

**SUBDIVISION REGULATIONS
FOR
SPRING CITY, TENNESSEE**

TITLE

REGULATIONS CONTROLLING THE SUBDIVISION OF LAND IN SPRING CITY, TENNESSEE: REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL DESIGN STANDARDS: REQUIRING MINIMUM IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER: SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE PLANNING COMMISSION IN APPLYING THESE RULES, REGULATIONS AND STANDARDS: AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

PURPOSE

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and the future owner that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

ARTICLE 1

PREAMBLE AND ENACTMENT CLAUSE

In pursuance of authority set forth in Sections 13-601 through 13-609, Tennessee Code Annotated, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the municipality; to encourage economically sound and stable land development; to assure the provision of required streets, utilities and other facilities and services to land development; to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land development; to assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational and other public purposes; and to assure that land is developed in conformity with the Summary Plan of Spring City, the Planning Commission of Spring City, Tennessee, does ordain and enact the following articles and sections:

ARTICLE 2

SHORT TITLE

This document shall be known as and may be cited as the "Subdivision Regulations of Spring City, Tennessee."

ARTICLE 3

DEFINITION OF CERTAIN TERMS USED HEREIN

Except as specifically defined herein, all words used in these regulations have their customary dictionary definitions where not inconsistent with the context. For the purpose of these regulations certain words or terms are defined as follows:

The term "shall" is mandatory. When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of water courses or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Plain. The land lying adjacent to a watercourse which is subject to periodic inundation by floodwaters. For the purposes of these regulations the land subject to inundation by the 100-year flood, i.e., the 100-year flood plain.

Floodway. The natural stream channel and the portion of the flood plain along the channel which must be reserved solely for the passage of floodwaters to prevent an increase in flood heights of more than one (1) foot upstream.

Floodway Fringe Area. Land lying outside the F-1 Floodway District but within areas subject to flood as defined in Section 52.

Health Authority. The director of the City, County, District or Regional Health Department having jurisdiction over the Community Health, or his duly authorized representative.

Lot. A portion or parcel of land separated from other portions or parcels by description as on a subdivision plat or record of survey map or as described by metes and bounds, and intended for transfer of ownership or for building development. For the purpose of these regulations, the term does not include any portion of a dedicated right-of-way.

One Hundred-Year Flood. A flood which has, on the average, a one (1) percent chance of being equaled or exceeded in any given year. Flood is further defined as follows:

Along the Piney River the flood elevation and the land covered by the 100-year flood as shown on the chart "Flood Frequency Profiles, Piney River, Spring City, Tennessee" (TVA, Nov. 1972), and all subsequent revisions thereto, which are made a part of these regulations.

Along the Old Channel Piney River the flood elevation and the land covered by the 100-year flood as shown on the chart "Flood Frequency Profiles, Old Channel Piney River, Spring City, Tennessee," (TVA, Nov. 1972), and all subsequent revisions thereto, which are made a part of these regulations.

Along Town Creek the flood elevation and the land covered by the 100-year flood as shown on the chart "Flood Frequency Profiles, Town Creek, Spring City, Tennessee," (TVA, Nov. 1972), and all subsequent revisions thereto, which are made a part of these regulations.

Planning Commission. The Spring City Municipal Planning Commission.

Street. A way for vehicular traffic, whether designated as an avenue, arterial, collector, boulevard, road, highway, expressway, lane, alley or other way, and for the purpose of these regulations "streets" are divided into the following categories:

- a. **Arterials.** The streets designated as such in the Spring City, Tennessee, Summary Plan.
- b. **Collectors.** A collector street which carries traffic from local streets to Arterials.
- c. **Local Street.** A neighborhood street used primarily for access to the abutting properties.
- d. **Marginal Access Street.** A minor street parallel and adjacent to major thoroughfares which offer access to abutting properties.
- e. **Alley.** A minor way used for service access to the back or side of properties otherwise abutting on a street.
- f. **Cul-de-sac.** A local street with only one outlet, sometimes called a "dead-end" street. A permanent cul-de-sac is a "dead-end" street for which there are no plans for extending and no need for extending.

Subdivider. The person, firm or corporation having such a proprietary interest in the land to be subdivided as will authorize the maintenance or proceedings to subdivide such land under this ordinance, or the authorized agent, person, firm or corporation for the purpose of proceeding under these regulations.

Subdivision: (added 2003) According to Tennessee Code Annotated Section 13-3-401(4)(B), the definition of a subdivision is as follows: (B) "Subdivision" means, the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision and, when appropriate to the context, relates to the process of re-subdividing or to the land or area subdivided. The term "subdivision" may be further defined as follows:

1. **Major Subdivision:** All divisions of land into five (5) or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development; and including all division of land into two (2) or more lots involving a new street, or change in existing streets; or divisions of land involving the extension of water, sewer or gas lines and includes re-subdivisions and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.
2. **Minor Subdivision A:** All divisions of land into four (4) or less lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development, and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided. This definition shall not include any divisions of land involving a new street, a change in an existing street, or the extension of water, sewer or gas lines.
3. **Minor Subdivision B (Simple Land Splits):** For divisions of land into no more than two (2) lots, approval may be endorsed in writing on the plat by the secretary of the Planning Commission without the approval of the Planning Commission, upon review and certification by planning staff of the Planning Commission that the subdivision complies with the Subdivision Regulations. This definition shall not include any divisions of land involving a new street, a change in an existing street, or the extension of water, sewer or gas lines, and provided that no request for a variance from such regulations has been requested or is needed. See Minor Subdivision B (Simple Land Split) Certificate.

Watercourse. Any depression serving to give direction to a current of water, having a bed and well-defined banks, where the drainage area above the same is ten (10) acres or more in extent, provided that it shall upon the rule or order of the Planning Commission, also include other generally or specifically designated areas where flooding may occur. The flow of water need not be on a continual basis but may be intermittent resulting from the surface runoff of rainfall.

ARTICLE 4
PLATTING JURISDICTION, ENFORCEMENT,
AND PENALTIES FOR VIOLATION

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land are provided by state law in the authority granted by public acts of the State of Tennessee.

Section 41. Platting Authority. From and after the passage of these regulations, the Planning Commission shall be the official platting authority, and no plat of a land subdivision shall be entitled to record in the office of the Rhea County register unless it shall have the approval of the Planning Commission inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the Planning Commission, as required by these regulations, is declared to be a misdemeanor, punishable by law.

Section 42. Use of Plat. The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a subdivision plat that has not been given final approval by the Planning Commission and recorded in the office of the Rhea County Register is prohibited, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

Section 43. Enforcement. No plat or plan of a subdivision located within the area of planning jurisdiction shall be filed or recorded by the County Register of Deeds until said plat or plan has received final approval in writing by the Planning Commission as provided in Section 13-602, **Tennessee Code Annotated.**

Section 44. Opening and Improving Public Streets (Roads). No public officer, authority or county governing body shall accept, layout, open, improve, grade, pave or light any street, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission, or on a street plan made and adopted by the Commission as provided in Section 13-607, **Tennessee Code Annotated.**

Section 45. Erection of Buildings. No building permit shall be issued and no building shall be erected on any lot in a subdivision within the area of jurisdiction of the Planning Commission unless the street giving access thereto has been accepted as a public street in accordance with these regulations, or unless such street has been accepted as a public street prior to the effective date of these regulations.

