

**OFFICIAL
CITY OF CHARLESTON, TENNESSEE
SUBDIVISION REGULATIONS**

**PREPARED FOR THE
CITY OF CHARLESTON MUNICIPAL PLANNING COMMISSION**

**Jeff Callaway - Chairman
Matt Wiley – Co-Chair
David Lattimore, Mayor - Secretary
Caroline Geren - Member
Natalie Winningham - Member**

**PREPARED BY THE
Southeast Tennessee Development District
With the Help of the Bradley County Planning Department**

These regulations are considered complete and in force at the time of adoption and are subject to change from time to time. It shall be the responsibility of the owner or developer to check for any amendments which may have occurred in any Article or Section prior to the commencement of any development not already approved by the City and falling under state vesting law.

Adopted May 18, 2026

TABLE OF CONTENTS

<u>ARTICLE</u>		<u>PAGE</u>
	FOREWORD	5
1	<u>PREAMBLE, ENACTMENT, CLAUSE, AND SHORT TITLE</u>	6
2	<u>DEFINITIONS OF CERTAIN TERMS USED HEREIN</u>	8
3	<u>DESIGN REQUIREMENTS FOR SUBDIVISIONS</u>	19
3.01	<u>Suitability of the Land</u>	19
3.02	<u>Name of Subdivision</u>	19
3.03	<u>Access to Subdivision</u>	19
3.04	<u>Minor Subdivisions</u>	19
3.05	<u>Large-scale Development</u>	20
3.06	<u>Lot Requirements</u>	22
3.07	<u>Lot Access</u>	23
3.08	<u>Double or Reverse Frontage Lots</u>	23
3.09	<u>Flag Lots</u>	23
4	<u>DESIGN REQUIREMENTS FOR ROADS</u>	27
4.01	<u>Conformance to Adopted Major Road Map</u>	27
4.02	<u>Road Connections</u>	27
4.03	<u>Flood Requirements for Roads and Drainage Systems</u>	27
4.04	<u>Road Names</u>	27
4.05	<u>Restriction of Access</u>	27
4.06	<u>Reserve Strips</u>	27
4.07	Reserved for Future Use	27
4.08	<u>Drainage and Utility Easements</u>	27
4.09	<u>Road Right-of-Way Widths and Road Pavement Widths</u>	28
4.10	<u>Dedication of Property</u>	29
4.11	<u>Road Grades</u>	29
4.12	<u>Grades Approaching Intersections</u>	29
4.13	<u>Vertical Curves</u>	30
4.14	<u>Road Profiles</u>	30
4.15	<u>Horizontal Curves</u>	30
4.16	<u>Intersections</u>	31
4.17	<u>Road Jogs</u>	31
4.18	<u>Cul-De-Sacs</u>	31
5	<u>PRELIMINARY PLAT REQUIREMENTS</u>	36
5.01	Pre-application Review	36
5.02	Application for Preliminary Plat Approval and Staff Review	36
5.03	Platting Fee	37
5.04	<u>Preliminary Plat Specifications</u>	38
5.04.01	Scale	38

Table of Contents

5.04.02	Ground Elevations	38
5.04.03	Information to be Provided on Preliminary Plat.....	38
5.05	Planning Commission Review of Preliminary Plat.....	39
5.06	Certificate of Approval of a Preliminary Plat	40
6	SITE IMPROVEMENTS REQUIRED BEFORE FINAL PLAT APPROVAL	43
6.01	Compliance with Regulations of Tennessee Department of Transportation	43
6.02	Monuments	43
6.03	Road Grading	43
6.04	Installation of Utilities	45
6.05	Pavement Standard Required for Each Road Type	45
6.06	Hot-Mix Pavement (Class "A" Road)	45
6.07	Concrete Pavement (comparable to a Class "A" Road)	48
6.08	Reserved for Future Use	48
6.09	Extruded Curbs, Road Shoulders	48
6.10	Required Inspections During Road Construction	49
6.11	Drainage Provisions and Erosion Control	49
6.12	Sidewalks	53
6.13	Road Signs	53
6.14	Required Utilities	54
6.14.01	Water Supply System	54
6.14.02	Sewage Disposal	55
6.14.03	Decentralized Sewer Treatment System	56
6.15	Guarantee in Lieu of Completed Improvements	57
6.16	Procedure for Executing and Enforcing Surety Instruments	57
6.17	Acceptance of Street by Board of Mayor & City Commissioners	59
7	FINAL PLAT REQUIREMENTS	64
7.01	Time Limit and Specifications	64
7.02	Platting Fee.....	64
7.03	Review by Staff & CMPC	65
7.04	Recording of Final Plat.....	66
7.05	Road Acceptance	66
7.06	Final Plat Requirements	66
7.07	Final Plat Certifications	68
7.08	Procedure for Expeditious Certification of Minor Subdivisions	72
8	PLATTING JURISDICTION, ENFORCEMENT, AND PENALTIES FOR VIOLATION	74
8.01	Platting Authority	74
8.02	Use of Plat	74
8.03	Enforcement	74
8.04	Opening and Improving Public Roads	74
8.05	Erection of Buildings	75
8.06	Penalties	76

