

Land Development in Smyrna

A User's Manual

Town of Smyrna
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Introduction

The purpose of this handbook is to provide an overview of the land development process in Smyrna and to educate both participants and the public so that the process will run smoothly.

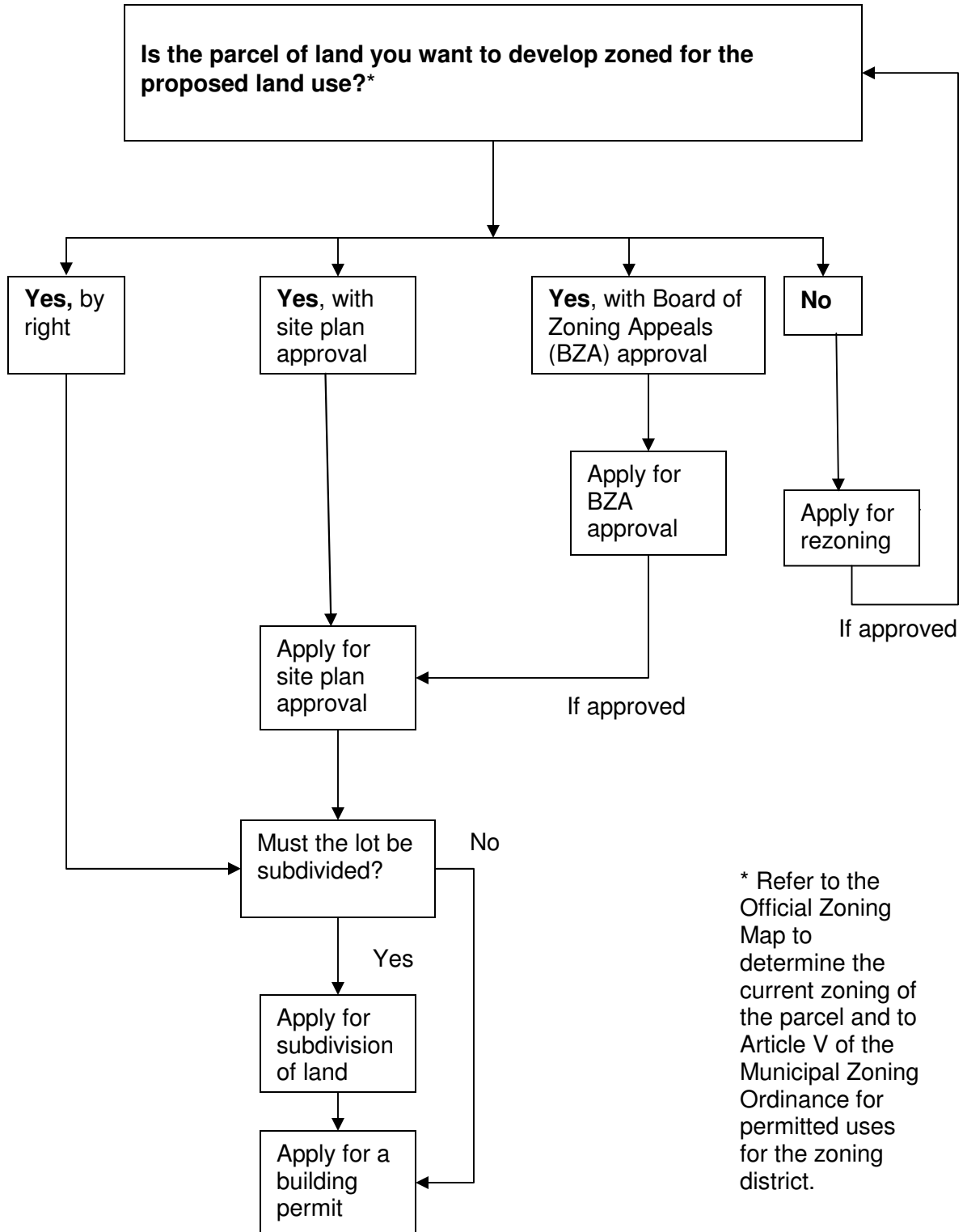
The handbook is organized into four sections. Section I provides a broad overview of the land development process. It is intended to help the user determine which review process(es) must be undertaken in order to achieve the desired results. Sections II and III then describe in further detail the various review and permitting processes, when they are required, and the steps necessary to complete them. In addition, each process subsection includes a checklist with submittal requirements so that you will have at hand all of the elements necessary to complete your application. The final section of this handbook conveniently contains useful information such as meeting schedules for the boards and committees involved in the review process, application

deadlines, and information regarding which boards and committees are associated with the review processes described in Section II.

All information presented in this manual originates from one or more of the following: Smyrna Municipal Zoning Ordinance, Subdivision Regulations, Design Review Manual, Sign Ordinance, or Tennessee Code Annotated. Copies of these documents with the exception of the Tennessee Code Annotated are available at the Planning & Codes Department (see Fee Information in Section III) or online (www.townofsmyrna.org). The Tennessee Code Annotated is available for free online at www.state.tn.us.

NOTE: The information contained herein is not intended to replace or supplant any ordinance or regulations properly enacted by legislative processes of the Town of Smyrna. In the event of a conflict, this User's Manual shall serve as a general guide only.

Section I: Land Development Approval Process



Rezoning

When is rezoning needed?

When the current zoning classification of a particular parcel(s) of land does not allow for the proposed use, it is necessary to apply for a rezoning.

The Town Council may request a rezoning or any official, board, or individual may petition the Town Council with such a request.

What happens after I have submitted the application?

First, your application is reviewed by town staff who will give their recommendation to the Planning Commission. At this time, letters will be sent to surrounding property owners, and a sign will be put up on the property proposed for rezoning.

Next, your application will be reviewed at a regular meeting of the Planning Commission. After this review, the Planning Commission will submit their recommendation to the Town Council.

After the Planning Commission gives its recommendation, the request goes through two readings before the Town Council. At the time of the second reading, the Town Council will hold a public hearing at which time anyone may speak for or against the proposed rezoning. Following this, the Town Council will vote to approve or deny your request. To obtain approval, the rezoning request must pass both readings. If the Planning Commission recommended disapproval of your application, then the majority of the entire Town Council must vote in favor of approval to override the Planning Commission's recommendation.

An approved rezoning goes into effect immediately upon approval by Town Council.

Criteria for Review

A rezoning request is measured against the following criteria:

1. The request must be supported by the Comprehensive Plan.
2. The request must keep within the legal purposes for which zoning exists.
3. The request must not create an adverse impact on adjoining property. If it does, then the impact(s) must be justified by the overwhelming public good and/or welfare.
4. The request may not result in one property owner or group of property owners benefiting materially from the change to the detriment of the general public.

Resources

To determine the current zoning of a parcel of land, please refer to the Smyrna Official Zoning Map (available at www.townofsmyrna.org). For further information regarding the rezoning process, please refer to the Municipal Zoning Ordinance, Article VII, Section 7.090.

*Rezoning
Submittal Requirements Checklist*

- _____ Application form
- _____ Fee of \$200 to *Town of Smyrna*
- _____ Maps, drawings, and other data sufficient to demonstrate that request favorably meets
- _____ Accurate legal description and scale drawing of the land and existing buildings

Maps must include the following information:

| Requirement | | Requirement | |
|-------------------------------|--|---|--|
| Plan drawn to scale | | Identify streets by name | |
| North arrow | | Right-of-way width | |
| Vicinity map | | Building heights | |
| Address of site | | Owner's Name & Address | |
| Tax map identification number | | Date of Plan (include dates of revisions) | |
| Current zoning of property | | Identify existing and proposed structures on site | |
| Zoning of adjacent properties | | Acreage of site | |
| Legend | | Off-street loading area(s) | |
| Existing use | | Landscape buffers | |
| Proposed use | | | |

*Plans should be submitted on sheets no larger than 24" x 36".

Site Plan Review

When is site plan review needed?

All commercial, industrial, and multi-family residential developments require site plan approval before building permits may be issued.

Site Plan Review Process

First, you need to submit a concept plan which will allow for an early assessment of your proposal to determine any challenges or opportunities and to clarify requirements before you invest substantial resources in the site plan. The concept plan is reviewed twice by staff before it is evaluated by the Planning Commission. Following each staff review, you will receive a list of comments and recommended revisions. If you do not revise in accordance with staff recommendations, your application may be removed from the Planning Commission agenda. Planning Commission approval indicates that you should move forward with the site plan and construction drawings. Disapproval of the concept plan ends the site plan process.

After concept plan approval, you may submit a site plan and construction drawings. Design Review also occurs at this time. The review process for the site plan and construction drawings follows the same timeline as the concept plan. Staff reviews the site plan twice before it goes to the Planning Commission. After each staff review, you will receive a list of comments and recommended revisions. If you do not revise in accordance with staff recommendations, your application may be removed from the Planning Commission agenda. Construction plans, if required, must be approved prior to final site plan approval.

Following site plan approval, you must either construct all improvements or present a performance bond for 120% of the cost of the improvements. This must be addressed before grading and building permits are issued.

Performance bonds must be issued by either a commercial bank or federally chartered savings and loan associations located in Rutherford or Davidson County, Tennessee. The performance bond is retained by the Town for one year following the issuance of the certificate of occupancy at which time it is either released or called depending on the status of improvements.

If the developer is to install water and/or sanitary sewer, road, or stormwater facilities, then he or she must file a Development Agreement with the Town of Smyrna. For more information regarding the Development Agreement, please contact the Director of Planning and Codes.