Any building or structure erected or to be erected in violation of this section shall be deemed an unlawful building or structure, and the building inspector or the city attorney or other official designated by the Spring City Commission may bring action to enjoin such erection or cause it to be vacated or removed.

Section 46. Penalties. No county register shall receive, file, or record a plat of a subdivision within the planning region without the approval of the Planning Commission as required in Section 13-602, **Tennessee Code Annotated**, and any county recorder so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

Section 13-606, **Tennessee Code Annotated**, provides that whoever being the owner or agent of the owner of the land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required before such plat be recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The municipality, through its attorney or other official designated by its chief legislative body, may enjoin such transfer or sale or agreement by action or injunction.

ARTICLE 5

GENERAL DESIGN REQUIREMENTS (amended 7/11/02)

Section 51. Suitability of the Land. The Planning Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.

1. Land within the floodways shall not be platted for residential occupancy or building sites, but may be used in calculating overall lot size. Such land shall be set aside for uses as shall not be endangered by periodic or occasional inundation and extreme water velocities.
2. Land located in floodway fringe areas may be platted for residential occupancy or for such other uses which will not increase the flood hazard, endanger health, life, or property, or aggravate erosion provided a notation of the flood hazard is shown on the plat and provided the lot has a flood-free building site. In applying this provision, land below the elevation of the 100-year flood shall be considered subject to periodic flooding.
3. The elevation of these controls shall be determined from the "Flood Insurance Study" and the corresponding Flood Insurance Rate Maps (effective February 5, 1992), and any subsequent revisions thereto developed by the Federal Emergency Management Agency, which are made a part of these regulations.
4. Fill may not be used to raise land within the floodway area. In other areas subject to flood, fill may be used provided the proposed fill does not restrict the flow of water or increase flood heights.

Section 52. Name of Subdivision. The name of the subdivision must have the approval of the Planning Commission. The name shall not duplicate or closely approximate the name of an existing subdivision.

Section 53. Access. Access to every subdivision shall be provided over a public street.

Section 54. Public Use Areas. When features of other plans adopted by the Planning Commission (such as schools or other public building sites, parks or other land for public uses) are located in whole or in part in a land subdivision, land for such features shall be either dedicated or reserved by the subdivider for acquisition within one (1) year by the appropriate public agency.

Whenever a plat proposes the dedication of land to public uses that the Planning Commission finds not required or suitable for such use the Planning Commission shall refuse to approve the plat and shall notify the governing body of the reasons for such action.

NOTE: One of the primary purposes and advantages of planning for the dedication and reservation of property for public use is to indicate areas which may be presently acquired at acreage prices rather than at greatly increased prices in the future, where future improvements would increase the expense to the taxpayer and create inconvenience for the individual property owner and for the neighborhood.

Where public use is to be made of the property and where the residents of the subdivision will receive primary benefit, the dedication of the property should be encouraged. Where the public use is for the public as a whole, the community should pay proportionately for the acquisition of reserved areas within a reasonable time. A reasonable time is to be determined according to the circumstances, because the subdivider should not be required to hold his land idle for a lengthy indefinite period.

Section 56. Large-Scale Development. The requirements of these regulations may be modified in the case of large-scale community or neighborhood units, such as a housing project, trailer court or shopping center which is not subdivided into customary lots, blocks and streets, if the development is approved by the Planning Commission and if it is in conformity with the purpose and intent of these regulations.

ARTICLE 6
GENERAL REQUIREMENTS FOR STREETS
AND OTHER RIGHTS-OF-WAY

Section 61. Conformance to Adopted Transportation Plan. All streets and other features of the Transportation Plan of Spring City, Tennessee, shall be platted by the subdivider in the location and to the dimensions indicated on the Transportation Plan adopted by the Planning Commission.

Section 62. Continuation of Existing Streets. Existing streets shall be continued at the same or greater width, but in no case less than the required width.

Section 63. Street Connections. Where proposed streets are to adjoin existing streets, the developer must make the connection at his expense and meet all street design requirements set forth in these regulations.

Section 64. Street Elevations. No street shall be approved which is more than two (2) feet below the elevation of the 100-year flood as defined in Article 3 of these regulations. Fill may be used for streets provided such fill does not increase upstream flood heights. Drainage openings shall be designed so as not to restrict the flow of floodwater or increase upstream flood heights.

Section 65. Street Names. The street names shall require the approval of the Planning Commission. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets.

Section 66. Restriction of Access. When a tract fronts on an arterial or highway, the Planning Commission may require such lots to be provided with frontage on a marginal access street or may require reverse frontage lots.

Section 67. Alleys. Alleys may be required at the rear of all lots used for multi-family, commercial or industrial developments but shall not be provided in one and two-family residential developments unless the subdivider provides evidence satisfactory to the Planning Commission of the need for alleys.

Section 68. Private Streets and Reserve Strips. There shall be no private streets platted in any subdivision. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the city under conditions approved by the Planning Commission.

Section 69. Easements. Easements having a minimum width of ten (10) feet shall be provided where deemed necessary along each side or rear lot line for utility lines and underground mains and cables. Easements of the same or necessary greater width shall be required along the lines of or across lots, where necessary for the extension of existing or planned utilities.

Where a proposed subdivision is traversed by any stream, watercourse, or drainageway, the subdivider shall make adequate provision for the proper drainage of surface water, including the provision of sufficient easements along each side of such streams, watercourses, or drainage ways for the purpose of maintaining, widening, deepening, improving, or protecting such for drainage purposes.

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ARTICLE 7

STREET DESIGN REQUIREMENTS

Section 71. Street Right-of-Way Widths. The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

a. Arterial 100 feet, or as
See Spring City, Tennessee, may be required
Summary Plan

b. Collector..... 60 feet
See Spring City, Tennessee
Summary Plan

Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets of a residential development and streets for major circulation within such a development.

c. Local Streets (Neighborhood) 50 feet

A street that primarily provides access to abutting property and carries neighborhood traffic to the collectors.

d. Marginal Access Streets 50 feet

Marginal access streets are parallel to and adjacent to arterial streets and highways; and which provide access to abutting properties and protection from through traffic.

e. Alleys 20 feet

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

f. Cul-de-sacs..... 50 feet

Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future.

Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs, or dead-end streets, shall not be greater in length than seven hundred (700) feet. They shall be provided at the closed end with a turn-around having a property line radius of at least fifty (50) feet with an outside pavement radius of at least forty (40) feet.

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- g. Temporary cul-de-sacs 50 feet

Where in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around having a property line radius of at least fifty (50) feet with an outside pavement radius of at least forty (40) feet.