Table of Contents

9	<u>VARIANCES, AMENDMENTS, AND APPEALS</u>	77
9.01	Variances	77
9.02	Amendments	77
9.03	Appeals	77
10	<u>LEGAL STATUS PROVISIONS</u>	78
10.01	Separability	78
10.02	Conflict with Other Regulations	78
11	<u>ADOPTION</u>	79
	<u>APPENDICES</u>	80
A.	<u>Private Roads & Vehicular Easements</u>	81
B.	<u>Letter of Credit</u>	87

FOREWORD

The guiding principles behind the adoption of subdivision regulations by the City of Charleston Municipal Planning Commission trace their origins to legislation enacted nearly a century ago. In Chapter 45 of the Public Acts of 1935, the Tennessee General Assembly established the authority and purpose of such regulations—now codified in Tennessee Code Annotated, Sections 13-4-301 through 13-4-310.

A closer look at this legislative foundation reveals that planning commissions are empowered and directed to adopt regulations designed to achieve the following objectives:

1. To promote the harmonious development of the city and its surrounding areas;
2. To ensure the coordination of roads within subdivisions and with existing or planned transportation networks, consistent with the city’s comprehensive plan;
3. To provide adequate open spaces for traffic circulation, recreation, light, and air; and
4. To encourage a distribution of population and traffic that supports the health, safety, convenience, and prosperity of the community.

Tennessee Code Annotated further authorizes municipal and regional planning commissions to establish requirements governing the grading and improvement of roads, and the installation of water, sewer, and utility systems, as conditions of subdivision approval.

Well-crafted subdivision regulations, balanced, realistic, and fairly administered, serve the best interests of all parties: developers, builders, homeowners, and taxpayers alike. Far from being a burden, such regulations are vital to the orderly growth and long-term prosperity of the community. They help ensure that the City of Charleston and its surroundings continue to develop as an attractive and desirable place to live, work, and invest. Sound regulations provide confidence to industries and businesses considering relocation and offer residents a wider selection of high-quality home sites.

