

ARTICLE 6

DEFINITIONS

600. WORDS AND PHRASES

For the purposes of these regulations, certain terms, words and phrases are defined as follows:

Words with a masculine gender include the feminine gender.
Words used in the future tense include the present.
Words used in the singular include the plural.
Words used in the plural include the singular.

The word "may" is permissive.
The words "Ordinance" and "Regulations" are used interchangeably.
The word "person" includes a firm, association, corporation, organization, partnership, trust, company, and an unincorporated association of persons such as club, as well as an individual.
The words "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

601. Applicant: The owner of land proposed to be subdivided, or his representative. Consent shall be required from the legal owner of the premises.
602. Block: A parcel of land that is normally bounded by streets or bounded by streets and the exterior boundary of a subdivision.
603. Bond: Any form of security (including a cash bond, surety bond, cashiers check, collateral, property, or instrument of credit) in an amount and form satisfactory to the Town Council. See Section 206.
604. Building Inspector or Official: A qualified inspector from the Town of Signal Mountain.
- 604.1 CAD: Computer-aided drafting; a.k.a. computer-aided design. (Added 7-6-2000)
605. Capital Improvements Program: A proposed schedule of all future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local government's operating expenses, for the purpose, construction, or replacement of the physical assets for the community are included.
606. Collector Street: See Streets. (Section 661)
- 606.1 Control Monuments: A survey marker used to position the remaining boundary survey corners on the surface of the Earth. A type of monument. (Added 7-6-2000)
607. Corrective Plat: A plat used to record minor changes to a recorded plat. (See Article 2, Section 204)

608. Cronaflex: A dimensionally stable material on which the final details of a proposed subdivision are affixed and recorded in the Registrar's Office. (See Article 2, Section 205)
609. Council: The Signal Mountain Town Council.
610. Cul-De-Sac: See Street (Section 661)
611. Current Planning and Operations: A division of the Planning Commission that processes and administers plats and the subdivision regulations within the jurisdiction of the Planning Commission.
612. Deed Restrictions: A private covenant among the residents of a subdivision or development limiting the use of conditions within the subdivision or development.
613. Developer: Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.
614. Easement: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
1. Easement, Drainage: A perpetual, unobstructed easement across property reserved to carry surface water drainage along specified routes to natural water courses. Drainage easements shall not be filed or built in any way that will impede the flow of surface water.
 2. Easement, Overhead Power and Communication: An easement for the installation, operation, inspection, maintenance, repair or replacement of overhead electric power, telephone, cable t.v. and other communication lines, cable, poles, anchors, structures, etc. and the appurtenances thereto belonging. (Added 1-6-94)
 3. Easement, Permanent: A recorded permanent easement at least 50 feet in width which provides access to a publicly accepted municipal or county street and such permanent easement shall have been determined by the Planning Commission, and so indicated in their minutes, to be at least of such length, width, grade, surfacing, alignment and design as to offer the same degree of safety as a public street, and such permanent easement shall be open to public safety access and utility access.
 4. Easement, Power and Communication: An easement for the installation, operation, inspection, maintenance, repair or replacement of underground, ground level or overhead electric power, telephone, cable t.v. and other communication lines, cables, poles, anchors, ditches, pipes, duct, structures, manholes, etc. and the appurtenances thereto belonging. (Added 1-6-94)
 5. Easement, Utility: An easement for the installation, operation, inspection, maintenance, repair or replacement of public utility lines, cables, poles, ditches, pipes, manholes, etc., and the appurtenances thereto belonging.
615. Engineer: Any person registered to practice professional engineering in Tennessee by the State Board of Examiners for Architects and Engineers.