Where deemed necessary by the Planning Commission, adequate rights-of-way shall be dedicated to connect with any temporary dead-end street adjoining the subdivision.

Section 72. Additional Width on Existing Streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the minimum street width requirements.

- a. The entire right-of-way shall be dedicated where any part of the subdivision is on both sides of the existing street; and
- b. Where the subdivision is located on only one (1) side of an existing street, the amount of right-of-way to be dedicated is as follows:
 - 1. If the land across the roadway from the proposed subdivision has not been subdivided or developed, the subdivider is only required to dedicate one-half (1/2) of the required right-of-way, measured from the center line of the existing roadway.
 - 2. If the land across the roadway has been subdivided or developed, the subdivider is required to provide enough additional right-of-way on his side of the roadway to bring the total right-of-way to the required width (in no case less than fifty (50) feet).

Section 73. Street Pavement Widths. Street pavement widths shall be as follows:

- a. Arterials.....48 feet or greater,
or as may be required
- b. Collector..... 30 feet
- c. Local Streets..... 26 feet
- d. Alleys 16 feet
- e. Cul-de-sacs.....26 feet, with 40
foot radius for
turn-around.
- f. Through proposed neighborhood or local business areas, the street widths shall be increased ten (10) feet on each side to provide for turning movements of vehicles into and out of necessary off-street parking areas without interference to traffic.

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NOTE: The pavement widths are measured from curb to curb. These widths are considered the minimum necessary to accommodate modern traffic. Street parking must, of course, be considered in the pavement widths. Where no street parking is permitted or none is anticipated, allowances may be made. A parallel parking lane normally requires eight (8) feet. On secondary streets a moving traffic lane should have a minimum of ten (10) feet. On neighborhood streets where the abutting property has adequate off-street parking and traffic moves slower, provision for one (1) lane of parking and two (2) nine (9) foot traffic lanes may be adequate. (Pavement widths for major streets are normally a responsibility of the governing body.)

Section 74. Street Grades. Maximum and minimum street grades shall be fourteen (14) percent and five-tenths of one percent (0.5) respectively.

NOTE: These street grade limits are considered to be the optimum requirements to provide adequate safety. Different topographical situations may necessitate adjustment. The minimum grade requirement is necessary for drainage purposes. In this regard, it should be considered that in addition to accommodating traffic, streets are the heart of the surface drainage system.

Section 75. Horizontal Curves. Where a deflection angle of more than ten (10) degrees in the alignment of a radius of not less than the following:

- a. Arterial 300 feet
- b. Collectors..... 200 feet
- c. Local Streets..... 100 feet

Section 76. Vertical Curves. Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4-1/2) feet above the pavement, to an object four (4) inches high on the pavement. Where, in the opinion of the Planning Commission, topography warrants it, profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontally and one (1) inch equals twenty (20) feet vertically may be required.

Section 77. Intersections. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

Curb radii at street intersections shall not be less than twenty (20) feet, and where the angle of a street intersection is less than seventy-five (75) degrees, the Planning Commission may require a greater curb radius. Whenever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise setback sufficiently to permit such construction.

Section 78. Tangents. Between reverse curves there shall be a tangent having a length of not less than one hundred (100) feet.

Section 79. Street Jogs. Street jogs with centerline offsets of less than one hundred fifty (150) feet shall not be allowed.

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ARTICLE 8

DESIGN STANDARDS FOR BLOCKS AND LOTS

Section 81. Block Lengths and Widths. Block lengths and widths shall be as follows:

- a. blocks shall be no greater than one thousand two hundred (1,200) feet nor less than three hundred (300) feet in length, except in unusual circumstances; and
- b. blocks shall be wide enough to provide two (2) tiers of lots of minimum depth, except where abutting upon major streets or where other situations make this requirement impractical.

Section 82. Flood-Free Building Site. Each lot in a subdivision shall contain a flood-free building site outside of the limits of any existing easement or the building setback lines as required by these regulations.

Section 83. Lot Sizes. Residential lots shall meet the lot width and lot area requirements of the Zoning Ordinance. In the absence of a Zoning Ordinance, residential lots shall not be less than seventy-five (75) feet wide at the setback (building) line.

Other lot size requirements follow:

- a. Lots not served by public water and sanitary sewer systems shall be at least twenty-five thousand (25,000) square feet in area or of a size specified by the county health authority to adequately accommodate both a fresh-water well and septic tank on the same lot. The minimum distance between the septic tank and fresh-water well shall be one hundred (100) feet. Where individual septic tanks are used on lots served by a public water system, minimum lot size shall be eight thousand (8,000) square feet. The health officer shall also prescribe minimum lot sizes to conform to health standards, which may be greater than the standards contained herein.
- b. Residential corner lots shall have adequate width to meet building setback requirements for both abutting streets.
- c. Commercial and industrial lots shall be adequate in size to provide service areas and off-street parking suitable for the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- d. Land shall not be platted for commercial or industrial purposes unless the subdivider can demonstrate to the Planning Commission that each lot provides the following:

1. A site that does not unduly interfere with through traffic. (Each industrial subdivision or area shall utilize a single collector for all heavy traffic between the area and the general system of streets and roads. Minor industrial streets and individual industrial parcels shall be oriented at right angles with the collector and with adjacent railroads.)
2. An integrated parking area.
3. An insulation against any adverse effect on any present or future adjacent residences.
4. A parcel size sufficient in area to allow future expansion.

Section 84. Lot Lines. All side lot lines shall be perpendicular or radial to street lines, unless impractical because of topographic or other features.

Section 85. Building Setback Lines. A building line (setback line) meeting the front yard setback requirements of the Zoning Ordinance shall be established on all lots. In the absence of the Zoning Ordinance, the front yard setback shall be a minimum of thirty-five (35) feet from the street right-of-way lines. Other minimum setback lines shall be as follows:

- a. from the side property line 10 feet
- b. from rear property line 30 feet
- c. from side property line which 25 feet or
abuts a minor street (corner lot) as may be
required

Section 86. Lots Abutting Public Streets. Each lot shall abut upon a dedicated public street.

Section 87. Double and Reverse Frontage Lots. Double frontage and reverse frontage lots should be avoided, except where essential to provide separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. Reverse frontage lots shall have a depth of not less than one hundred and fifty (150) feet. A planted evergreen screen easement at least ten (10) feet wide, across which there shall be no right of access, shall be provided along the line of lots abutting a traffic artery or other incompatible land use.

ARTICLE 9

PRE-APPLICATION PROCEDURE FOR MAJOR SUBDIVISIONS

Whenever a major subdivision of a tract of land within Spring City is proposed, the subdivider is urged to consult early and informally with the Secretary or a designated member of the Planning Commission. (See Article 15 for Review Procedure of Minor Subdivision Plats.) The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for the pre-application review and no formal application shall be required.

NOTE: (1) The purpose of the pre-application review is to afford the subdivider an opportunity to avail himself of the advice and assistance of the Planning Commission in order to facilitate the subsequent preparation and approval of plans.