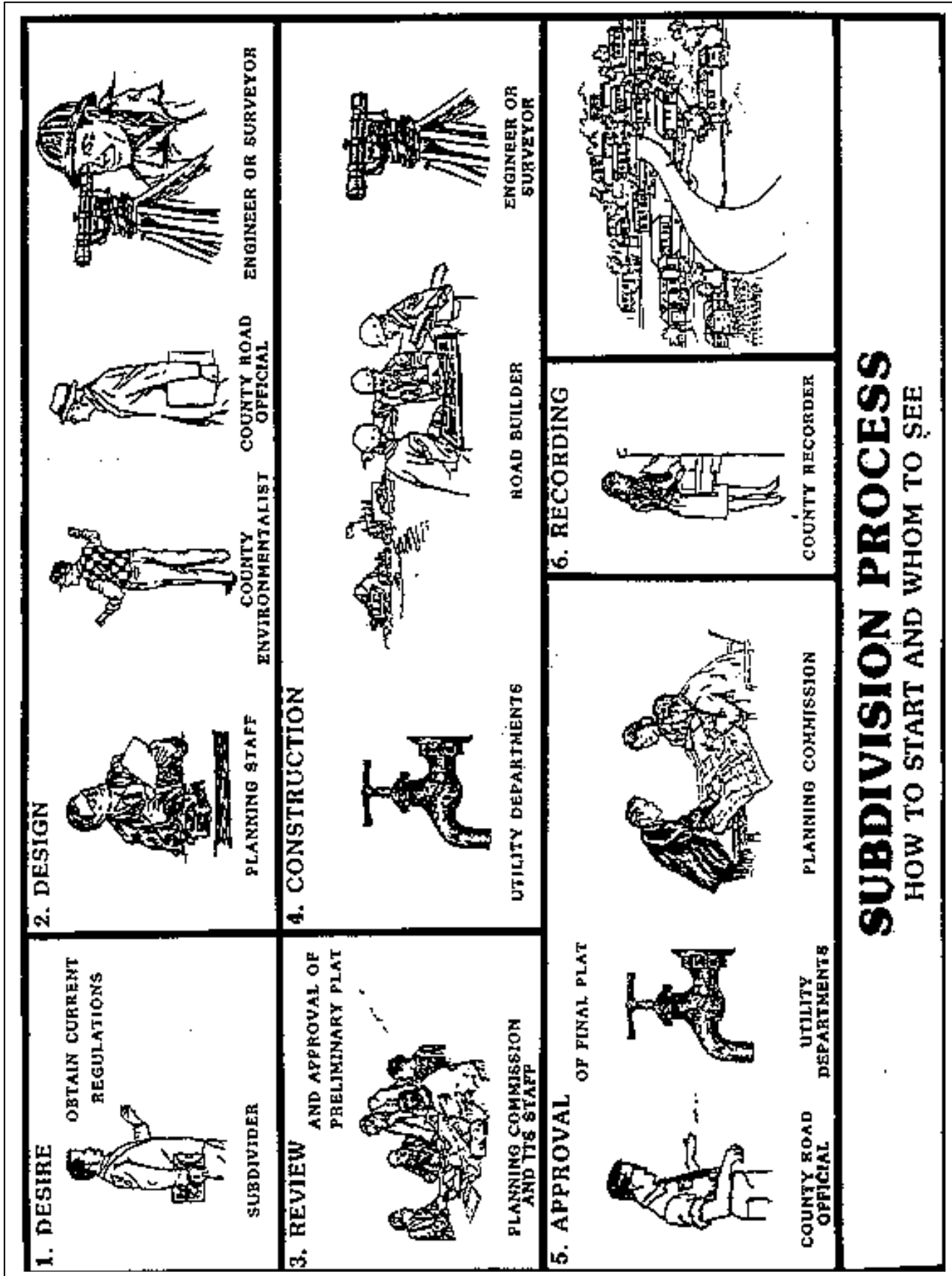
In adopting and administering these Subdivision Regulations, the City of Charleston Municipal Planning Commission strives always to serve the greatest good for the greatest number of citizens. The Commission does not seek to plan for planning’s sake, nor to impose unnecessary or excessive burdens on developers or builders. Rather, it carries out the intent of the Tennessee Legislature, to establish and enforce reasonable, practical, and essential standards for the creation and development of new subdivisions within its jurisdiction.

ARTICLE 1

PREAMBLE, ENACTMENT CLAUSE, AND SHORT TITLE

IN PURSUANCE OF AUTHORITY SET FORTH IN SECTION 13-4-301 THROUGH 13-4-310, **TENNESSEE CODE ANNOTATED**, AND FOR THE PURPOSE OF PROMOTING THE HEALTH, SAFETY, MORALS, CONVENIENCE, ORDER, PROSPERITY, AND GENERAL WELFARE OF THE CITY; TO ENCOURAGE ECONOMICALLY SOUND AND STABLE LAND DEVELOPMENT; TO ASSURE THE PROVISION OF REQUIRED ROADS, UTILITIES, AND OTHER FACILITIES AND SERVICES TO LAND DEVELOPMENTS; 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 COMPREHENSIVE PLAN OF CITY OF CHARLESTON, THE MUNICIPAL PLANNING COMMISSION OF CITY OF CHARLESTON, TENNESSEE, DOES ADOPT AND ENACT THE FOLLOWING ARTICLES AND SECTIONS.