616. Final Plat: A subdivision plat prepared in accordance with the provisions herein, in which said plat is designed to be placed on record with the County Registrar after approval by the Planning Commission.
617. Flag Lot: An interior lot located to the rear of another lot but with a narrow portion of the lot extending to the street. Flag lots are not permitted in the Town of Signal Mountain.
618. Flood, 100-Year: (Base Flood Elevation) The level attained by a major flood that would occur on the average of once every one hundred years, as determined by the Tennessee Valley Authority. This level is used to determine minimum elevations for the construction of roads, streets and structures.
619. Floodway (Valley) Zone: See Section 672.
620. Frontage: All property abutting on a dedicated and publicly accepted right-of-way.
621. Frontage Street: See Street (Section 661)
622. General Plan: A plan, or any portion thereof, adopted by the Planning Commission, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, streets, parks, school and other community facilities. This plan establishes the goals, objectives, and policies of the community.
623. Geologic Survey: Involves study of the bedrock, regolith and ground water. Requires a detailed mapping of the rock strata and structural relationships of these units. Also, may include nature and significance of possible metallic and non-metal mineral deposits.
- 623.1 GIS Department: The agency designated by Hamilton County and the Town of Signal Mountain as the official source of electronic maps and related geographic information system support. The head of this agency is the Director of the GIS Department. (Added 7-6-2000)
624. Governing Body: The Signal Mountain Town Council
625. Governmental Attorney: The licensed attorney designated by the Signal Mountain Town Council to furnish legal assistance to the Governing Body.
626. Governmental Engineer: The licensed Engineer designated by the Governing Body or Town Manager to furnish engineering assistance for the administration of these regulations, usually given the title "Town Engineer".
627. Grade: The slope of a street, or the ground, specified in percentage (%) terms.
628. Greenbelt: Undisturbed natural habitat which should remain undisturbed; no cutting or dumping is allowed, random plantings are allowed, dead or diseased growth may be removed. These conditions are assumed to apply unless a plat note to the contrary is approved by the Planning Commission.

- 628.1 Hamilton County GIS Department: The agency designated by Hamilton County and the Town of Signal Mountain as the official source of electronic maps and related geographic information system support. The head of this agency is the Director of the GIS Department. (Added 7-6-2000)
629. Health Department and Health Officer: The agency and person designated by the governing body to administer the health regulations of the local government and of the state.
630. High Water Stage (Base Flood): The 100 year flood elevation as determined by the Federal Insurance Administration in its Flood Insurance Study.
631. Improvements: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping and other related matters normally associated with the development of raw land into building sites.
632. Local Government: The Town of Signal Mountain.
633. Local Street: See Street (Section 661)
634. Lot: A parcel of land or any combination of several lots of record, occupied or intended to be occupied by a principal building or building group as permitted in the applicable zoning ordinance or regulation, together with their accessory building or uses and such access yards, and other open spaces as required in these regulations and the applicable zoning ordinance or regulation. If on-site disposal systems are used, the lot must be capable of sustaining such a disposal system within the limits of the particular lot.
635. Lot Measurements: Lots shall be measured and their dimensions calculated as given below:
1. Lot frontage: All property abutting a dedicated and publicly accepted right-of-way.
 2. Lot width: The width of the lot measured along a straight line between side lot lines (generally parallel to the street) and measured at: (a) the rear of the front yard required by the zoning ordinance, or (b) the building setback line as shown on the plat.
 3. Lot depth: The dept of the lot measured along a straight line(s) perpendicular to the street and measured from the street right-of-way to the rear of the lot in accordance with the most applicable of the following conditions: (See the following two pages for examples).
 - a. For rectangular lots, the length of the side lot line.
 - b. For lots that are generally rectangular or trapezoidal, except where either side lot line is less than fifty (50) feet; the average of the depths to the rear lot corner.

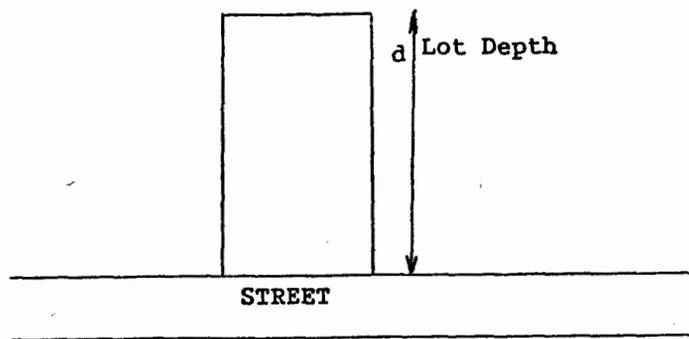
- c. Lots that are generally rectangular, or trapezoidal where one side lot line is less than fifty (50) feet, or triangular; the average of the dept of the long side lot line and the length of a line perpendicular to the street but seventy-five (75) feet away from side measured above. (Note: the lot width must be at least seventy-five (75) feet to make this measurement.)
- d. Lots with irregular front or rear lot lines; the average of the shortest side lot line and a line to the portion of the rear lot line that is closest to the street.

636. Lot of record: A designated tract of land as shown on a recorded plat or tax map on record in the Registrar's Office or the Assess of Property's Office prior to February 14, 1935.