At this stage, the subdivider should also consult with any lending institution that will be participating in the financing of his proposed development and with the Federal Housing Administration of the Department of Housing and Urban Development that may be insuring mortgages on houses that may be built in this land subdivision.

(2) The various plat reviews required by these regulations may properly be made by the Secretary or a designated member of the Planning Commission. It would be a waste of time for the entire Planning Commission membership to review a proposed land subdivision, except in cases of conflict or unusual and difficult problems. Approval or disapproval in every case must be by action of the Commission. This note applies only to reviews.

ARTICLE 10

PRELIMINARY PLAT SPECIFICATIONS FOR MAJOR SUBDIVISIONS

(SEE ARTICLE 15 FOR MINOR SUBDIVISION)

Section 101. Scale. The preliminary plat shall be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one (1) inch.

Section 102. Sheet Size. Sheet size shall be the sheet size required by the County Register for recording purposes. If the complete plat cannot be shown on one (1) sheet of this size, it may be shown on more than one (1) sheet with an index map on a separate sheet of the same size.

Section 103. Ground Elevations. The preliminary plat shall show existing contour lines by dashed line and proposed contour lines by solid line. Existing and proposed topography shall be shown at two (2) feet contour intervals except where the land slope exceeds ten (10) percent, the Planning Commission may accept contour intervals of five (5) feet. Where possible, all topographic information shall be referenced by a USGS bench mark or other permanent bench mark relating mean sea level elevation.

Section 104. Drainage System. The preliminary subdivision plans shall include specific plans for accommodating storm water including, but not limited to the following information: the locations, sizes, and profiles of storm drains and culverts; data and computations used in making the determinations of the sizes of storm drains and culverts; and other pertinent information necessary in dealing with storm drainage problems. Drainage facilities shall be designed to prevent flooding or ponding on building sites. Sites for septic tanks and drainfields shall be indicated on the drainage plans.

Section 105. Information to be Provided on Preliminary Plat. The Preliminary Plat shall contain the following information:

- a. name of subdivision;
- b. name and address of owner of record, subdivider, and surveyor;
- c. north point, graphic scale and date;
- d. vicinity map showing location and acreage of subdivision;
- e. exact boundary lines of the tract by bearing and distances.
- f. names of adjoining property owners and/or subdivisions;
- g. existing streets, buildings, water courses, railroads, culverts, utilities and easements on and adjacent to the tract;
- h. proposed design including streets and alleys with proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses and any land to be used for purposes other than single-family dwellings;

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- i. all subdivision plats, including plats for manufactured home parks and subdivisions, greater than fifty (50) lots or five (5) acres, whichever is the lesser, must contain base flood elevation data;
- j. block numbers and lot numbers;
- k. plans of proposed utility layouts and easements for sewer, water, gas, and electricity showing feasible connections to the existing or any proposed individual water supply and/or sewage disposal system must be approved by the county health department;
- l. where public sewerage and/or water are not available the following shall be shown:
 - 1. areas to be used for sewage disposal on each lot;
 - 2. water wells (existing and/or proposed);
 - 3. rock outcroppings, marshes, springs, sinkholes, natural storm drains and other outstanding topographical features; and
 - 4. location of percolation test holes identified by numbers and tabulated percolation test results.

NOTE: Percolation tests shall be conducted in accordance with procedures outlined in the Recommended Guide for Location, Design and Construction of Septic Tanks and Disposal Fields, Tennessee Department of Public Health, 1967, and shall be conducted by a licensed engineer, licensed architect or qualified surveyor recognized by the Health Authority as being proficient in the field of surveying in accordance with Tennessee Code Annotated, Chapter 20, Section 53-2011.

- m. minimum building front yard setback lines;
- n. the present zoning classification, if any, on the land to be subdivided and on the adjoining land;
- o. existing and proposed topography and drainage patterns;
- p. centerline profiles of proposed streets and street cross sections; and
- q. if any portion of the land being subdivided is subject to flood, as defined in these regulations, the limit of such flood shall be shown.

Section 106. Utility Requirements. All new or replacement water supply systems, sanitary sewer systems, gas distribution systems, electrical distribution systems, and all attendant facilities, whether public or private, proposed to be located in areas subject to flood shall be elevated or floodproofed to a height of one (1) foot above the level of the 100-year flood.

ARTICLE 11
PROCEDURE FOR PRELIMINARY PLAT APPROVAL
OF MAJOR SUBDIVISION

Section 111. Application for Preliminary Plat Approval. Following the pre-application review of a proposed major subdivision, the subdivider shall submit to the Chairman of the Planning Commission, at least fifteen (15) days prior to the next regular meeting of the Planning Commission, the following:

- a. a letter requesting review and approval of a preliminary plat and giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the preliminary plat shall be sent, and
- b. five (5) copies of the preliminary plat and other documents, as specified in Article 10.

Section 112. Review of Preliminary Plat. The Planning Commission shall check the plat for conformance to these regulations and shall afford a hearing on the preliminary plat, notice of the time and place of which shall be sent by the Secretary of the Planning Commission by registered or certified mail to the person designated in the letter requesting preliminary plat review and approval, not less than five (5) days prior to the date of the hearing.

Thereafter, the Planning Commission shall give tentative approval or disapproval of the preliminary plat. A notation of the action shall be made in the minutes of the meeting.

Two (2) copies of a list containing the reasons for disapproval, if the preliminary plat is disapproved, shall be issued. One (1) copy shall be returned to the subdivider or his agent and one (1) copy added to the records of the Planning Commission.

NOTE: Five (5) copies of the preliminary plat and other documents are suggested to provide a review and record copy for: 1. Planning Commission; 2. Subdivider; 3. Public Utility Department or Company (for record); and 4. County Health Office; and 5. Street Superintendent.

Tentative approval of a preliminary plat does not constitute approval of a final plat. It indicates only approval of the layout as a guide to the preparation of the final plat. Tentative approval shall expire and be null and void after a period of one (1) year unless an extension of time is applied for by the subdivider or his representative and approved by the Planning Commission.

If action on a preliminary plat is not taken by the Planning Commission within thirty (30) days of the date of submittal, the preliminary plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 113. Certificate of Tentative Approval. Two (2) Certificates of Tentative Approval of the Preliminary Plat by the Planning Commission shall be issued. One (1) copy for the subdivider or his agent and one for the Planning Commission records. The certificate shall contain the following:

"Pursuant to the Subdivision Regulations of Spring City, Tennessee, all the requirements of tentative approval have been fulfilled.

