



Rhea County, Tennessee
Regional Planning Commission

Steps for Subdividing Land

What is a Subdivision?

A subdivision in Tennessee is defined as the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. "Utility construction" does not include the mere extension of individual service pipes or lines for the purpose of directly connecting a single lot, site or other division to existing utility mains.

Basically:

- Any Division with New Lots Being Less than 5 Acres (Regardless of Infrastructure)
- Any Division Requiring New Roads or Easements for Access (Regardless of Lot Size)
- Any Division Requiring New Utilities to Multiple Lots
- Resubdivision of Lots Where the Planning Commission Has Granted Approval Previously
- Lot Line Adjustments are Included Too

Where to find the **subdivision regulations** and interactive map: <http://www.sedev.org/rhea>.

Note: **Rhea County Does NOT enforce zoning restrictions** in the **UNINCORPORATED** areas of the county. A **flood permit** is required for development on properties within special flood hazard areas as identified on FEMA National Flood Insurance maps. Search your property at <https://msc.fema.gov/portal/home>. Rhea County enforces the **2012 International Building Code**, and a **permit is required for all new construction and remodeling projects**. For building and construction permits, contact **Jim Vincent at (423) 605-2592 or by email at jvincsr@comcast.net**.

Step 1: Hire a Surveyor

A surveyor will research recorded deeds, locate existing property pins and set new ones, as well as prepare a plat (survey) to be presented to the local government for review showing the proposed lots. Depending on whether the property will require new roads or utilities, a preliminary plat may be required before a final plat can be presented. This would mean there could be 2 separate plats, and 2 separate approvals required if new roads or utility extensions are required.

Step 2: Submit the Plat for Review to the County Planner

Once a plat has been reviewed by the staff planner, the surveyor will receive information back on the next steps, which will either be to make corrections to the plat to comply with local regulations or to begin obtaining signatures for various required certifications; owner, 911, highway department, water service provider, electric service provider, TDEC for future septic system(s), existing septic system certification by owner, and/or certification of private roads used for primary access to the property. There is no fee for plat review, and it will be placed on the next available planning commission agenda. The planning commission meets on the **4th Tuesday of each month at 5:30 p.m. at the Rhea County Courthouse Annex at 375 Church Street, Dayton, in the 2nd floor County Commission Room. You must submit a plat at least 10 business days prior to the meeting in order to be included on the agenda.**

Contact for the Submission of Plats and Inclusion on Agendas

Chad Reese, SETD Planning Director

(423) 424-4263

creese@sedev.org (Plats accepted in PDF form only)

Step 3: Roads, Utilities, Water Lines, Sewer, and Septic

All road and utility extensions are the responsibility of the developer/property owner. If lots are being created, then most utilities, roads, and other needed infrastructure may be required to be installed before a final plat of the property can be approved by the planning commission. Details of what is required can be found in the subdivision regulations. Roads, private or public, are required for access to newly subdivided lots if they will not front on an existing public road. Water lines are required to be extended if the lots are within 1,000 feet of an existing water line, and fire hydrants will be required too. If the property does not have access to a public sewage disposal system, then the property owner will be required to get a soil test completed on each of the lots proposed (this includes most plats including lot line adjustments). The property owner will need to procure the services of a soil scientist, and the analysis will then be taken by the property owner to the Tennessee Department of Environment and Conservation for review. They will determine what size of structure and how many people the septic system will support (normally listed on the plat as number of bedrooms). Lots that do not percolate cannot be platted (subdivided) and/or sold. This step usually takes several weeks to several months to complete.

Tennessee Department of Environment & Conservation (Septic Approval & Permits)

<https://www.tn.gov/environment/permit-permits/water-permits1/septic-systems-permits/ssp/permit-water-septic-system-construction-permit.html>

Toll Free Number: 1-888-891-TDEC (8332)

Approved List of Soil Scientists in Tennessee

<https://www.tn.gov/content/dam/tn/environment/water/land-based-systems-unit/wr-sds-soil-consultants.pdf>

Step 4: Preparing a Plat for Final Approval

If utility extensions or roads are required, they must be completed first following the approval of a preliminary plat, otherwise, the developer/property owner must secure a certified check, or other surety instrument described in the subdivision regulations before a plat can be presented for final approval. All utilities must be complete before a final plat is approved with the exception of roads, which may be completed later after having submitted a certified check to the county in case the developer does not follow through in the completion of the roads within 12 months. It is the responsibility of the developer/property owner to secure any necessary surety instruments for incomplete infrastructure as well as obtain all required final plat signatures on the certificates mentioned in Step #2.

Step 5: Once the Plat Has Been Approved

After receiving approval on a final plat from the Planning Commission and signed by their Secretary, it can be recorded in the Office of the Register of Deeds. The property owner/seller will need to procure the services of an attorney to draft a deed for the newly subdivided lots. In order to sell the lots, the deed will need to be drafted and recorded with the plat. The deed establishes legal ownership of the lots, while a plat does not. The plat is a reference document for the deed.

Teresa Hulgan, Register of Deeds, (423) 775-7841; 375 Church Street, Suite 106, Dayton, TN 37321