Before beginning any improvements, you must apply for and be issued a grading permit.

Site plan approval expires one (1) year after official approval if a building permit has not been obtained. Approval may be extended up to six (6) months at the discretion of the Town Planner if you request the extension and have submitted construction plans for review prior to the one (1) year expiration deadline.

Note: Site plans that meet certain criteria may be approved by staff rather than by the Planning Commission. (See pg. 9 for criteria.)

Criteria for Review

Site plans are reviewed in relation to all relevant specifications set forth in the Municipal Zoning Ordinance and the Design Review Manual.

Resources

Additional information on site plan review is found in the Municipal Zoning Ordinance, Article III, Section 3.120 and the Design Review Manual, available online at www.townofsmyrna.org.

Criteria for Site Plans Requiring Staff Review Only

Site plans that meet all of the following criteria may be reviewed and approved by staff rather than by the Planning Commission. All deadlines and submission requirements are the same as specified for site plans that must be approved by the Planning Commission.

| Criteria | | |
|-----------------|---|--|
| 1. | Ten percent (10%) or less in scope and area of the previously approved site plan (i.e. existing development upon the zone lot) | |
| 2. | Does not exceed 5,000 square feet of building area | |
| 3. | Does not exceed one such addition in any 12-month period | |
| 4. | Is in conformity with the provisions of the land use plan, as well as the provisions of the Municipal Zoning Ordinance | |
| 5. | Does not constitute any threat to the public welfare, and is not injurious to the property values within the vicinity or community | |
| 6. | Does not require staff to decide any major developmental policy issue | |

*Site Plan: Multi-Family, Commercial, and Industrial
Submittal Requirements Checklist*

| Requirement | Requirement |
|---|--|
| Submit 10 copies to Planning & Codes Department | Fee: \$250 + \$0.02 per square foot of building payable to <i>Town of Smyrna</i> |
| At a scale no smaller than 1"=50', showing contours at 2 feet intervals | Completed application form |
| Graphic cross-section of any on-site paving that is required | Location of existing and proposed fire hydrants, servicing utilities with reference to location, availability, and compatibility |
| Total area of impervious surfaces as well as vehicular use area | Plans should be submitted on sheets no larger than 24" X 36" |
| Construction plans for public improvements, if necessary | Location of the centerline, right(s)-of-way, and edge of pavement of existing public streets as well as the location of curbing when applicable |
| Landscape Treatment Plan (Section 3.150 of the Municipal Zoning Ordinance and Design Review Manual) | Two copies of separate grading/excavation plans showing all specifics including location, size, materials, cut and fill amounts, etc. |
| Density of development and required open space | Openings for ingress/egress to public streets |
| Structural plans showing all elements, details, and calculations | Required building setbacks and other yard requirements |
| Location map showing the relationship of the proposal to scale, to other developments, land uses and streets and including surrounding zoning | Architectural elevations, including materials used and building height |
| Drainage plan | All site plans must be prepared and stamped by an individual licensed and certified by the State of Tennessee to perform such design service as is required. |
| Flood hazard area data | Required parking including loading/unloading spaces and handicapped accessible spaces |

Site Plan: Multi-Family, Commercial, and Industrial

*Building Plans
Submittal Requirements Checklist*

| | Requirement | | Requirement |
|--|---|--|---|
| | Electrical plans, details, and schedules, including exit signs and emergency lights | | Plumbing plans and schedules |
| | Heating, air conditioning, and ventilation plans and schedules | | Fire alarm and sprinkler plans, if applicable |
| | Gas plans and appliance schedule, if applicable | | Storage plans, if applicable, showing racks, bins, stacks, etc., including layout separation and height |
| | Fire protection systems including exhaust hoods, if applicable | | Requirements for the disabled |
| | Plans should be submitted on sheets no larger than 24" X 36" | | |

Planned Developments

What is a planned development?

A planned development is an area of land that is designed and organized to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property. Such developments consist of relatively large interrelated developments located on a single tract of land that is under single ownership.

Types of planned development districts (and the permitted uses allowed in each) include the following:

1. Planned Residential District (PRD) – R-1, R-2, R-3, R-4, R-5, and R-6
2. Planned Commercial District (PCD) – C-1, C-2, C-3, C-4, and P-O
3. Planned Industrial District (PID) – I-1, I-2, and I-3
4. Planned Unit District (PUD) – any combination of uses

Planned Development Approval Procedure

First, submit the proposal to the Planning & Codes Department. (An annexation request may be filed at the same time.) The proposal then is reviewed twice by staff before it is evaluated by the Planning Commission. After each staff review, you will receive a list of comments and recommended revisions. If you do not revise in accordance with staff recommendations, your application may be removed from the Planning Commission agenda.

During this review, the Planning Commission members may suggest changes to your development plan. Within thirty (30) days of the Planning Commission meeting at which the planned development is first considered, the Planning Commission must recommend it to the Town Council for approval, disapproval, or approval subject to special conditions.

Following the Planning Commission meeting, the proposal is presented to the Town Council for a review that is similar to a rezoning. Upon review, the Town Council may take one of the following actions: approval, disapproval, or approval subject to conditions. If the plan is approved subject to conditions, those conditions may be either in addition to or in substitution of those made by the Planning Commission. However, if the Town Council changes a condition(s), the application must go back to the Planning Commission for review before final approval (TCA 13-7-203).

Approval by the Town Council constitutes a change of the zoning map and indicates that you may move forward with filing applications for a site plan, subdivision plat, building permit, and any other permits ordinarily required for development.

Note: If the developer is to install water and/or sanitary sewer, road, or stormwater facilities, then he or she must file a Development Agreement with the Town of Smyrna. For more information regarding the Development Agreement, please contact the Director of Planning and Codes.

Criteria for Review

The standard of review for planned developments is more subjective than most other review processes. The Planning Commission and Town Council must determine whether or not the proposed development is “in harmony with the purpose and intent as stipulated” in the zoning ordinance (Municipal Zoning Ordinance 4.070). Also, the Town Council must review the application with regard to the criteria specified for a rezoning. (See *Rezoning*.)

Resources

Planned developments are addressed in the Municipal Zoning Ordinance, Article IV, Section 4.070 which is available online at www.townofsmyrna.org. The Tennessee Code Annotated (TCA) may be accessed on the State of Tennessee’s website, www.state.tn.us.

*Planned Developments: Planned Residential District (PRD)
Submittal Requirements Checklist*

| Requirement | | Requirement | |
|---|--|--|--|
| Submit 10 copies to Planning & Codes Department | | Fee: \$200 payable to <i>Town of Smyrna</i> | |
| Completed application form | | Plans should be submitted on sheets no larger than 24" X 36" | |
| At a scale no smaller than 1"=50', showing contours at 2 feet intervals | | Map showing available utilities, easements, roadways, rail lines, and public rights-of-way crossing and adjacent to the subject property | |
| Graphic rendering of existing conditions and/or aerial photographs showing existing conditions and depicting all significant natural topographical and physical features of the subject property | | Plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structures on site and within 200 feet of the subject property and the identification of the use thereof | |
| Tabulation of the maximum number of dwelling units proposed by type of dwelling as defined by Article II of the zoning ordinance | | Tabulation of the maximum floor area proposed to be constructed | |
| Written statement generally describing the relationship of the proposed planned development to current policies and plans of the Town and how the proposed development is to be designed, arranged, and operated in order to permit the development and use of neighboring property in accordance with the zoning ordinance | | Proposed means of assuring the continued maintenance of common open space or other common elements and governing the use and continued protection of the planned development | |
| Drawing defining the general location and maximum number of lots, parcels, or sites proposed to be developed or occupied by buildings in the planned development | | Location and proposed improvements of any street depicted on the Major Thoroughfare Plan | |

*Planned Developments: Planned Residential District (PRD)
 Submittal Requirements Checklist*

| | | | |
|---|--|---|--|
| <p>If construction stages beyond a single construction season are proposed, include a development schedule indicating:</p> <ol style="list-style-type: none"> 1. approximate date when construction can be expected to begin 2. order in which the phases of the project will be built 3. minimum area and approximate location of common space and public improvements that will be required at each stage 4. breakdown by phase for <ul style="list-style-type: none"> ▪ tabulation of maximum number of dwelling units proposed by type of dwelling, and ▪ tabulation of the maximum floor are proposed to be constructed | | <p>Statement detailing either</p> <ol style="list-style-type: none"> a. exceptions which are required from the zoning and subdivision regulations otherwise applicable to the property to permit the development of the proposed planned development, or b. bulk, use, and/or other regulations under which the planned development is proposed | |
| <p>Signage Plan</p> | | <p>Location and extent of water courses, wetlands, floodways, and floodplains on the property</p> | |
| <p>Existing drainage patterns</p> | | <p>Location and extent of tree cover</p> | |
| <p>Community greenways and pedestrian ways in proximity to the subject property</p> | | <p>General location and maximum amount of area to be developed for parking</p> | |
| <p>General location and maximum amount of area to be devoted to open space and to be conveyed, dedicated, or reserved for parks, playgrounds, recreation uses, public buildings, and other common use areas</p> | | <p>Approximate location of pedestrian, bicycle, and vehicular ways or pertinent restrictions</p> | |
| <p>Approximate location of points of ingress and egress and access streets</p> | | <p>Location of proposed utility extensions</p> | |
| <p>Location of proposed storm water facilities</p> | | <p>Proposed architectural designs</p> | |
| <p>Circulation diagram and/or road layout</p> | | <p>Extent of proposed landscaping, planting, screening, or fencing</p> | |