CHECKLIST FOR PRELIMINARY PLAT CONSIDERATION

NAME OF SUBDIVISION: _____

LOCATION: _____ CIVIL DISTRICT: _____ ZONING DISTRICT: _____

OWNER OF RECORD: _____

Address _____ Tel. _____

SUBDIVIDER: _____

Address _____ Tel. _____

SURVEYOR: _____

Address _____ Tel. _____

DATE SUBMITTED FOR PRELIMINARY APPROVAL: _____

CHECKLIST:

- ____ 5 copies submitted 15 days prior to meeting.
- ____ Name of Subdivision.
- ____ Scale not less than 1" = 100'.
- ____ Name, address and phone number of owner of record, subdivider, and surveyor.
- ____ North point, graphic scale, and date of drawing.
- ____ Vicinity map showing acreage and location of subdivision
- ____ Boundary lines by bearing and distances.
- ____ Names of adjoining property owners and/or subdivision(s).
- ____ Location of all existing physical features on land and nearby properties.
- ____ Names, locations, and dimensions of proposed streets, alleys, easements, parks, and reservations, lot lines, etc.
- ____ Block numbers and lot numbers.
- ____ Plans of proposed utility layouts showing connections to existing or proposed utility systems.
- ____ Existing and proposed topography and drainage patterns (Sections 103 and 104)
- ____ Minimum building front yard setback line.
- ____ Present zoning classification, if any, on land in subdivision and adjacent land.
- ____ Cross-section and centerline street profiles.
- ____ Conforms to general requirements and minimum standards of design.
- ____ Percolation tests have been made and proposed sewage systems have been approved.

Disapproved _____,

19 _____, because of incompleting items above or other reasons as stated: _____

Approved _____, 19 _____.

Signed _____

Secretary, Spring City
Planning Commission

Therefore, the "Preliminary Plat" of _____ Subdivision has been approved by the Spring City Planning Commission _____ 19 _____, subject to the following notifications. This approval does not constitute approval of a Final Plat. This Certificate of Tentative Approval shall expire and be null and void on _____
_____." (one year later)

Secretary, Spring City
Planning Commission

ARTICLE 12

REQUIRED IMPROVEMENTS FOR FINAL PLAT APPROVAL OF A SUBDIVISION

Prior to the approval of a final plat, an agreement shall be reached between the subdivider or his agent and the city or county government with regard to the installation of any street improvements or utility construction called for in the subdivision plat. The subdivider shall be required to have installed at his expense the following improvements:

NOTE: The subdivider at his expense, may contract with the city, county, or a private firm to install the necessary improvements.

Section 121. Monuments.

- a. Concrete monuments four (4) inches in diameter or four (4) inches square, three (3) feet long, with a flat top, shall be set at all road corners, at all points where the road lines intersect the exterior boundaries of the subdivision, at angle points and points of curve in each road and at each angle point in the external boundary of the subdivision. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other lot corners shall be marked with iron pipes not less than three-fourths (3/4) inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

Section 122. Grading. All streets, roads, and alleys shall be graded by the subdivider to the required cross section. Due to special topographic conditions, deviation from the above will be allowed only with special approval of the Planning Commission. Where roads are constructed under or adjacent to existing electric transmission lines, the nearest edge of the roadway surface shall be a minimum of fifteen (15) feet from any transmission line structure and all grading for the road shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric transmission lines, the clearance from the road to the nearest conductor shall meet the requirements of the National Electric Safety Code.

- a. **Preparation.** Before grading is started the entire right-of-way area shall be first cleared of all stumps, roots, brush, and other objectionable materials and all trees not intended for preservation.
- b. **Cuts.** All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the subgrade. This provision applies to the roadway and not necessarily to the entire right-of-way width.

- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted by a sheep's foot roller. The filling of utility trenches and other places not accessible to a roller shall be mechanically stamped.

Section 125. Double Bituminous Surface Treatment. The double bituminous surface treatment shall be constructed with emulsified asphalt (RS-2) as specified in Section 404, Tennessee Department of Transportation, Standard Specifications for Road and Bridge Construction.

The first application (prime coat) of bituminous material shall be applied at a uniform rate of between 0.30 and 0.40 gallon per square yard. Immediately after the application of bituminous material, it shall be covered uniformly with size number 6 (size specified in Standard Specifications for Road and Bridge Construction) mineral aggregate. The aggregate shall be spread at a rate of between thirty (30) and forty (40) pounds per square yard.

The second application of bituminous material shall be applied at a uniform rate between 0.30 and 0.35 gallon per square yard. Mineral aggregate, size number 7, shall then be spread at a rate of twenty (20) to twenty-five (25) pounds per square yard.

Construction techniques shall conform to those specified in the 1968 or updated editions of the Tennessee Department of Transportation, Standard Specifications for Road and Bridge Construction.

NOTE: Standards and specifications as indicated in the Tennessee Department of Highways', Standard Specifications for Road and Bridge Construction are subject to periodic revision. Revisions should be incorporated in new road construction.

Section 126. Storm Drainage. An adequate drainage system including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water.

NOTE: Cross drains should be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than twelve (12) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the roadbed.

Section 127. Water Supply System. Water mains properly connected with the community water supply system or with an alternate supply approved by the health authority shall be constructed in such a manner as to serve adequately for both domestic use and fire protection, all lots shown on the subdivision plat. Where public water mains are to be used, six (6) inch cast iron water mains shall be required throughout the planning region, except along cross streets of one thousand (1,000) feet or less and in permanent cul-de-sacs. In cross streets of one thousand (1,000) feet or

less, a two (2) inch water main may be installed providing that fire hydrants are located at each end of the cross street on six (6) inch mains. In permanent cul-de-sacs, a six (6) inch water main is required for a distance to within five hundred (500) feet of the dead end. A fire hydrant shall be located at the end of the six (6) inch section and a two (2) inch water main is required in the last five hundred (500) feet. No home or building should be less than five hundred (500) feet from a fire hydrant. The location and types of valves and fire hydrants, the amount of soil cover over the pipes and other features of the installation shall conform to accepted standards of good practice for water systems and must meet the approval of the Spring City Municipal Water Department.

A copy of the final plat showing the proposed water lines and specifications shall be sent to the Southeast Tennessee Regional Health Office, Division of Water Quality Control at 2501 Milne Avenue, Chattanooga, Tennessee 37406. A copy of the letter of approval shall be attached to the final plat submitted to the Planning Commission.

Section 128. Sewage Disposal. When any portion of a contiguous tract of land being subdivided in any part is within reasonable distance of a public sewer line sanitary sewers shall be required to be installed in such a manner as to serve adequately all lots within the entire tract. The Planning Commission shall determine the reasonable distance to public sewer for each individual plat, but in no case shall the reasonable distance be considered to be less than 500 feet by gravity sewer or less than 300 feet by lift and force main. This provision shall apply to both major and minor subdivisions.

Where lots cannot be connected with a sewerage system without undue hardship, each of these lots shall be required to pass percolation tests, contain adequate area for the installation of approved septic tank and disposal fields, and be approved in writing by the county health officer.