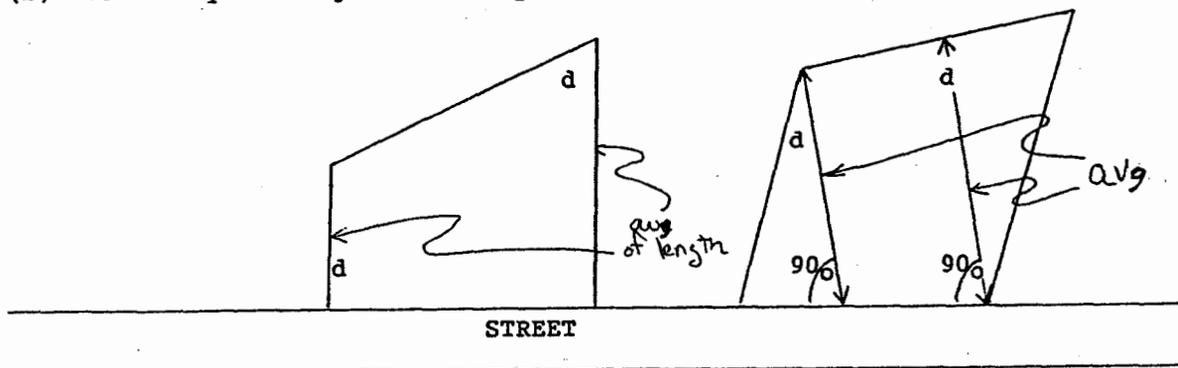
EXAMPLES: LOT DEPTH

d = depth

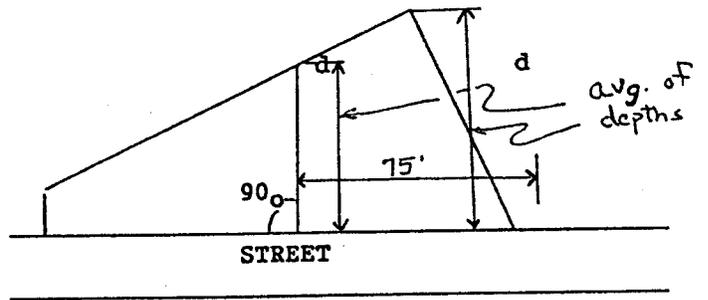
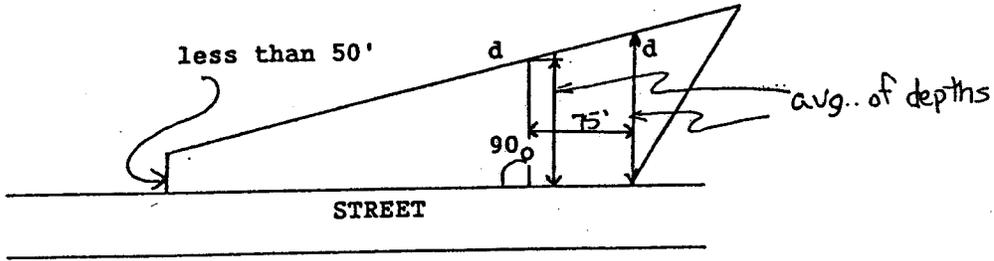
(a) Rectangular Lots



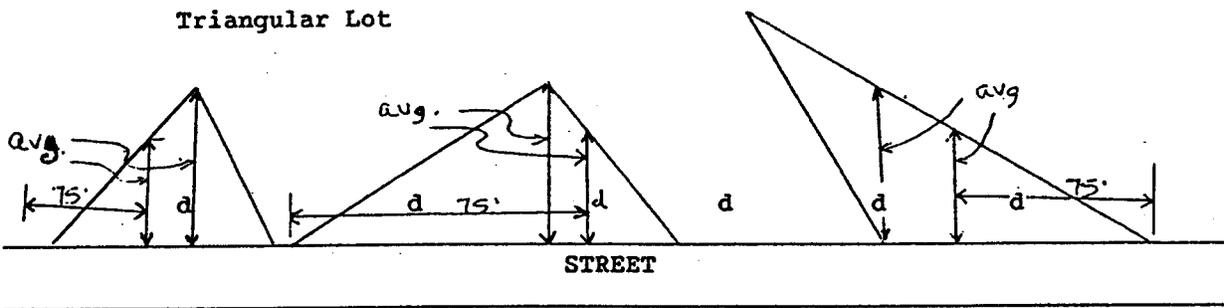
(b) Generally Rectangular or Trapezoidal