*Planned Developments: Planned Commercial (PCD), Planned Industrial (PID), and Planned Unit (PUD) Districts
 Submittal Requirements Checklist*

| Requirement | | Requirement | |
|--|--|--|--|
| Submit 10 copies to Planning & Codes Department | | Fee: \$200 payable to <i>Town of Smyrna</i> | |
| Completed application form | | Plans should be submitted on sheets no larger than 24" X 36" | |
| At a scale no smaller than 1"=50', showing contours at 2 feet intervals | | Map showing available utilities, easements, roadways, rail lines, and public rights-of-way crossing and adjacent to the subject property | |
| Graphic rendering of existing conditions and/or aerial photographs showing existing conditions and depicting all significant natural topographical and physical features of the subject property | | Plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structures on site and within 200 feet of the subject property and the identification of the use thereof | |
| Tabulation of the maximum number of dwelling units proposed by the type of dwelling as defined by Article II of the zoning ordinance, if applicable | | Proposed means of assuring the continued maintenance of common open space or other common elements and governing the use and continued protection of the planned development | |
| Location and extent of water courses, wetlands, floodways, and floodplains on the property | | Existing drainage patterns | |
| Location and extent of tree cover | | Community greenways and pedestrian ways in proximity to the subject property | |

*Planned Developments: PCD, PID, and PUD
 Submittal Requirements Checklist*

| | | | |
|--|--|--|--|
| <p>Written statement generally describing the relationship of the proposed planned development to current policies and plans of the Town and how the proposed development is to be designed, arranged, and operated in order to permit the development and use of neighboring property in accordance with the zoning ordinance</p> | | <p>A tabulation setting forth:</p> <ol style="list-style-type: none"> 1. Maximum total square feet of building floor area proposed for commercial uses and industrial uses, by general type of use 2. Maximum total land area, expressed in acres and as a percent of the total development area, proposed for commercial and/or industrial uses; minimum public and private open space; streets and off-street parking and loading areas 3. tabulation of maximum floor area to be constructed | |
| <p>General location and maximum amount of area to be developed for parking</p> | | | |
| <p>Location and proposed improvements of any street depicted on the Major Thoroughfare Plan</p> | | <p>Statement detailing either</p> <ol style="list-style-type: none"> 1. exceptions which are required from the zoning and subdivision regulations otherwise applicable to the property to permit the development of the proposed planned development, or 2. bulk, use, and/or other regulations under which the planned development is proposed | |
| <p>Signage Plan</p> | | | |
| <p>General location and maximum amount of area to be devoted to open space and to be conveyed, dedicated, or reserved for parks, playgrounds, recreation uses, public buildings, and other common use areas</p> | | | |

*Planned Developments: PCD, PID, and PUD
Submittal Requirements Checklist*

| | | | |
|---|--|--|--|
| <p>Drawing defining the general location and maximum number of lots, parcels, or sites proposed to be developed or occupied by buildings in the planned development</p> | | <p>If construction stages beyond a single construction season are proposed, include a development schedule indicating:</p> <ul style="list-style-type: none"> a. approximate date when construction can be expected to begin b. order in which the phases of the project will be built c. minimum area and approximate location of common space and public improvements that will be required at each stage d. breakdown by phase for <ul style="list-style-type: none"> ▪ tabulation of maximum number of dwelling units proposed by type of dwelling, and tabulation of the maximum floor are proposed to be constructed | |
| <p>Approximate location of pedestrian, bicycle, and vehicular ways or pertinent restrictions</p> | | | |
| <p>Approximate location of points of ingress and egress and access streets</p> | | | |
| <p>Location of proposed utility extensions</p> | | <p>Location of proposed storm water facilities</p> | |
| <p>Proposed architectural designs; circulation diagram and/or road layout</p> | | <p>Extent of proposed landscaping, planting, screening, or fencing</p> | |

Subdivision of Land

When is subdivision of land needed?

When subdividing a parcel of land into two (2) or more parcels, you must apply for the subdivision process. There are two (2) types of subdivisions: major and minor. The differences between the two types of subdivisions are described below.

Major subdivisions meet at least one of the following criteria:

1. All subdivisions not classified as minor subdivisions (including but not limited to subdivisions of five (5) or more lots)
2. Subdivisions of any size that require any new or improved road, the extension of government facilities, or the creation of any public improvements
3. Any subdivision that includes a flood prone area

Minor subdivisions meet the following criteria:

1. Any subdivision containing either less than three (3) lots or less than five (5) lots fronting on an existing public way
2. Subdivisions not involving any new or improved public way, the extension of public facilities, or the creation of any public improvements
3. Subdivisions not in conflict with any provision of the Comprehensive Plan, Major Thoroughfare Plan, or Municipal Zoning Ordinance

Subdivision Process

The main difference between the review processes for major and minor subdivision plats is that minor plats do not require a preliminary plat. In addition, one (1) and two (2) lot subdivisions are usually approved by staff.

The procedure for major and minor subdivisions with more than two (2) lots is outlined below.

1. **Sketch Plat**

The sketch plat allows for early assessment of the proposal to determine any challenges or opportunities and to clarify requirements before moving forward with the preliminary plat. The sketch plat is reviewed twice by staff before it is evaluated by the Planning Commission. Following each staff reviews, you will receive a list of comments and recommended revisions. If you do not revise with respect to staff recommendations, your application may be removed from the Planning Commission agenda. Planning Commission approval indicates that you may move forward with the preliminary plat and construction drawings.

Disapproval of the sketch plat ends the subdivision process.

From the date of approval, you have one year to file a preliminary plat.

**2. Preliminary Plat
(For Major Subdivisions Only)**

After approval of the sketch plat, you may submit the preliminary plat and construction plans. Staff reviews the preliminary plat two (2) times before submitting it to the Planning Commission. After each staff review, you will receive a list of comments and recommended revisions. If you do not revise with respect to staff recommendations, your application may be removed from the Planning Commission agenda.

From the date of approval, you have one (1) year to file a final plat before the preliminary plat expires.

3. Construction Plans

Construction plans must be submitted with the preliminary plat for it to be included on the Planning Commission agenda. Construction plans must be approved prior to application for final plat approval by the Town Engineer, Director of Public Works, Director of Utilities, and Stormwater Management Program Coordinator.

After the preliminary plat and construction plans are approved, water and sewer plans must be submitted to TDEC for review and approval.

Any time after the preliminary plat and construction plans are both approved, a final plat may be submitted. However, the final plat must be submitted within one (1) year of preliminary plat approval.

4. Final Plat

Prior to applying for final plat approval, both the preliminary plat and construction plans shall have been approved along with any other required approvals from a public agency (e.g. TDEC). Following the

submission of a final plat, staff reviews the application two (2) times before submitting it to the Planning Commission. After each staff review, you will receive a list of comments and recommended revisions. If you do not revise with respect to staff recommendations, your application may be removed from the Planning Commission agenda. Within thirty (30) days of the Planning Commission meeting at which the final plat is first considered, the Planning Commission must decide to approve, disapprove, or approve the plat subject to special conditions.

After the Planning Commission approves the final plat, you may proceed by either submitting a letter of credit or completing the required improvements. If you decide to use a letter of credit, staff will calculate the required amount. The letter of credit must be issued by either a commercial bank or federally chartered savings and loan associations located in Rutherford or Davidson County, Tennessee, and it shall be retained by the Town for one year following the issuance of the Certificate of Occupancy, at which time it will either be released, extended, or called depending on the status of improvements. Once the letter of credit is received, the appropriate signatures may be added to the final plat.

Note: If the developer is to install water and/or sanitary sewer, road, or stormwater facilities, then he or she must file a Development Agreement with the Town of Smyrna. For more information regarding the Development Agreement, please contact the Director of Planning and Codes.

5. **Recording the Plat**

After the plat has all required signatures, you must have the plat recorded at the Rutherford County Register of Deeds located in Murfreesboro. A recorded copy must be submitted to the Smyrna Department of Planning and Codes.

6. **After Recording the Plat/
Acceptance of Improvements**

Water and sewer infrastructure must be inspected and approved by the Director of Utilities or his designated representative. Drainage infrastructure must be installed, and roads need to be improved to the point of having the base layer of pavement installed; both of these improvements must be inspected by the Director of Public Works or his designated representative. A final walk-through must be conducted by Town personnel. In addition, you will need to submit as-built drawings in both paper and digital form. After all improvements are accepted, you may apply for a building permit. Within one (1) year of permits being issued, the final topping shall be installed.

Upon completion of the public improvements, the Town will accept them by releasing the letter of credit. At this time, you also must submit a one (1) year maintenance letter of credit that will be released after all deficiencies, if any, have been addressed.

Criteria for Review

When deciding whether or not subdivision is appropriate for a particular parcel of land, the provisions set forth in the Subdivision Regulations must be consulted. Also, the proposed subdivision must meet all requirements described in the Municipal Zoning Ordinance.

Resources

For more information about the subdivision process, please see the Subdivision Regulations which are available online at www.townofsmyrna.org.