NOTE: Upon receipt of a preliminary plat the Health Authority reviews the data and a field investigation of each lot is made. If percolation rates are acceptable, other topographic features including lot sizes are considered. In addition to unsatisfactory percolation test results, lots may be deemed unacceptable because of rock outcropping, gullies, natural storm drains, excessive slope and the like. In view of topographic features and percolation test results, the maximum amount of available unusable area for subsurface disposal is determined for each lot. By using the Recommended Guide for the Location, Design, and Construction of Septic Tanks and Disposal Fields, 1967, Tennessee Department of Public Health, calculations are made to determine the maximum number of bedrooms for a home and/or the maximum daily flow of sewage from establishments or institutions allowable for each lot. These data limitations and restrictions will be entered in the preliminary plat by the Health Authority and shall be shown on the final plat. This does not preclude the developer from enlarging lot sizes, combining unsuitable lots with acceptable ones, or designating certain lots for uses not requiring sewage disposal facilities as long as other requirements of the Planning Commission and other agencies are satisfied and provided that the above named alternatives are reviewed and approved prior to the preparation of the final plat.

Section 129. Sidewalks. For the safety of pedestrians and of children at play or on approaches to community facilities (schools, parks, etc.) installation of sidewalks on both sides of the streets shall be required of the developer when considered to be necessary by the Planning Commission.

When sidewalks are required, the following specifications shall be met: Sidewalks shall be located not less than one (1) foot from the property line to prevent interference or

encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. In single-family residential areas concrete sidewalks shall be four (4) feet wide and four (4) inches thick. In multi-family or group housing development sidewalks shall be five (5) feet wide and four (4) inches thick. In commercial areas sidewalks shall be ten (10) feet wide and four (4) inches thick.

Section 130. Guarantee in Lieu of Completed Improvements. No final subdivision plat shall be approved by the Planning Commission or accepted for record by the county register of deeds, until one of the following conditions have been met:

- a. All required improvements have been constructed in a satisfactory manner and approved by the Planning Commission; or
- b. The Planning Commission has accepted a surety bond or certified check in an amount equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city in the event of default by the subdivider.

ARTICLE 13

FINAL PLAT SPECIFICATIONS

Section 131. Final Plat Specifications. The final plat shall conform to and meet the specifications of the preliminary plat (Article 10) with the following additions:

- a. bearings and distances to the nearest existing street lines or bench marks or other permanent monuments (not less than three (3) shall be accurately described on the plat);
- b. municipal, county and land-lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision;
- c. exact boundary lines of the tract, determined by a field survey, giving distances to the nearest one-tenth (1/10) of a foot and angles to the nearest minute, which shall be balanced and closed with an error closure not to exceed one (1) to five thousand (5,000); **(amended 7/11/02)**
- d. name of subdivision, exact location, widths and names of all streets and alleys within or immediately adjoining the tract;
- e. street centerlines showing angles of deflection, angles of intersection, radii and lengths of tangents;
- f. lot lines with dimensions to the nearest one-tenth (1/10) of a foot and bearings;
- g. lots numbered in numerical order and blocks lettered alphabetically;
- h. location, dimensions and purposes of any easements and any areas to be reserved or dedicated for public use;
- i. accurate location, material and description of existing and proposed monuments and markers;
- j. a statement; either directly on the plat or in an identified attached document, of any private covenants;
- k. if any portion of the land being subdivided is subject to flood, as defined in these regulations, the limit of such flood shall be shown;
- l. modifications, limitations, and approval by Health Authority;
- m. a letter of approval from the Southeast Tennessee Regional Health Office, Division of Water Quality Control;
- n. the developer shall submit to the Planning Commission copies of all Federal and State permits required for construction of the facilities as shown on the preliminary subdivision plans approved by the Planning Commission.

ILLUSTRATION

- o. Plats of subdivisions, including manufactured home parks and subdivisions, greater than fifty (50) lots or five (5) acres, whichever is the lesser, must contain base flood elevation data.

Section 132. Certificate of Survey Accuracy (amended 7/11/02)

I (we) hereby certify that to the best of my (our) knowledge and belief this is a true and accurate survey of the property shown hereon; that this is a class "_____" Land Survey as defined in Title 62, Chapter 18, Tennessee Code Annotated, and that the ratio of precision is greater than or equal to 1: _____.

_____, 20____, _____
DATE REGISTERED LAND SURVEYOR NUMBER _____

Section 133. Owner's Certification. An owner's certification shall be placed on the final plat, as follows:

"Owner's Certification:

State of Tennessee, County of Rhea"

"The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey and that all state, city, and county taxes or other assessments now due on this land have been paid."

Agent _____ Owner _____

Date _____ Date _____

Section 134. Street Certificate. A city engineer's certificate shall be placed on the final plat as follows:

"City Engineer's Certificate"

"I hereby certify that the streets, surface drainage system and related improvements shown on the plat have been completed to proper specifications and according to required design standards."

Date _____

 Spring City Inspector

Section 135. Utility Certificate. (amended 2003) A certificate signed by the superintendent of the municipal water department shall be placed on the final plat as follows:

CERTIFICATE OF APPROVAL OF PUBLIC WATER SUPPLY SYSTEM (Existing)

This is to certify that the existing water service mains are available and are adequate for the subdivision shown hereon.

_____, 20 __, _____
Date *Local Water Utility*

CERTIFICATE OF APPROVAL OF PUBLIC SEWER SYSTEM (Existing)

This is to certify that the existing sewer service mains are available and are adequate for the subdivision shown hereon.

_____, 20 __, _____
Date **Local Sewer Utility**

CERTIFICATE OF APPROVAL OF PUBLIC WATER SUPPLY AND SEWAGE SYSTEMS (Proposed)

This is to certify that each lot shown is served by water and/or sewer extensions designed and installed in accordance with applicable local and state regulations and/or an adequate bond has been posted to cover such extensions in the amount of \$_____.

_____, 20 __, _____
Date **Local Water and Sewer Utility**

Section 136. City Attorney's Certificate. A City Attorney's certificate shall be placed on the final plat as follows if a bond is posted.

"City Attorney's Certificate"

"I hereby certify that a bond in the amount of \$_____ has been posted by _____ to insure the completion of _____ in _____ subdivision."

Date _____

Spring City City Attorney

Section 137. Health Authority's Certificate. A Health Authority's Certificate shall be placed on the final plat as follows if individual sewage systems are used:

"Health Authority's Certificate"

"I hereby certify that the lot areas shown on the plat of _____ Subdivision are adequate to accommodate individual septic tank systems according to the restrictions stated on the plat."

Date _____
Rhea County Health Officer

Section 138. Certificate of Dedication. A certification by the owner setting forth the description of the areas and improvements he dedicates to the public and the extent of the title which he is dedicating shall be placed on the final plat. This certificate should be approved as to form by the City Attorney.

Section 139. Certification of E-911 Approval (amended 7/11/02)

I hereby certify that I have reviewed this plat and find that it conforms to the county's E-911 requirements.