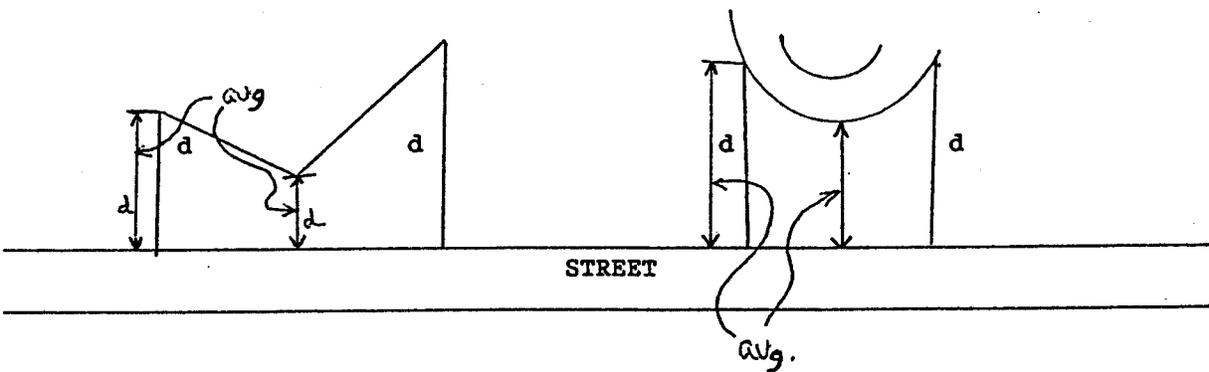
(c) Generally Rectangular or Trapezoidal, One Side Less Than 50'



Triangular Lot



(d) Irregular Front or Rear Lot Line



637. Lot types: Terminology used in these regulations with reference to corner lots, interior lot, through lots, and reversed frontage lots is as follows:
1. Corner lot: A lot located in the intersection of two or more streets. A lot abutting a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
 2. Interior lot: A lot other than a corner lot with only one frontage on a street.
 3. Through lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
 4. Reversed frontage lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
638. Major street: See Street (Section 661).
639. Major street plan: See General Plan.
640. Major subdivision: See Subdivision, Major.
641. Monuments: Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary lines, corners and points of change in street alignment. (See Article 3, Section 305)
642. Non-residential lot: a lot intended to be used for purposes other than residential and accessory uses; such as for commercial or industrial development.
643. Non-residential subdivision: A subdivision intended to be used for purposes other than residential, such as for commercial or industrial development. Such subdivision shall comply with the applicable provisions of these regulations.
644. Offer of dedication: The act of granting land or streets to an entity, such as a government, association, person, etc. The offer of dedication shall not constitute the acceptance of such land or streets by the local government, association or person.
645. Ordinance: Any legislative action, however denominated, of a local government which has the force of law, including any amendment or repeal of any ordinance.
646. Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
647. Performance bond: See Bond and Article 2, Section 206.
648. Planning Commission: The Signal Mountain Planning Commission - a municipal Planning Commission created in accordance with T.C.A. 13-4-302 which serves as the municipal Planning Commission for the Town of Signal Mountain. The term "Planning Commission" as used in these regulations may refer to the Signal Mountain Planning Commission or its staff as appropriate.

649. Plat: The map, plan or drawing on which the developer's plan of a subdivision of property is presented to the Planning Commission for approval, and after such approval, to the Registrar of Hamilton County for recording. "Plat" includes plat, replat, plan, plot or replot.
650. Plat designer: An individual or firm that surveyed and designated the preliminary plat, final plat and "Cronaflex". Only a registered engineer or surveyor may prepare the final plat and Cronaflex and sign the same. (See Section 501.3)
651. Public Right-of-Way: Land owned by a government, but developed and reserved for the public's use. (See Right-of-Way, Section 656)
652. Reserve strip: A remnant of land created by the subdivision of contiguous land.
653. Residential lot: A lot intended to be used for residential and accessory uses.
654. Residential subdivision: A subdivision intended to be used for residential and accessory uses.
655. Resubdivision: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map, or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
656. Right-of-Way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term "Right-of-Way" for land platting purposes shall mean that every Right-of-Way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such Right-of-Way and not included within the dimensions or areas of such lots or parcels. Right-of-Way intended for streets, crosswalks, water mains, sanitary sewers, storm sewers, storm drains, shade trees, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such Right-of-Way is established.
657. R.O.H.C.: Registrar's Office of Hamilton County.
658. Sale of lease: Any immediate or future transfer of ownership or any possessory interest in land, including contract of sale, lease, devise, interstate succession, or transfer, or an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease devise, interstate succession, or other written instrument.
659. Setback line: A line established by the Subdivision Regulations and/or the Signal Mountain Zoning Ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said codes.
- 659.1. Sewer available: This note on a plat means that every lot has an existing functioning sanitary sewer on that lot or in a street adjacent to that lot or that a bond has been submitted to install sanitary sewers that meet this standard. If only certain lots on a plat meet this standard, the note can indicate the lots which meet this standard. (Added 7-6-2000)