*Sketch Plat
Submittal Requirements Checklist*

All completed sketch plats must include or show the following elements:

| Requirement | Requirement |
|--|---|
| Submit 10 copies to Planning & Codes Department | Fee: \$150 payable to <i>Town of Smyrna</i> |
| Completed application form | Plans should be submitted on sheets no larger than 24" X 36" |
| Prepared in pen or pencil | Prepared at a scale no smaller than 1 inch to 100 feet |
| Scale drawing of the property | Names of the owners of adjoining property |
| Size of original tract(s) to be subdivided | Notation of any existing legal rights-of-way or easements, or other encumbrances affecting the property |
| Approx. topography of the site at no more than 5 ft intervals, extended into adjacent properties | Any areas that may be affected by flooding |
| General public way and lot patterns | Proposed phasing (if any) |
| Vicinity map of the property, including surrounding zoning | Date and approx. north point |
| Name of owner with documentation substantiating ownership | Name of plat designer |
| Zoning classification | Tax map identification number |

*Preliminary Plat (For Major Subdivisions Only)
Submittal Requirements Checklist*

| Requirement | Requirement |
|--|---|
| Submit 10 copies to Planning & Codes Department | Fee of \$300 + \$50 per lot payable to <i>Town of Smyrna</i> |
| Completed application form | Plans should be submitted on sheets no larger than 24" X 36" |
| Prepared by pen by a surveyor at a scale no smaller than 1 inch to 100 feet | If multiple sheets are used, they must be numbered sequentially |
| Location of the property to be subdivided with respect to all surrounding property and public way(s) | Names of all adjoining property owners of record and/or developments |
| Names of adjoining public ways | Location and dimensions of all boundary lines to nearest property (nearest hundredth of a foot) |
| Location of existing public ways, easements, water bodies, streams and other pertinent features (swamps, RR, buildings, parks, cemeteries, drainage ditches, bridges, etc.) as determined by the Planning Commission | Location and width of all existing and proposed easements, alleys, other public ways, and building setback lines |
| Location, dimension, and proposed area of all proposed or existing lots | Position of all existing or proposed buildings within proposed condominium developments |
| Location and dimension of all property proposed to be set aside for park or playground use or other public or private reservation with designation of the purpose thereof; conditions of the dedication or reservation | Limits of floodway, floodway elevation, floodway fringe areas, and associated regulatory flood elevation as well as the required flood protection elevation |
| Report addressing any flood-prone areas on or abutting the site of the proposed subdivision | Name and address of owner(s), subdivider (if different from owner), and preparer of plat |
| Date of plat, North point, scale, and title of subdivision | Sufficient data to determine readily the general location, bearing, and length of all lines necessary to reproduce such lines within the are to be subdivided |
| Name of subdivision and all new public ways to be dedicated/constructed, as approved by Planning Commission | Zoning classification of all zoned lots and uses as proposed by the subdivider |

| Proposed signage | | Tax map identification information | |
|---|--|---|--|
| Distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing public ways and to the original corner of the original survey of which it is a part | | Location map showing relation of subdivision to all public ways, RR, and water courses in all directions for at least one-half of a mile, including surrounding zoning (Suggested scale: 1 inch to 1,000 feet) | |
| Contours at vertical intervals of not more than 2 ft where the proposed subdivision has an avg. slope of 5% or less - OR - Contours at vertical intervals of not more than 5 ft where the avg. slope exceeds 5% or less | | For any lot where public sewer/water is not available: areas to be used for sewage disposal and their percolation results; water wells (existing and proposed); rock outcropping, marshes, springs, sinkholes, natural storm drains, and other outstanding topographical features | |
| Location of all water and sewer lines and existing and proposed fire hydrants | | Explanation of drainage easements; explanation of site easements; explanation of reservations | |
| The map accompanying the preliminary plat may be used for the final plat and should be permanently reproducible. | | Proposed restrictive covenants with designation of areas subject to special restrictions | |
| <p>Endorsement form for Planning Commission approval as follows:</p> <p>Approved by the _____ Planning Commission, with such exceptions or conditions as are indicated in the minutes of the Commission on _____</p> <p>_____ date</p> <p>Preliminary plat approval shall not constitute final approval for recording purposes.</p> | | | |

*Construction Plans
Submittal Requirements Checklist*

| Requirement | Requirement |
|---|--|
| Submit 5 copies to Planning & Codes Department | Plans must be drawn at a scale no smaller than 1 inch to 50 feet. |
| Plans should be submitted on sheets no larger than 24" X 36" | If the subdivision borders a lake, river, or stream, the distance and bearings of a meander line established not less than 20 ft back from the ordinary high water mark of such waterways. |
| Profiles showing existing and proposed elevations along center lines of all public ways | Where a proposed road intersects an existing public way(s), the elevation along the center line of the existing public way within 100 ft of the intersection |
| Approximate radii of all curves, lengths of tangents, and central angles on all public ways | Location of public way signs |
| Plans and profiles indicating the locations and typical cross-section of public way pavements, including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes, and catch basins | Contours at the same vertical interval as on the preliminary plan |
| Date of plans, including any revision dates | Exact location and size of all water, gas, or other underground utilities or structures |
| Location, size, elevation and other appropriate description of any existing facilities or utilities (i.e. existing public ways, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features such as swamps, RR, buildings, and features noted on the land development plan or major street/road plan) | Water elevations of adjoining lakes or streams and the approx. high- and low-water elevations of such lakes or streams (All elevations shall be referred to the USGS datum plane.) |

*Construction Plans
Submittal Requirements Checklist*

| | | | |
|---|--|--|--|
| <p style="text-align: center;">Proposed public ways (Where such are required, horizontal stationing shall be at 50 ft intervals and cross-sectional elevations shall be to an accuracy of one tenth foot vertical on a line at right angles to the center line of the public way at the following points: the center line of the public way, each property line, and points 25 ft inside each property line.)</p> | | <p>Construction plans for condominiums shall contain “as built” drawings of all underground utilities, regardless of proposed ownership, and the construction design of all public facilities which are proposed for dedication to the governing body.</p> | |
| <p style="text-align: center;">Title, name, address, and signature of engineer who prepared the plans</p> | | <p style="text-align: center;">Notation of construction plans approval by City Engineer and Director of Utilities</p> | |
| <p>If proposal lies within a flood prone area, or an area known to be subject to flooding, the following information must be submitted:</p> <ul style="list-style-type: none"> ❖ 3 copies of plans drawn to scale showing the following elements <ul style="list-style-type: none"> ▪ Nature, location, dimensions, and elevation of any part of the subdivision within a flood prone area ▪ Existing or proposed structures or building sites, fill, storage of materials, and flood proofing measures, as specified in the regulations ▪ Relationship of the above to the location of the stream channel, floodway, floodway fringe, the regulatory flood elevation, and the regulatory flood protection elevation ❖ A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high water information, if required by the Planning Commission ❖ Surface view plans showing elevations and contours of the ground ❖ Pertinent structures, fill or elevations or public ways ❖ Water supply, sanitary facilities, soil types, and other pertinent information, as required by the Planning Commission ❖ Specifications for building construction and materials, flood proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities | | | |

*Final Plat
Submittal Requirements Checklist*

| Requirement | Requirement |
|---|---|
| Submit 10 copies to Planning & Codes Department | Fee of \$200 + \$25 per lot payable to <i>Town of Smyrna</i> |
| Completed application form | Plans should be submitted on sheets no larger than 24" X 36" |
| Copies must be prepared on transparent drafting material at a scale no smaller than 100 feet to 1 inch (smaller scale may be used for lots larger than 2 acres) on sheets the size of county register plat books | Index sheet for submissions of more than 1 sheet, detailing the entire subdivision; sheets must be numbered in sequence |
| Endorsement of notations and certifications | Formal offers of dedication |
| Location of property to be subdivided with respect to all surrounding property and public ways | Names of all adjoining property owners of record or developments |
| Names of adjoining public ways | Exact boundary lines of the tract |
| Location of all public ways, easements, water bodies, large streams or rivers, RR, parks, and cemeteries | Limits of floodway, the floodway elevation, and floodway fringe areas and the regulatory flood elevation |
| Location, area, and dimensions of all property to be set aside for park or playground use or other public or private reservation, with a designation of the purpose thereof, and conditions, if any, of the dedication or reservation (See 5-104 of Subdivision Regulations for Survey Accuracy Standards) | Location, dimensions, and area of all lots |
| | Proposed signage |

*Final Plat
Submittal Requirements Checklist*

| | | | |
|--|--|---|--|
| Location and width of all easements and rights-of-way for public ways, as well as the building setback lines on all lots | | Name and address of the owners, subdivider (if different), and land surveyor/preparer of the plat | |
| Date of the plat, north point, scale, and title of the subdivision | | Names of all public ways | |
| Zoning classification of all zoned lots and uses other than residential as proposed by the subdivider | | Total acreage within the subdivision | |
| Lot numbers, where required | | Line size and location of all existing and proposed water and sewer facilities | |
| Location of all fire hydrants | | Diameter and width of all driveway culverts | |
| Where public sewer or water is unavailable, show the areas to be used for sewage disposal, water wells (existing and proposed), and water well disclaimer note if a well is used to service any platted lot. Such a note must state that the lot in question may not be suitable for utilization by water wells. | | State Department of Environment and Conservation, public water and sewer design layout and approval stamps, if applicable; also, actual design plans for filing in appropriate governmental representative's office | |
| Traffic study prepared by a licensed traffic engineer, if required | | Commitment note may be printed or stamped on the final plat reflecting location and dimension of easements, or extent of other agreements or factual data, in lieu of drafted illustration, when applicable, and as approved by the Planning Commission | |
| Sufficient data to determine readily the location, bearing and length of all lines necessary to reproduce such lines upon the ground. This includes the radius, central angle and tangent distance for the center line of the curved public ways and curved property lines that are not the boundary of curved public ways. The location of all monuments and pins shall be indicated on the plat. | | | |

Board of Zoning Appeals: Administrative Review

When is an appeal to the Board of Zoning Appeals (BZA) for administrative review needed?