_____, 20 __, _____
DATE E-911 BOARD REPRESENTATIVE

CHECKLIST FOR FINAL PLAT CONSIDERATION

NAME OF SUBDIVISION: _____

LOCATION: _____

CIVIL DISTRICT: _____ ZONING DISTRICT: _____

OWNER OF RECORD: _____

Address _____ Tel. _____

DATE PRELIMINARY APPROVAL GRANTED: _____

DATE SUBMITTED FOR FINAL APPROVAL: _____

CHECKLIST:

- ___ Submitted within one year from date of preliminary approval.
- ___ 5 copies submitted 15 days prior to planning commission meeting.
- ___ Name of subdivision.
- ___ Drawn to a scale of 1" equals 100' on sheets not larger than 16-1/2 inches by 22 inches.
- ___ Name, address, and phone number of owner of record, subdivider, and surveyor.

- ___ North point, graphic scale, and date of drawing.
- ___ Bearings of property lines, and sufficient engineering data to locate all lines including radii, angles, and tangent distances.
- ___ Reservations, easements, or other non-residential areas.
- ___ Dimensions to nearest 10th of a foot and angles to nearest minute.
- ___ Lot lines, alleys, and building setback lines.
- ___ Location and description of monuments.
- ___ Names and locations of adjacent properties.
- ___ Areas subject to flood shown on the plat.
- ___ Lines, names, and widths of all streets and roads.
- ___ Lots numbered in numerical order and blocks lettered alphabetically.
- ___ Location sketch map.
- ___ Certificate of ownership.
- ___ Certificate of dedication.
- ___ Certificate of approval of water and sewerage systems.
- ___ Certificate of approval of streets.
- ___ Certificate of Health Authority.
- ___ Proposed deed restrictions if not a zoned area.
- ___ Conforms to general requirements and minimum standards of design.
- ___ Required physical improvements have been made or bond posted in the amount of \$_____.

ARTICLE 14

PROCEDURE FOR FINAL PLAT APPROVAL OF A MAJOR SUBDIVISION

(SEE ARTICLE 15 FOR MINOR SUBDIVISION)

Section 141. Application for Final Plat Approval. After the preliminary plat of a proposed major land subdivision has been given tentative approval by the Planning Commission, the subdivider may, within one (1) year from tentative approval, submit to the Planning Commission at least fifteen (15) days prior to the next regular meeting of the Planning Commission, the following:

- a. a letter requesting review and approval of a final plat, and
- b. five (5) copies of the final plat and other documents, as specified in Article 13, plus the original which shall be drawn in permanent ink on permanent reproducible material, equal to the standards required by the County Register. Signatures and the required certifications shall not be placed on the reproducible copy but on all five (5) prints or copies of the plat.

NOTE: The original and five copies required here would provide one (1) original plat to be recorded in the files of the County Register plus one (1) copy for: 1. the records of the Planning Commission; 2. the governing body; 3. the City Utility Department; 4. the subdivider; and 5. the Health Authority.

Section 142. Review of the Final Plat. The Planning Commission shall check the final plat for conformance with the tentatively approved preliminary plat, and with the rules and regulations of this document.

Thereafter, the Planning Commission shall approve or disapprove the final plat. A notation of the action of the Planning Commission shall be made on the five (5) copies of the final plat, including a statement of the reasons for disapproval if the plat is disapproved. If action on the final plat is not taken by the Planning Commission within thirty (30) days of the date of submittal, the final plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 143. Certificate of Approval of the Final Plat by the Planning Commission. If the subdivision is approved, the Secretary of the Planning Commission shall include a certificate of approval of the final plat directly on the copies of the plat, as follows: "All the requirements of approval having been fulfilled pursuant to the Subdivision Regulations of Spring City, Tennessee, this final plat was given final approval by the Spring City Planning Commission, effective _____ 19 ____."

Date _____

Secretary, Spring City
Planning Commission

NOTE: All certificates with appropriate signatures shall be placed on all five (5) copies of the plat and any other that may be deemed necessary. Certifications could possibly be placed on the plats by means of rubber stamps, leaving a blank for the appropriate signature. No certifications or signatures should be placed on the reproducible copy.

Section 144. Recording of Final Plat. Upon approval of a final plat, the Chairman of the Planning Commission shall have the final plat recorded in the office of the Rhea County Register.

ARTICLE 15

REVIEW PROCEDURE FOR MINOR SUBDIVISION PLATS (entire Article 15 amended 2003)

Section 151. Minor Subdivision A – Plat Procedure. Whenever a proposed subdivision contains four (4) or less lots and does not require the construction or installation of new streets, utilities or other improvements, the following procedures for review and approval of the subdivision shall apply. The subdivider may, if he desires, submit only a final plat in securing plat approval provided that the plat submitted complies with all the requirements of the final plat. However, if any corrections or modifications are needed, the Planning Commission shall disapprove the plat and require that it be resubmitted for approval. Submission of a preliminary plat is **optional** unless topographical or other features justify submission as determined by the Planning Commission. If required, the preliminary plat must meet all standards contained in Article 10 of the Spring City Municipal Subdivision Regulations.

Section 152. Minor Subdivision B (Simple Land Split) – Plat Procedure. For divisions of land into no more than two (2) lots and does not require the construction or installation of new streets, utilities or other improvements, approval may be endorsed in writing on the plat by the secretary of the Planning Commission, without the approval of the Planning Commission, provided that upon review and certification by planning staff of the Planning Commission that the subdivision complies with the Subdivision Regulations. Plats should be submitted to City Hall or the Staff Planner for review. The Minor Subdivision B (Simple Land Split) Certificate will be endorsed by City Staff to insure that the plat has been reviewed by the Staff Planner.

Section 153. Preliminary Plat Specifications (OPTIONAL)
See Article 10 of these regulations for the Preliminary Plat Specifications.

Section 154. Final Plat Specifications (REQUIRED)
See Article 13 of these regulations for the Final Plat Specifications.

Section 155. Review Procedure for Corrective and/or Revised Final Plats. The purpose is to facilitate the re-recording of existing plats with minor corrections or amendments.

- A. Qualifications for Corrective and/or Revised Final Plats
 - 1. **Minor shifting of lot lines.**
 - 2. **The addition or changing of easements, including utility and drainage easements.**
 - 3. **Changes in notations on the original recorded plat.**

4. Any other changes which will not increase the number of lots or their suitability for development.

B. Corrective Plat and/or Revised Final Plat Procedure

- 1. The corrective and/or revised plat shall be submitted for review and approval in accordance with the final plat requirements as stated within Article 15 of these regulations.**
- 2. The plat must be drawn to the size and format requirements as stated within Article 15 of these regulations.**
3. The plat shall be drafted so that good, clear, legible prints, copies, or negatives can be made.

C. Corrective Plat and/or Revised Final Plat Requirements: The following are required for Corrective and/or Revised Plats in addition to the minimum requirements found in Article 15,

- 1. Subdivision name that reflects the change, (e.g. re-subdivision of lots 25 through 29 and lots 43 and 44, Highland Estates).**
2. Purpose statement that tells the exact purpose of the plat and/or change (e.g. Purpose of Plat: to abandon and show new property lines between lots 25 through 29, and to abandon the drainage easement and relocate it as shown on lots 43 and 44. See Rhea County Register of Deed Book, ___ pg. ___ for previous recording and for other notes and restrictions).
3. Plat labeled as Corrective Plat and/or Revised in addition to being labeled as a Final Plat.

