lines shall be required to be located no deeper than 5 feet below the surface at the property line with the exact location of the end of the line staked and flagged. Service lines when installed up to 45 degrees from horizontal shall be laid on well compacted Class I granular material. When service lines are installed at an angle greater than 45 degrees from the horizontal service lines shall be encased in concrete per Section ~~210~~ 13 30 00 of the technical standards.

- c. All sewer line construction plans and specifications shall be approved by the area office of the Tennessee Department of Public Health, Environmental Health Services, prior to any construction in accordance with Section 68-~~221-43-102~~, Tennessee Code Annotated. Copies of comments and certificates of approval from the above agency shall be forwarded to the City of Millington. The construction will be inspected by the City Engineer for the compliance with the approved plans.

J. Screening and Landscaping

Where required by the Planning Commission and these regulations, fences and vegetative screening and landscaping shall be provided along the perimeter of certain developments to protect residential districts from undesirable views, lighting, noise and other adverse influences. Other landscaping may be required for open space reserved as a part of the storm drainage system, for recreational areas, and for erosion control and preservation of environment and of historical landmarks.

1. Residential Development

Where residential development has lots which have double frontage on public streets (alleys excepted) there shall be continuous screening along the rear line of these lots. Visibility areas required for traffic safety as designated by the City Engineer shall not be screened.

2. Non-Residential Development

The screening and landscaping for non-residential development shall comply with the provisions of the City of Millington Zoning Ordinance [and as required by the Millington Planning Commission](#).

3. Other Landscaping

The Planning Commission may specify to the developer those areas within the subdivision which require landscaping. The developer shall present for Planning Commission approval a detailed landscaping plan and planting schedule.

K. Technical Specifications Included by Reference

The technical specifications of the City of Millington as set forth in the Appendix, are included in all of the foregoing requirements of this Article and these regulations by reference. Unless these regulations state otherwise, deviations from the Technical Specifications may be allowed only with the prior approval of the City Engineer, and Planning Commission. The standards for the design of the drainage in subsections are contained in the City of Millington Drainage Design Manual.

L. Performance Bond in Lieu of Completed Improvements

The Subdivision Developer shall, subject to the Planning Commission's approval, furnish to the City of Millington a construction performance bond. The amount and terms of the bond shall be as determined by the City Engineer and approved by the Planning Commission in accordance with Section 13-4-303, Tennessee Code Annotated. If all required construction is not completed within one year the bond will be reviewed for adequacy and increased if necessary. The legal document establishing the bond will be reviewed by the City Attorney.

1. Reduction of Bond Upon Partial Completion

Upon completion of the major improvements, and upon final inspection and acceptance by the City Engineer, the developer may request the reduction of the amount of the performance bond or he may substitute a new bond to secure the obligation with respect to uncompleted or unaccepted improvements. The residual improvements shall normally be limited to such items as erosion control, revegetation, landscaping and plantings, and to those improvements such as sidewalks, handicap ramps, and curb cuts and driveway aprons which are deferred

pending completion of building construction in those instances where the developer is also the builder.

2. Enforcement of Bonds

Failure of the developer to comply with any or all parts of these regulations subsequent to final subdivision plat approval shall be grounds for issuance of a stop work order by the City Engineer or Building Inspector and enforcement of the performance bond by the City of Millington.

M. Issuance of Building Permits and Certificates of Occupancy

1. Where a performance bond has been required for a subdivision, no certificate of occupancy for any building in the subdivision shall be issued prior to the completion of the improvements and dedication of same to the local government as required in the Planning Commission's final approval of the subdivision plat.
2. The extent of street improvement shall be adequate for vehicular access by the prospective occupant and by police and fire equipment, prior to the issuance of an occupancy permit. The developer shall at the time of the dedication submit monies in escrow to the local government in a sum determined by the local government engineer for the necessary final improvement of the street.
3. No building permit shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2), for the final two (2) lots of a subdivision, until all public improvements required by the Planning Commission for the plat have been fully completed and dedicated to the local government.

N. Acceptance of and Warranty Period Improvements

The City of Millington, upon final approval and acceptance, will take full title to the improvements and will provide maintenance, thereafter, except that the developer will be responsible for construction failures and defects in the subdivision for one (1) year after the final acceptance of the subdivision construction. During this period, it shall be the responsibility of the developer to correct and cure these defects and failures. The subdivision performance bond or financial surety will not be released until the warranty period and all required repair work is completed.

V. Article V Variances, Appeals, and Amendments

A. Variances

Variances to the general requirements, design standards and extent of improvements required by these regulations may be granted or imposed by the Planning Commission. All requests for variances shall be submitted in writing. The Planning Commission may grant or impose variances under the following conditions:

1. Hardship

Where it can be shown that strict adherence to the provisions of these regulations would cause unnecessary hardship, a variance may be granted, except that, in no case shall this be construed to permit subdivision of land which is unsuitable or otherwise inadequate for the intended use, nor to permit waiver of any requirements which are necessary to the protection of life or property.

2. Site Peculiar Conditions

Where the Planning Commission determines that the topography or other site peculiar conditions warrant, and departure from these regulations would not destroy their intent, a variance may be granted or required. In this regard, the Planning Commission may impose additional requirements and higher standards to cope with peculiar conditions. Any variance thus authorized shall be stated in writing in the minutes of the Planning Commission with the reasons justifying the variances.