If you believe that there is an error in any order, requirement, permit, decision, determination, or refusal made by the Building Official, Planning Commission, or any other administrative official, then you may appeal to BZA. Appeals made under administrative review usually concern a disagreement over interpretation of the Municipal Zoning Ordinance.

Administrative Review Process

After you have submitted a completed application to Planning & Codes, your request will be scheduled for review by the BZA. Prior to review, the BZA holds a public meeting at which any party who so wishes may speak regarding the request. The Board must reach a decision within 30 days of the hearing. After the BZA has issued their decision, you may appeal directly to the courts if you are dissatisfied with the decision.

Criteria for Review

The review criteria for an appeal made under administrative review is more subjective than the standards for other types of appeal such as variances and special exceptions. To approve the appeal, the Board must make a finding that an error occurred.

Submittal Requirements

When requesting review by the BZA, please submit the following to the Department of Planning & Codes:

1. Completed BZA application form
2. Letter or memo to the Board stating reasons for appeal
3. Fee of \$200
4. All pertinent information as required by staff of the Board

Resources

For additional information about BZA, please refer to the Municipal Zoning Ordinance, Article VII, Section 7.070. For further information regarding sign regulations, see the Sign Ordinance. Both are available online at www.townofsmyrna.org.

*Board of Zoning Appeals: Variances
(Including Signs)*

When is a variance needed?

Variances allow modification of specific requirements of the Municipal Zoning Ordinance for lots with exceptional physical characteristics such as irregular shape, narrow, shallow, or steep lots, etc. A variance may be granted when such attributes create “practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his lot” if the lot adhered to the specific requirements of the Municipal Zoning Ordinance.

What happens after I have submitted the application?

After a completed application is submitted to Planning & Codes, it will be assigned to the next appropriate BZA meeting. (See *Application Deadlines*.)

Prior to the BZA meeting, a public hearing must be held at which any person or party may speak regarding the variance request.

After the public hearing, the BZA will hear the request and consider it with regard to the criteria for review. A decision will be issued within 30 days of the BZA meeting at which the application is first heard.

If you are dissatisfied with the BZA’s decision, you may appeal directly to the courts.

*Sign appeals must be made to the BZA within 30 days of the denial or issuance of a sign permit.

Submission Requirements

When requesting a variance, please submit the following to the Department of Planning & Codes:

1. Completed BZA application form
2. Letter or memo to the Board stating the hardship
3. Fee of \$200
4. All pertinent information as required for plot plans, including a drawing showing the requested variance
5. Any additional information as requested by staff or the Board

Criteria for Review

When considering a variance request, the BZA must consider the following criteria to determine if the case merits unnecessary hardship:

1. Particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if strict application of the ordinance were carried out.
2. Conditions upon which variance petition is based do not apply to other property within the same district.
3. Variance will not authorize activities in a zoning district other than those permitted by the ordinance.
4. Financial returns only shall not be considered as a basis for granting a variance.
5. Alleged difficulty or hardship has not been created by any person having an interest in the property

- after the effective date of the zoning ordinance.
6. Granting the variance request will not confer on the applicant any special privilege that is denied by the zoning ordinance to other lands, structures, or buildings in the same district.
 7. Variance is the minimum that will make possible the reasonable use of land, building, or structure.
 8. Granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located.
 9. Proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.
 10. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places upon a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building, and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historic designation.
 11. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
 12. Under no circumstances shall the BZA grant a variance to allow a sign that is not permitted by the sign ordinance.

Resources

For more information on variances, please see the Municipal Zoning Ordinance, Article VII, Section 7.080. Information on variances for sign permits is located in the Sign Ordinance. Both of these sources may be accessed online at www.townofsmyrna.org.

Board of Zoning Appeals: Special Exceptions/Conditional Use Permits

What is a special exception/conditional use permit and when is it necessary?

Special exceptions or conditional uses are uses that are not normally permitted within the given zoning district but may be allowed with restrictions if determined to “promote the public health, safety, morals, order comfort, convenience, appearance, prosperity, or general welfare.”

Uses permitted as special exceptions are addressed with regard to each zoning classification in Article V of the Municipal Zoning Ordinance. In addition, the following community facilities must meet additional conditions and, depending on the zoning classification in which they are located, may require BZA approval:

1. Education facilities
2. Religious facilities
3. Cultural and recreational facilities
4. Government administrative services
5. Intermediate impact facilities
6. Essential public transport, communication, and utility services
7. Special personal and group care facilities
8. Scrap operation activity in I-3
9. Group assembly activities
10. Feedlots and stockyards
11. Mining quarrying activity
12. Intermediate manufacturing
13. Automotive service and repair facilities
14. Special institutional care facilities

Special Exception/Conditional Use Permit Process

After a completed application has been filed, notice for a public hearing must be given to adjoining property owners and the public. The Board of Zoning Appeals must hold a public hearing prior to the meeting at which the application is heard.

Following the public hearing, the BZA decides whether or not to grant the application based on the review criteria. This decision must be made within 60 days of application.

Criteria for Review

BZA must consider the following factors when deciding a special exception request:

1. The proposed design, location, and operation of the use will protect the public health, safety, and welfare.
2. Request creates no adverse impact on other property in the given area.
3. Request must be within the provision of “Special Exceptions” as set forth in the Municipal Zoning Ordinance. (See below.)
4. Request must be necessary for public convenience in the location planned.

Resources

Additional information about variances can be found in the Municipal Zoning Ordinance, Article VII, Sections 7.060 & 7.061, available online at www.townofsmyrna.org.

*Special Exceptions/Conditional Use Permits
Submittal Requirements Checklist*

| Requirement | Requirement |
|--|--|
| Board of Zoning Appeals application form | Fee: \$200 to <i>Town of Smyrna</i> |
| All pertinent information as required for site plans. (See <i>Site Plan Review.</i>) | Economic, noise, vibrations, glare, or odor effects of the special exception on or by adjoining properties and properties generally in or near the district |
| Location & intended use of site | Plans should be submitted on sheets no larger than 24" X 36" |
| All existing land uses within 200 feet of proposed site | Ingress/egress to property and proposed structure as well as off-street parking and loading areas where required with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in the case of emergency |
| Required yard and other open space | Refuse and service areas |
| Utilities with reference to locations, availability, and compatibility | Screening and buffering with reference to type, dimensions, and character |
| Signs and proposed exterior lighting with reference to glare, traffic, safety, economic impact, and compatibility and harmony with properties in the district | General compatibility with adjacent properties and other property in the district |
| Additional rules for upper story residential development: <ul style="list-style-type: none"> ▪ All upper story residential development proposals shall require a certified statement demonstrating a firm agreement for parking reserved exclusively for use by the upper story residential development. ▪ All upper story residential development proposals shall be in compliance with all Building, Utility, and Housing Codes within the Municipal Code. | |

Annexation

When is annexation needed?

An annexation involves the extension of the town's corporate limits. This activity is usually initiated by either the property owner(s) or the town when it is considered necessary to protect the safety and welfare of the residents and property owners of the territory involved or when not annexing the territory would hinder the prosperity of the town. In addition, the annexed territory may benefit from the services that the town is required to provide.

Submission Requirements

When requesting annexation, please submit the following to the Department of Planning & Codes:

1. Completed application form
2. Fee of \$200
3. Any additional information as required by staff, the Planning Commission, or the Town Council

Annexation Process

When a request is submitted, the town prepares the annexation ordinance that includes a study of the territory with a plan of services.

When the annexation study is complete, the Planning Commission reviews the application and makes a recommendation to the Town Council.

Next, the annexation request must be approved at two readings of the Town Council. At the time of the second reading, the Town Council will hold a public hearing at which time anyone may speak regarding proposed annexation. At the second review, the Town Council will vote to either approve or deny your request. If the Planning

Commission recommends disapproval of your request, then the majority of the entire membership of the Town Council must vote for approval in order to override the Planning Commission's recommendation.

If the Town Council approves the annexation request, then the mayor of the county in which the territory is located as well as the county school board must be notified. If the county or the property owner(s) (in the case of an annexation initiated by the town) oppose the annexation, then appeal may be made directly to the courts within 30 days of adoption of the ordinance. Barring any action by the court, the annexation becomes effective 30 days after final approval by the Town Council.

Note: If the developer is to install water and/or sanitary sewer, road, or stormwater facilities, then he or she must file a Development Agreement with the Town of Smyrna. For more information regarding the Development Agreement, please contact the Director of Planning and Codes.

Criteria for Review

Review of an annexation request emphasizes the ability of the Town to service the additional land. Accordingly, the Town must propose a plan of services which is reviewed in conjunction with the annexation request, but approved separately with a separate public hearing. The following elements and the implementation schedule must be addressed by the proposed plan:

1. Water
2. Wastewater
3. Streets

4. Planning & Zoning
5. Street Lighting
6. Recreation
7. Street Name Signs
8. Fire Protection
9. Police Protection
10. Traffic Control
11. Refuse Collection
12. Inspection Services
13. Any other pertinent services

Resources

For further information regarding annexation in Tennessee, please refer to the Tennessee Code Annotated (Title VI, Chapter 51), available online at www.state.tn.us.

Design Review

When is design review required?