D. Required Certificates of Approval for Corrective Plat and/or Revised Final Plat Requirements

Certificate of Ownership and Dedication

Certificate of Registered Surveyor

Certificate by the Planning Commission of Approval for Recording

Minor Subdivision B (Simple Land Split) Certificate

Minor Subdivision B (Simple Land Split) Certificate

I hereby certify that the subdivision plat shown hereon includes no more than two (2) lots, and has been reviewed by the Staff Planner, and has been found to comply with the Subdivision Regulations of Spring City , Tennessee, and no variances from the Subdivision Regulations or no improvements are required.

_____ Date

_____ City Staff

ARTICLE 16

VARIANCES AND AMENDMENTS

Section 161. Variances. Variances may be granted where the Planning Commission decides that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized shall be stated in writing in the minutes of the Planning Commission with the reasoning on which the departure is justified set forth.

Section 162. Amendments. These regulations may be amended from time to time by the Planning Commission. However, before enacting an amendment, the Planning Commission shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be published in a newspaper of general circulation in the city.

ARTICLE 17
LEGAL STATUS PROVISION

Section 171. Separability. Should any section or provision of these regulations be declared unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the regulations as a whole or part thereof which is not specifically declared to be invalid or unconstitutional.

Section 172. Conflict with Other Regulations. No final plat of land within the force and effect of an existing Zoning Ordinance shall be approved unless it conforms to such ordinance.

Section 173. Adoption and Effective Date. These regulations shall take effect and be in force from and after the _____ day of its adoption, the public welfare demanding it.

Adopted by the Spring City Planning Commission on the _____ day of _____ 19 _____.

Chairman, Spring City
Planning Commission

APPENDIX

**SUBDIVISION REGULATIONS
FOR
SPRING CITY, TENNESSEE**

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SUGGESTED STEPS FOR A DEVELOPER OF A SUBDIVISION

Confer with the planning commission and its staff representative to become thoroughly familiar with the subdivision requirements, the major street plan, and other public improvements which might affect the area to be subdivided.

Have a preliminary sketch plat prepared by a reputable engineer or surveyor.

Discuss the preliminary plat with staff representative. This pre-application review by a trained land planner may save the subdivider time and costly revisions, as well as possible savings through better design.

Submit required copies of the sketch plat to the planning commission for preliminary approval in advance of its regular monthly meeting.

Submit required copies of the preliminary plat to the planning commission for approval in advance of its regular monthly meeting.

WHEN PRELIMINARY APPROVAL HAS BEEN GRANTED:

See city engineer or designated approving agent(s) for street and utility specifications; contact city or county health officials for septic tank specifications if public sewers are not available.

Develop subdivision according to preliminary plat and required modifications, if any. Install improvements.

Obtain certificates from street and health officials certifying that improvements have been made or that a performance bond has been posted.

Prepare final plat.

Submit final plat to the planning commission for approval. When approved, the planning commission secretary will sign the certificate of approval for recording.

The subdivider now records the plat with the county register's office. The subdivider is now ready to sell his lots.

ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

I. ARE SUBDIVISION REGULATIONS FAIR TO EVERYONE?

Yes. The written regulations provide the local planning commission with uniform procedures and standards of design and construction by which to appraise equally and fairly all plats for land subdivision.

2. WHO IS AFFECTED BY THE REGULATIONS?

Every owner of land within the planning region who divides land into smaller parcels, or changes the size or shape of existing lots.

3. AM I AFFECTED IF I RESUBDIVIDE MY TRACT INTO TWO PARCELS?

Yes. "Subdivision" means the division of a tract or parcel of land into two or more lots, sites or divisions for immediate or future sale or building development and includes resubdivision (see Definition of Subdivision in Article 3).

4. WHAT IS TO PREVENT ME FROM RECORDING A SUBDIVISION PLAT WITHOUT APPROVAL?

The county register of deeds is prevented by law from recording land subdivisions lying within planning regions without final approval in writing.

5. CAN I SELL BY AN UNAPPROVED PLAT AND THEN RECORD MY LOTS BY METES AND BOUNDS?

No. State law makes it a misdemeanor, punishable by law, to use an unapproved subdivision plat even if metes and bounds description is used in the instrument of transfer or sale.

6. WHAT HAPPENS IF I SELL UNAPPROVED AND UNRECORDED LOTS FROM MY SUBDIVISION?

- a. A state law has been broken (Section 10, Chapter 222, Public Acts of 1951).
- b. Some cloud would exist on the title to the lot.
- c. Most lending agencies will not approve or guarantee loans.
- d. State law requires that public bodies shall not extend sewers, water mains, lighting, or other utilities in unauthorized roads.

- e. Where zoning is in effect, a building permit to construct any building will be withheld.
- f. Any building or structure erected in violation may be forced to be vacated or removed.
- g. The legislative body of a county or municipality may stop sales by injunction or other legal action.

7. WHAT IMPROVEMENTS WILL I NEED TO INSTALL IN MY SUBDIVISION?

Most subdivision regulations will require the developer to grade and improve streets, install curbs and sidewalks, monuments, sewers, and water mains in accordance with adopted specifications.

8. WHY DOESN'T THE LOT BUYER INSTEAD OF THE DEVELOPER PAY FOR IMPROVEMENTS?

The lot buyer does--at the time he purchases his property. If lots are sold before improvements are in, the community bears the expense of providing needed improvements that should have been originally planned for and installed by the developer.

9. WON'T SUBDIVISION REGULATIONS CAUSE EXPENSIVE DEVELOPMENT AND COST ME A LOT OF MONEY?

Quite the contrary! Properly planned subdivisions make the most of land with a minimum of construction and operating cost. Good design takes advantage of all capabilities of the site and results in a minimum amount of streets and utilities with a maximum number of well-arranged and easier sold lots. Good land subdivision affects the value of the land and the immediate return to the investor, while saving the developer money.

10. HOW DO I GO ABOUT HAVING A SUBDIVISION APPROVED?

Your local planning commission's printed set of regulations include the procedure for having a plat approved. The planning commission meets at regular intervals, and your preliminary sketch is submitted in advance of the meeting at which it is to be considered. It is suggested that you consult your planning commission early so as to become familiar with the official plans that might affect your area.

11. WHAT IF I WISH TO LAY OUT A COMMERCIAL OR INDUSTRIAL SUBDIVISION?

The provisions of subdivision regulations apply to all subdivisions of land, including that for use of business and industry. Since space, parking, and service requirements will vary greatly, it is impossible to establish standards for all types of uses. For that reason, specific requirements for lot sizes and area are set forth only for residential areas.

12. WHERE CAN I GET TECHNICAL SITE PLANNING ASSISTANCE?

Your planning commission will help by recommending several competent subdivision designers who can contribute much to the financial success of your subdivision. Although they will not prepare final plans for you, trained planners are available at the nearest office of the Local Planning Assistance Office of the State Department of Economic and Community Development.