660. Staging: The development of tracts of land in phases, each of which is a part of the total area.
661. Street: Any public right-of-way designed for vehicular movement, except alleys, dedicated to and accepted by the local government. "Street" includes the full width of the right-of-way between property lines as well as the traveled portion thereof. "Street" includes "road", "highway", or any other designation of public right-of-way designed for vehicular movement.
1. Street, dedicated: A street shown on a subdivision plat which has been dedicated to the local government, but which has not yet been accepted by the local government.
 2. Street, collector: A street, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets. Collector streets include those streets designated as Collector Streets on the General Plan or any other plan adopted by the Signal Mountain Planning Commission.
 3. Street, cul-de-sac: A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
 4. Street, freeway: A divided, multi-lane street with full control of access designed to move large volumes of traffic at high speeds.
 5. Street, frontage: A street adjacent to a freeway or a major arterial, separated therefrom by a median, and providing ingress and egress from abutting property.
 6. Street, local: A street primarily for providing access to residential, commercial or other abutting property.
 7. Street, major: A street which serves the major movements of traffic within and through the community as shown on the latest adopted Major Street Plan of the General Plan, or any other plan adopted by the Signal Mountain Planning Commission.
662. Subdivider: Any person who (1), having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2), directly or indirectly, sells, leases, or develops, or offers to sell, lease or develop, or advertises for sale, lease or development, any interest, lot, parcel site, unit, or plat in a subdivision, or who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease or development if a subdivision or any interest, lot, parcel site, unit, or plat in a subdivision and who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing. (See also Applicant and Developer)
663. Subdivision: See Article 1, Section 105.2.
1. Subdivision, Corrective Plat: See Article 2, Section 204.

2. Subdivision, Major: Any subdivision in which few streets are to be constructed and dedicated to the public; or any subdivision requiring the extension of public water and/or sewer lines.

664. Subdivision Development Contract: A contract between the developer and the Town of Signal Mountain specifying the duties, fees and responsibilities required of the Developer by the Town any obligations to the developer by the Town. The Subdivision Development Contract may include, but is not limited to, Performance Bonds; Maintenance Bonds; impact fees; additional fees; insurance and safety requirements; water and sewer fees; erosion, dust, mud and litter control; construction related tests; infrastructure installation procedures, and any other matter deemed appropriate by the Town Manager.

665. Surveyor: A land surveyor properly licensed and registered in the State of Tennessee.

666. Surveyor/Engineer: Any person registered to practice professional engineering in the State of Tennessee and also licensed and registered to practice land surveying in the State of Tennessee.

667. Town: The Town of Signal Mountain.

668. Town Council: The Signal Mountain Town Council.

669. Town Manager: The chief administrative official appointed by the Signal Mountain Town Council pursuant to the February 6, 1990, Signal Mountain Town Charter or his designated representative. The term "Town Manager" as used in these regulations may also apply to the acting Town Manager or his designated representative.

670. Town Staff: Employees of the Town of Signal Mountain.

671. Utility, Public: A Public Utility is a business, organization, or government entity which is regularly supply the public with some commodity or service to include, but not be limited to, such commodities or services as natural gas, electricity, water, telephone, sewage collection, cable television, etc., which required the extension of lines, poles, cables, wires, pipes, etc., to individual buildings and which is being regulated for the public convenience and necessity by Federal, State, County, Town or other local government.

672. Valley (Floodway) Zone: A zone established in the Zoning Ordinance (Regulations) for the purpose of maintaining the capability of the Tennessee River, its tributaries, and adjacent lands to drain flood waters, and to regulate development in the zone.

673. Variance: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. (See Article 1, Section 111)

674. Watercourse, Unmapped: Any watercourse other than those watercourses for which 100 year flood elevations have been mapped by the Federal Emergency Management Agency or its successor on Flood Insurance Rate Maps. (Added 3-14-94)

675. Zoning Ordinance: The Signal Mountain Zoning Ordinance.