Design Review is required of all development that involves a site plan. The process occurs most often during the following stages:

- Final plat approval
- Site plan approval
- Rezoning for any planned development

Sometimes design review applies to existing buildings and additions; however, different criteria apply in such cases.

Design Review Process

Although it is not required, you are encouraged to schedule an informal presubmission meeting with staff.

Applications requiring design review are reviewed at the same time as site plan review. The plan is considered first by staff. Staff recommendations are made available to the applicant seven (7) days before the Planning Commission meeting at which the proposal will be heard. At this point, you may request a deferral to revise plans with regard to staff recommendations.

Following staff review, the plan must be heard before the Planning Commission. The Planning Commission then has sixty (60) days after the formal application has been submitted to decide whether to approve it with or without conditions or to disapprove it.

If you are dissatisfied with the Planning Commission's decision with respect to design review, then you may appeal to the Board of Zoning Appeals. (See *Board of Zoning Appeals*.)

Criteria for Review

The purpose of design review is six-fold:

1. To conserve property values
2. To promote qualities in the environment that sustains the economic well-being of the community
3. To foster the community's attractiveness and functional utility as a place to live and work
4. To preserve the community's heritage by maintaining the integrity of any area(s) enjoying a discernible character contributing to this heritage
5. To safeguard public investment within the community
6. To raise the level of citizen expectations favoring the quality of the community's visual environment

Criteria considered during the Design Review process include:

1. Site layout
2. Grading, drainage, and topsoil preservation
3. Preservation of existing trees and site features
4. Architectural character
5. Parking configurations
6. Landscape
7. Screening
8. Pedestrian circulation
9. Lighting
10. Signage

Resources

For further information regarding the Design Review process, please refer to the Design Review Manual, available online at www.townofsmyrna.org.

Design Review Checklist

The following items must be addressed in the application for design approval. They may be dealt with in drawings and exhibits, or in a written narrative accompanying the application that notes how the design standards have been met.

| Category | Requirement | Requirement |
|---|---|--|
| Site Layout | Drawn to scale of sufficient size | Dimensions, orientation, and acreage of each lot |
| | Layout of entire project and its relationship to adjacent properties | Location and dimensions of present and proposed streets and highways |
| | Location of points of entry and exit for vehicles and internal circulation patterns | Location and layout of all paved areas including off-street parking and loading facilities |
| | All existing and proposed topography, with contour intervals no greater than 2 feet in areas that are disturbed | Size, shape, and location of existing and proposed construction uses noted |
| | Please see Section 3.120 of the Zoning Ordinance for additional information | Seal of a civil engineer of existing and proposed construction with uses |
| | Percent of site devoted to permeable surfaces calculated distances between curb cuts and their width noted | Conformance of all road widths with the Major Thoroughfare Plan |
| | Frontage road shown as required | Plans should be submitted on sheets no larger than 24" X 36" |
| Grading, Drainage, and Topsoil Preservation | Existing and proposed topography, show at 2-foot intervals | Estimates of the amounts of material to be exported or imported to and from the site |
| | Run-off calculated and detention planned | |

| | | | | |
|--|--|--|--|--|
| Preservation of Existing Trees and Site Features | Existing trees and vegetation areas noted, with all trees over 18", diameter located precisely with tree type | | Replacement trees for large trees to be removed show Special site features noted, with plan for their protection | |
| | Important views across the site to lakes or landmarks shown | | | |
| Architectural Character | Building elevations shown with materials noted, and colored to accurately represent built appearance | | For prototype designs, indicate how they have been adapted to Smyrna setting | |
| | Location of building service areas noted, with screening provided | | Location of exterior mechanical equipment noted, with plans for screening | |
| Parking Configurations | Capacity of parking areas, land and bay widths noted on plans | | Directions of movement | |
| | Runoff locations and detention areas shown | | Computation of landscaped area within parking areas made and noted | |
| Landscaping | Location, size, and species of all planting noted on plans | | Note conformance of plans to minimum landscape standards | |
| Screening | Locations of all screening shown on plans, along with designs for screening and materials | | Note how screening plans conform to design standards | |
| Pedestrian Circulation | Indicate location of sidewalks along street and pedestrian connections to sidewalk | | Locate pedestrian areas on adjacent sites and indicate how connections have been made to them | |
| Lighting | Locate lighting sources and illustrate design of standards | | Calculate lighting levels and evenness ratio indicates any special provisions to shield light from adjacent properties | |
| Signage | Locate any project identification signs, major accessory business signs, directional signs or project directory signs on plans | | | |

Certificate of Appropriateness – Historic District Overlay Review

When is a Certificate of Appropriateness needed?

A certificate of appropriateness is required when any construction, alteration, repair, moving, or demolition occurs on property located within the H-1 Historic Overlay District. A Certificate of Appropriateness, when required, must be obtained prior to the issuance of a building permit.

Historic District Overlay Review Process

After you file your application with the Planning & Codes Department, the request must be reviewed by the Historic Zoning Commission (HZC).

HZC must decide within 30 days of the availability of sufficient data to approve or deny the Certificate of Appropriateness; approval may be granted with conditions. Appropriate permits may be issued by the Building Official only after the HZC has approved the application.

If you are dissatisfied with the decision of the Historic Zoning Commission, you may appeal directly to the courts.

Criteria for Review

When petitioned for a Certificate of Appropriateness, the HZC considers the following four standards of review:

1. Historic and/or architectural value of the existing structure
2. Relationship of exterior; architectural features of the structure to the remaining structures, to the surrounding area, and to the character of the district;

3. General compatibility of exterior design, arrangement, texture, and materials proposed for use
4. And any other factor, including; aesthetic, which is reasonably related.

Submittal Requirements

When requesting review by HZC, please submit the following to the Department of Planning & Codes:

1. Completed application form
2. Detailed constructions plans
3. Any additional information as required by staff or the Historic Zoning Commission

Resources

To determine if a parcel is located within the H-1 Historic Overlay District, please refer to the Official Zoning Map. For more information regarding the Historic District Overlay review process, please refer to the Municipal Zoning Ordinance, Article V, Section 5.056. Both documents are available online at www.townofsmyrna.org.

Building Permits Single-Family Residential

When is a building permit for single-family residential needed?

Any proposal for the construction or location of either a single-family or two-family dwelling in single ownership on a lot requires this type of building permit.

In addition, building permits are required for the following: garages, carports and storage buildings (both portable and permanent), additions, remodeling, porches, decks, pools, alterations to existing homes, mobile homes, house relocation, grading, demolition, temporary office trailers, temporary tents, signs and all new house and commercial construction.

Building Permit Issuance Process

An application for a building permit for a single-family residential development is submitted to the Planning & Codes Department. After approval of the site plan, the subdivision process, if necessary, must be completed. (See *Site Plan Review* and *Subdivision of Land* for more details.)

Next, the water and sewer must be inspected and approved. A binder is placed on the roads, and all drainage improvements are installed. At this point, the Director of Utilities and the Director of Public Works or their appropriate representatives indicate to the Building Official their approval for permit issuance.

Following this, the building plans must be submitted to the Plans Examiner along with a copy of the contractor's license and workers' compensation insurance. All appropriate water, sewer,

and gas tap fees must be paid prior to the issuance of a building permit.

At this point, a building permit may be issued. Building permits expire 6 months after issuance if work has not started by then.

When the building permit is issued, the contractor receives and signs a list of required inspections. A signed copy of the required inspections is kept on file in the Planning & Codes Department. It is the responsibility of the contractor to request all inspections; the Town will perform all inspections, usually within 24 hours of the request. All required inspections must be approved and all impact fees must be paid before the Certificate of Occupancy may be issued. At the time of issuance, all landscaping, paving, and other items as shown on the approved site plan must be installed or a letter of credit submitted that covers the cost of installing those items. However, if the Building Official determines that any of those items must be installed to ensure safety, then installation will be required.

Criteria for Review

Site plans must meet all of the specifications set forth in the Municipal Zoning Ordinance before a building permit may be issued.

Resources

For additional information on building permits, please refer to the Municipal Zoning Ordinance, Article VII, Section 7.030.

*Building Permits – Single-Family Residential
Submittal Requirements Checklist*

The following elements must be submitted prior to the issuance of a building permit:

| Requirement | | Requirement | |
|--|--|--|--|
| Completed application form | | Plans examiner review fee: 50% the cost of the building permit | |
| Building permit fee | | Two (2) copies of plan/plat, drawn to scale | |
| Plans should be submitted on sheets no larger than 24" X 36" | | | |

Copies of the plan/plat must include the following:

| Requirement | | Requirement | |
|--|--|---|--|
| Actual shape, location, and dimensions of the lot to be built upon | | Location and design of off-street parking areas and off-street loading areas, and such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of the zoning ordinance are being observed | |
| Shape, size, and location of all buildings or other structures to be erected, altered, or moved and of buildings or other structures already on the lot and the elevation of the building site | | Existing and intended use of all buildings or other structures | |

*Building Permits
Multi-Family Residential, Commercial, or Industrial*

When is a building permit for multi-family residential, commercial, or industrial needed?

Any proposal for the construction or location of a multi-family residential, commercial, or industrial building on a lot requires this type of building permit.

Building Permit Issuance Process

An application for a building permit for a multi-family residential, commercial, or industrial development is submitted to the Planning & Codes Department. The application first undergoes site plan approval, followed by the subdivision process, if necessary. (See *Site Plan Review* and *Subdivision of Land* for more details.)