B. Appeals

For matters falling within the scope of the regulating powers granted to the Planning Commission by Sections 13-4-302 and 13-4-303, Tennessee Code Annotated, any person or persons, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision, finding or interpretation of the Planning Commission may seek review by a court of record of such decision, finding or interpretation, in the manner provided by the laws of the State of Tennessee. Decisions, findings and interpretations of the Planning Commission with regard to the standards and extent of improvements required for subdivision approval shall in all instances be final administrative decisions. Other appeals shall be as follows:

1. Board of Mayor and Alderman

Matters submitted to the Planning Commission pertaining to the widening, narrowing, relocation, vacation, change in use, acceptance, acquisition, sale or lease of any street or public way, place or property may upon disapproval by the Planning Commission be overruled by the Board of Mayor and Aldermen by a majority vote of its membership

C. Amendments

The procedures, policies, design standards, requirements, and restrictions set forth in these Regulations may from time to time be amended, supplemented, changed, or rescinded by the Planning Commission. Before adoption of any amendment, a public hearing thereon shall be held by the Planning Commission in accordance with Section 13-4-303, Tennessee Code Annotated. At least thirty (30) days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in the city.

VI. Article VI Legal Status Provisions

A. Powers of the Planning Commission

These regulations are in accordance with the provisions of Chapter 4, Title 13, Tennessee Code Annotated, which grants to the Planning Commission the powers to regulate the subdivision of land within the City of Millington. In accordance with Section 13-4-103, 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 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 Approval

No plat of a subdivision of land into two (2) or more lots or tracts located within the City of Millington shall be admitted to the land records of Shelby 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, [or staff as provided in Article II, Section E](#); and such approval entered in writing on the plat by the Secretary of the Commission as provided in Section 13-4-302, Tennessee Code Annotated.

2. Acceptance of and Improvements of Unapproved Streets

No board, public official, or authority shall accept, lay out, open, improve, grade, pave or light any street or lay or authorize water mains or sewers or connection to be laid in any street within the City of Millington 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, Tennessee Code Annotated, however, the Board of Mayor and Alderman may locate and construct or may accept any other street, provided that the Ordinance or other measure for such location and construction or for such acceptance be first submitted to the Planning Commission for its approval, and if disapproved by the Commission, be passed by a majority of the entire membership of the Board of Mayor and Aldermen; and a street approved by the Planning Commission or constructed or accepted by said majority vote after disapproval by the Commission, shall have the status of an approved street as fully as though it had been originally shown on a subdivision plat approved by the Commission or on a plat made and adopted by the Commission.

3. Issuance of Building Permits

No building permits shall be issued and no building shall be erected on any lot within the City of Millington, unless the street giving access to the lot upon which said building is proposed to be placed shall have been accepted or open as, or shall have otherwise received the legal status of a public street prior to the adoption of these regulations or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Planning Commission or on a street plat made and adopted by the Commission, or with a street located or accepted by the Board of Mayor and Alderman as provided in Section 13-4-308, Tennessee Code Annotated. A building permit may be issued on a lot shown on a subdivision plat, approved by the Planning Commission, provided that the roadbed base has been applied and the subdivision development is substantially complete.

C. Complaints Regarding Violation

Whenever a violation of these regulations occurs, or is alleged to have occurred, any person may file a written complaint stating fully the causes and basis thereof. Such complaint shall be filed with the ~~Building Inspector~~ Director of Planning. He shall record properly such complaint, investigate, take necessary action within his authority or refer the complaint to the City Attorney or other official designated by the Board of Mayor and Aldermen. A report of all violations of these regulations and action taken shall be included in the minutes of a regular meeting of the Planning Commission.

D. Penalties for Violation

The penalties for the filing or recording of a plat, transfer or sale of land, and erected 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 Unapproved Subdivision Plat

No County Register shall receive, file, or record a plat of a subdivision within the City of Millington without the approval of the Planning Commission as required in Section 13-4-302, Tennessee Code Annotated, and any County Register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

2. Transfer or Sale of Land Without Subdivision Approval

Section 13-4-306, Tennessee Code Annotated, provides that whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of such subdivision or 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 Shelby County Register, shall be deemed guilty of a

misdemeanor punishable as other misdemeanors as provided by law; and the description by Metes and Bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The City of Millington through its City Attorney or other official designated by the Board of Mayor and Alderman 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~~ Director of Planning or the City Attorney of the City of Millington or other official designated by the Board of Mayor and Alderman may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.

E. Provisions of Regulations Declared to be the 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 Millington. Whenever 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.

VII. Article VII Severability

Should any section or provision of these Subdivision Regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Regulations as a whole, or any part, thereof, other than the part so declared to be unconstitutional or invalid.

VIII. Article VIII Adopted and Effective Date

b. Public Hearing

Before adoption, amendment, revisions, or rescission of all or part of these Subdivision Regulations a Public Hearing as required by Section 13-4-303, Tennessee Code Annotated, was afforded any interested person or persons.

c. Effective Date

The attachment of the Planning Commission's Subdivision jurisdiction and these Subdivision Regulations shall be in full force and effect from and after their adoption and effective date. The effective date of any amendment, revision or rescission of these Subdivision Regulations shall be the date such amendments, revision or rescission shall have been adopted by the Planning Commission.

Adopted by the Planning Commission on the 30th day of April 1987. [These regulations were revised on the ___ day of _____, 2020.](#)