After obtaining site plan and subdivision approvals, you need to acquire a grading permit. (See *Grading Permit*.)

Following this, the building plans must be submitted to the Plans Examiner along with a copy of the contractor's license, workers' compensation insurance, and appropriate fees. Also, if required, you must apply to the State Fire Marshall's Office for the appropriate permit(s). In addition, all appropriate water, sewer, and gas tap fees must be paid prior to the issuance of the building permit.

At this point, a building permit may be issued. Building permits expire 6 months after issuance if no work has started by then.

When the building permit is issued, the contractor receives and signs a list of required inspections. A signed copy of the required inspections is kept on file in the Planning & Codes Department. It is the responsibility of the contractor to request all inspections; the Town will perform all inspections, usually within 24 hours of request.

All required inspections must be approved and all impact fees must be paid before the Certificate of Occupancy may be issued. At the time of issuance, all landscaping, paving, and other items as shown on the approved site plan must be installed or a letter of credit submitted to cover the cost of installing those items. However, if the Building Official determines that any of those items must be installed to ensure safety, then installation will be required.

Criteria for Review

Building permit applications must meet all of the appropriate specifications set forth in the Municipal Zoning Ordinance before a permit may be issued.

Resources

For additional information on building permits for multi-family residential, commercial, and industrial uses, please refer to the Municipal Zoning Ordinance, Article VII, Section 7.030 as well as Article III, Section 3.120.

*Building Permits – Multi-Family Residential, Commercial, and Industrial
Submittal Requirements Checklist*

The following elements must be submitted prior to the issuance of a building permit:

| Requirement | Requirement |
|--|---|
| Completed application form | Plans examiner review fee: 50% the cost of the building permit (Maximum of \$5,000) |
| Building permit fees for multi-family residential: <ul style="list-style-type: none"> ▪ \$0.30 per square foot of building (minimum \$25) ▪ Impact fee of \$1825 per unit (must be paid prior to final inspection) ▪ Submit a copy of Development Tax from Rutherford County (stamped paid) | Two (2) copies of plan/plat, drawn to scale |
| Building permit fees for commercial: <ul style="list-style-type: none"> ▪ \$0.30 per square foot (minimum \$100) | Building permit fees for industrial: <ul style="list-style-type: none"> ▪ \$0.30 per square foot (minimum \$300) |
| Plans should be submitted on sheets no larger than 24" X 36" | Title, name, address, stamp, and signature of engineer who prepared the plans |

*Building Permits – Multi-Family Residential, Commercial, and Industrial
Submittal Requirements Checklist*

Copies of the plan/plat must include the following:

| Requirement | | Requirement | |
|--|--|---|--|
| Actual shape, location, and dimensions of the lot to be built upon | | Location and design of off-street parking areas and off-street loading areas, and such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of the zoning ordinance are being observed | |
| Shape, size, and location of all buildings or other structures to be erected, altered, or moved and of buildings or other structures already on the lot and the elevation of the building site | | Existing and intended use of all buildings or other structures | |

Grading Permits

When is a grading permit required?

Any activity that creates land disturbance requires a grading permit.

the grading plan which must be kept on site for future reference. Land disturbance then may begin.

Grading Permit Process

After the Planning Commission approves either your site plan or preliminary plat and construction plans, assuring that the Water Quality Buffer Zone will not be penetrated or harmed, you must submit the following to the Codes Department:

- Grading plans
- NPDES/Notice of Coverage (NOC)
- Storm Water Pollution Prevention Plan (SWPPP)
- Any appropriate sinkhole approval letters or ARAP permits from TDEC
- Any FEMA letters addressing operations in floodplains
- Completed application form

The Engineering Department shall respond to your request for a grading permit within fourteen (14) business days of the submission of a complete application.

Approval of a grading permit application indicates that you may move forward with the building permit process.

(See Grading Permit Checklist for more information on submittal requirements.)

The Stormwater Management Program Coordinator performs site inspections monthly throughout the life of the project. Upon completion of final construction, you must submit as-built plans for any structures located on the site. Following this, the Stormwater Management Coordinator performs a final site inspection. After approval of the final site inspection, any performance bond/letter of credit may be released or it may be reduced at the discretion of the Public Works Department to reflect the completion of a phase for a development with multiple stages.

After you submit all of the required documents, your grading plans are reviewed and signed by the Engineer of Record. Then, upon approval of the sediment control measures (via inspection), the Stormwater Management Program Coordinator signs the permit. Following this, the plans and permit application are returned to the Codes Department.

Note: Clearing and grubbing may occur before you obtain a grading permit, but sediment control measures may be required if grubbing occurs close to or in a waterway.

At that time, you are notified of the status of your application and must pay the applicable grading permit (based on estimated cut and fill) and stormwater management fees (based on acreage), hence completing the permit application. Upon completion, you receive a copy of

Criteria for Review

Grading permits are reviewed by the Engineering Department for conformance with the Stormwater Management Ordinance and any other applicable regulations.

Resources

For additional information on grading permits, please refer to the Storm Water Management Ordinance, available online at www.townofsmyrna.org.

*Grading Permits
Submittal Requirements Checklist*

The following elements must be submitted prior to the issuance of a grading permit:

| Requirement | | Requirement | |
|--|--|---|--|
| Completed grading permit application form | | Four (4) copies of grading plans | |
| Notice of Coverage – Division of Water Pollution Control (TDEC) must approve your Notice of Intent | | Storm Water Pollution Prevention Plan (SWPPP) | |
| Grading Permit fee: sliding scale based on cubic yards Storm Water Management fee: \$200 + \$100 per acre) | | Erosion and Sediment Control Plan | |
| Stormwater calculations | | Name, address, and telephone number of the property owner | |
| Where the activity crosses a stream, you must obtain the appropriate ARAP permit from TDEC, Division of Water Pollution Control | | Address and legal description of the property including tax map identification number and parcel number | |
| Statement indicating the nature, extent, and purpose of the land disturbing activity including the size of the area for which the permit shall be applicable; schedule for starting and completing dates of land disturbing activity | | Tennessee Contractors License | |
| You must also obtain from all other state or federal agencies any other appropriate environmental permits that pertain to the property. However, the Engineering Department may impose additional developmental requirements and conditions on the development of property covered by those permits. | | Where the property includes a sinkhole, you must obtain the appropriate permits from TDEC, Division of Water Supply | |
| Workman's Compensation Insurance Certificate | | | |

Stormwater Management Plan Requirements

| Category | Requirement | | Requirement | |
|----------------------|---|--|---|--|
| Topographic Base Map | 1"= 200' topographic base map which extends 550 ft beyond the limits of the proposed development | | Existing surface water drainage including streams, ponds, culverts, ditches, stormwater detention structure, sinkholes, wetlands; type, size, elevation, etc., of nearest upstream and downstream drainage structures | |
| | Current land use, including all existing structure, locations of utilities, roads, and easements | | All other existing significant natural and artificial features | |
| | Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads, and easements; and the limits of clearing and grading | | Proposed Structural BMPs | |
| | Written description of the site plan and justification of proposed changes in natural conditions may also be required | | | |
| Calculations | Hydrologic and hydraulic design calculations for pre- and post-development conditions; must show that the proposed stormwater management measures are capable of controlling runoff from the site in compliance with Storm Water Management Ordinance and Subdivision Regulations | | Description of the design storm frequency, duration, and intensity where applicable | |
| | Time of concentration | | Soil curve numbers or runoff coefficients, including assumed soil moisture conditions | |
| | Peak runoff rates and total runoff volumes for each watershed area | | Infiltration rates, where applicable | |
| | Culverts, stormwater sewer, ditch, and/or other stormwater conveyance capacities | | Flow capacities | |
| | Data on the increase in rate and volume of runoff for the design storms referenced in the Subdivision Regulations | | Documentation of sources for all computation methods and field test results | |

Stormwater Management Plan Requirements

| | | | | |
|---|--|--|--|--|
| <p>Soil Information</p> | <p>If a stormwater management control measure depends on the hydrologic properties of soils (e.g. infiltration basins), then you must submit a soils report. This report is based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure.</p> | | | |
| <p>Maintenance & Repair Plan</p> | <p>Identify components of a stormwater management facility that need to be maintained and the equipment and skills/training necessary.</p> | | <p>Include provisions for periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures</p> | |
| | <p>Identify a permanent elevation benchmark to assist in the inspection of the facility</p> | | | |
| <p>Landscaping Plan</p> | <p>Vegetation at the site after construction is finished, including who is responsible for maintenance of vegetation at the site and what practices are to be used to ensure that adequate vegetative cover is preserved</p> | | <p>Where required by the BMP, plan must be prepared by a State of Tennessee registered landscape architect.</p> | |
| <p>Maintenance Easements</p> | <p>You must ensure access to the site for inspection and repair by securing all maintenance easements needed. The easements are binding on the current property owner and all subsequent owners and must be recorded with the Rutherford County Register of Deeds in perpetuity.</p> | | | |
| <p>Maintenance Agreement</p> | <p>The owner of property to be served by an on-site stormwater management facility must execute an inspection and maintenance agreement that operates as a deed restriction binding on the current property owner and all subsequent property owners.</p> | | <p>Town of Smyrna shall have the discretion to accept the dedication of any existing or future stormwater management facility provided that the facility meets the requirements of the Storm Water Management Ordinance, and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance. Any stormwater facility accepted by the Town must also meet the town's construction standards and any other standards and specifications that apply to the particular stormwater facility in question.</p> | |

Erosion and Sediment Control Plan Requirements

| Requirement | | Requirement | |
|--|--|--|--|
| Purpose: describes the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate measures to be taken to control these problems | | Length and complexity of plan to be commensurate with the size of the project, severity of the site condition, and potential for off-site damage | |
| Briefly describe the intended project and proposed land disturbing activity, including the number of units and structures to be constructed and infrastructure required | | Topographic map with contour intervals of five (5) or less showing present conditions and proposed contours resulting from land disturbance activity | |
| Approximate flows of existing stormwater leaving any portion of the site | | General description of existing land cover. Individual trees and shrubs do not need to be identified. | |
| Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed, and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved shall also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan shall include the order of implementation for tree protection efforts. | | Projected sequence of work represented by the grading, drainage, and erosion and sedimentation control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins, detention or retention facilities, or any other structural BMPs | |
| Approximate limits of proposed clearing, grading, and filling | | Must include seal of a State of Tennessee registered professional engineer | |
| General description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics | | Location, size, and layout of proposed storm water and sedimentation control improvements | |
| Proposed drainage network | | Proposed tile or waterway sizes | |

Erosion and Sediment Control Plan Requirements

| | | | |
|--|--|--|--|
| <p>Approximate flows leaving site after construction and incorporating water runoff mitigation measures. The evaluation shall include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan shall address the adequacy of outfalls from the development: when water is concentrated, what is the capacity of waterways, if any, accepting stormwater off-site; and what measure, including infiltration, sheeting into buffers, etc., will be used to prevent the scouring of waterways and drainage areas off-site, etc.</p> | | <p>Specific remediation measures to prevent the erosion and sedimentation runoff. Plans shall include detailed drawings of all control measures used; stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, shall be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan.</p> | |
| <p>Proposed structures, location (to the extent possible) and identification of any proposed additional buildings, structures, or development on the site</p> | | <p>Description of on-site measures to be taken to recharge surface water into the groundwater system through infiltration</p> | |
| <p>Specific details for: the storm drain locations and protection BMPs to keep sediment out of the storm drain system, construction of temporary entrance/exits, installation of sediment control measures (silt fence, straw bales, and check dams), construction of rock pads, cement truck pits, wash down pads, and settling basins for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the Public Works Department. Soil, sediment, and debris brought onto the streets and public ways shall be returned to the construction site by the end of the workday by machine, broom, or shovel to the satisfaction of the Public Works Department. Failure to remove the sediment, soil, or debris shall be deemed a violation of the Storm Water Management Ordinance.</p> | | | |

Schedule of Boards and Commissions

| | Monday | Tuesday | Thursday |
|-----------------|-----------------------------------|---------------------|--------------------------------|
| 1 st | | | Planning Commission 6pm |
| 2 nd | | Town Council 6pm | |
| 3 rd | | | Board of Zoning Appeals 5pm |
| 4 th | Historic Zoning Commission 5pm | | |

Notes:

1. All board and committee meetings are held at 315 South Lowry Street unless otherwise notified.
2. For additional information, please visit www.townofsmyrna.org or call 615.315.5706.

2010 Meetings and Deadlines

| 2010 Smyrna Planning Commission Meetings and Deadlines | | | | | |
|--|--------------------|------------------|----------------------|------------------|-------------|
| Month | Submittal Deadline | 1st Staff Review | Deadline to Resubmit | 2nd Staff Review | Meeting |
| January | Dec 14 | Dec 15 | Dec 28 | Dec 29 | Jan 7 |
| February | Jan 19 | Jan 19 | Jan 26 | Jan 27 | Feb 4 |
| March | Feb 16 | Feb 16 | Feb 23 | Feb 24 | Mar 4 |
| April | Mar 15 | Mar 16 | Mar 23 | Mar 24 | Apr 1 |
| May | Apr 19 | Apr 20 | Apr 27 | Apr 28 | May 6 |
| June | May 17 | May 18 | May 25 | May 26 | Jun 3 |
| July | Jun 14 | Jun 15 | Jun 22 | Jun 23 | Jul 1 |
| August | Jul 19 | Jul 20 | Jul 27 | Jul 28 | Aug 5 |
| September | Aug 16 | Aug 17 | Aug 24 | Aug 25 | Sept 2 |
| October | Sept 20 | Sept 21 | Sept 28 | Sept 29 | Oct 7 |
| November | Oct 18 | Oct 19 | Oct 26 | Oct 27 | Nov 4 |
| December | Nov 15 | Nov 16 | Nov 22 | Nov 23 | Dec 2 |
| January (2011) | Dec 20 | Dec 21 | Dec 28 | Dec 29 | Jan 6, 2011 |

| 2010 Smyrna Board of Zoning Appeals Meetings and Deadlines | | |
|--|--------------------|---------|
| Month | Submittal Deadline | Meeting |
| January | Jan 11 | Jan 21 |
| February | Feb 8 | Feb 18 |
| March | Mar 8 | Mar 18 |
| April | Apr 5 | Apr 15 |
| May | May 10 | May 20 |
| June | Jun 7 | Jun 17 |
| July | Jul 6 | Jul 15 |
| August | Aug 9 | Aug 19 |
| September | Sept 7 | Sept 16 |
| October | Oct 11 | Oct 21 |
| November | Nov 8 | Nov 18 |
| December | Dec 6 | Dec 16 |

2010 Meetings and Deadlines

| 2010 Smyrna Historic Zoning Commission Meetings and Deadlines | | |
|--|-----------------------|---------|
| Month | Submittal Deadline | Meeting |
| | | |
| January | Jan 11 | Jan 25 |
| February | Feb 8 | Feb 22 |
| March | Mar 8 | Mar 22 |
| April | Apr 12 | Apr 26 |
| May | May 10 | May 24 |
| June | Jun 14 | Jun 18 |
| July | Jul 12 | Jul 26 |
| August | Aug 9 | Aug 23 |
| September | Sept 13 | Sept 27 |
| October | Oct 11 | Oct 25 |
| November | Nov 8 | Nov 22 |
| December | Dec 13 | Dec 28 |
| January 2011 | Jan 10 | Jan 24 |

Development Review by Boards and Commissions with Application Deadlines

| | Rezoning | Planned Development | Site Plan | Subdivision – Preliminary Plat, Construction Drawings | Subdivision – Final Plat | Certificate of Appropriateness | Special Exception, Variance, or Appeal from Decision |
|-----------------------------------|---|---|---|--|--|---|--|
| Board of Zoning Appeals | | | | | | | Public hearing; application due 10 days prior to BZA meeting |
| Historic Zoning Commission | | | | | | HZC meets as needed; decision given within 30 days of sufficient information. | |
| Planning Commission | 1 reading; application due 17 days prior to Planning Commission meeting | 1 reading; application due 17 days prior to Planning Commission meeting | Design review; application due 17 days prior to Planning Commission meeting | (For Major Subdivisions only) 1 reading | (For both Major & Minor Subdivisions) 1 reading | | |
| Town Council | 2 readings; public meeting is held at 2 nd reading | 2 readings; public meeting is held at 2 nd reading | | | | | |

Fee Information

| | TYPE OF FEE | FEE |
|---------------------|---------------------------------------|---|
| Site Review | | |
| | Annexation Request | \$250 |
| | Rezoning Request | \$250 |
| | Concept Plan or Sketch Plat | \$150 |
| | Preliminary Plat | \$300 + \$50 per lot |
| | Final Plat | \$200 + \$25 per lot |
| | Site Plan | \$300 + \$0.03 per square foot of building |
| | Board of Zoning Appeals | \$200 |
| Plans Review | | |
| | Multi-Family, Commercial & Industrial | 50% of permit fee (minimum of \$100 & maximum of \$5,000) |
| Permits | | |
| | Commercial | \$0.30 per square foot (minimum \$100) |
| | Industrial | \$0.30 per square foot (minimum \$300) |
| | Residential | \$0.30 per square foot (minimum \$30.00) |
| | | Impact fees Contact Kevin Rigsby at 615-355-5706 (Must be paid before final inspection) |
| Other | | |
| | Tap Fees (Gas, Water & Sewer) | Contact Utilities Dept. 615.355.5740 |
| | Electrical Permits | 615-896-6117 State Electrical Inspectors |
| | Sign Permits | \$100 + \$0.30 per square foot |
| | Temporary Sign Permit | \$30 |
| | Storm Water Fee | \$200 + \$100 per acre |
| | Reinspection Fee | \$35 |
| Impact Fees | | |
| | | Contact Planning & Codes 615-355-5706 |
| Manuals/Maps | | |
| | Sign Ordinance | \$15 |
| | Zoning Ordinance | \$30 |
| | Subdivision Regulations | \$30 |
| | Town of Smyrna Zoning Map | \$30 |

Note:

1. All manuals and maps are available to download free of charge on the Town of Smyrna website (www.townofsmyrna.org).

Public Notice/Public Participation

Public Notice

For any activity requiring a public meeting, the following procedure for public notice must be observed:

1. Notice must be given fifteen (15) days in advance
2. Notice must include both the time and the place of the meeting
3. Notice must be published in the official municipal journal or a newspaper of general circulation in the municipality

Public Participation

At a public meeting, anyone who wishes may speak during the public comment period. In order to promote fairness and order, there is a three (3) minute time limit for each speaker.

To speak at a Planning Commission meeting, you must indicate your intent to the Planning & Codes Department one week before the scheduled meeting to be included on the agenda. Also, if you wish to comment on a particular agenda item, you may submit a letter or email to be included in the record.