THIS DOCUMENT SHALL BE KNOWN AND MAY BE CITED AS ***THE "CITY OF CHARLESTON, TENNESSEE, SUBDIVISION REGULATIONS."***



SUBDIVISION PROCESS
HOW TO START AND WHOM TO SEE

ARTICLE 2

DEFINITIONS 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 and means "must." The word "may" is permissive. When not inconsistent with the context, words used in the singular include the plural and those used in the plural include the singular. Words used in the present tense include future.

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 a 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".

NOTE: The extent of definitions contained in the various standards varies. The definitions included here are those deemed essential to avoid misunderstanding due to different usages of terms. Some regulations define other words such as "Corner Lot," etc. However, these usually are generally understood and their meaning is clear when used in the context.

Access. The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

Alley. A minor right-of-way, 30 feet or less in width, dedicated to the public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

Alternative Or Decentralized Sewer System. A wastewater system which collects, treats and disposes of wastewater in general proximity to where the wastewater is being generated.

Bond. Any form of security (including a cash bond, surety bond, undated letter-of-credit, cashiers check, or certified check) in an amount and form satisfactory to the planning commission for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement with the Charleston Planning Commission.

Building. Any structure used or intended for supporting or sheltering any use or occupancy.

Deed Restrictions. A private covenant among the residents of a subdivision or development limiting uses or setting conditions within the subdivision or development.

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 (see "Subdivider").

Easement. The right given by a property owner to another party (either public or private) for a specific limited use of a designated part of his property.

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 filled or built upon in any way that will impede the flow of surface water.

[Table of Contents](#)

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 belonging thereto.

Easement, Vehicular. The right granted by the owner of land to another party by deed or prescription, to allow vehicular access across one parcel of land to another.

Easement, Drainage. A perpetual, unobstructed easement across property reserved to carry surface water drainage along specified routes to natural watercourses. Drainage easements shall not be filled or built upon in any way that will impede the flow of surface water.

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 belonging thereto.

Easement, Vehicular. The right granted by the owner of land to another party by deed or prescription, to allow vehicular access across one parcel of land to another.

Flag Lot. An interior lot located to the rear of another lot but with a narrow portion of the lot extending to the road. The narrow portion of the lot that extends to the road shall be suitable for ingress and egress, and shall be included in the calculation of the minimum lot area.

Flood. A temporary rise or overflow of a body of water onto adjacent lands not normally covered by water.

Other FLOOD-RELATED TERMS are defined as follows, but those found in the official Floodplain zoning ordinance shall supersede any listed here: (Also see the City of Charleston Floodplain Zoning Ordinance)

Channel. A natural or artificial watercourse with definite bed and banks to confine and conduct continuously or periodically flowing water. The top of the banks form the dividing lines between the channel and the floodplain.

Floodplain. The relatively flat area or lowlands adjoining a watercourse or other body of water which has been or may be covered by water.

Floodway. The channel of the watercourse and those portions of the adjoining flood plain which are reasonably required to provide for the passage of flow from the regulatory flood (the 100-year Flood). This area must be left unobstructed in order to preserve the flood-carrying capacity of the stream and its flood plain without appreciably increasing the height of the floodwaters.

Floodway Fringe. That part of the flood plain located between the floodway and the designated outline of the 100-year Flood which would be covered by flood waters of the 100-year Flood. Uses are permitted if they are protected by fill, flood-proofed, or otherwise protected.

Regulatory Flood. A large flood selected for regulatory purposes and a basis for floodplain management. In City of Charleston, as in most places, the 100-year Flood is the regulatory flood or base flood and there are no flood restrictions outside its limit. The 100-year Flood statistically has a one-percent chance of occurring each year.

Frontage. The side of a lot abutting on a road or a street, only one side of a corner lot shall be regarded as frontage.

1. Frontage is the width of a lot as measured at the front yard setback line.

[Table of Contents](#)

2. For a flag lot, frontage is measured at the narrowest width of the lot, excluding the stem of the lot extending to a road.

Grade (slope). The slope of a road, or the ground, specified by the percentage that the horizontal distance is to the vertical rise which occurs within the horizontal distance.

Health Department. The director of the county or district health department having jurisdiction over the county health, or his duly authorized representative, usually a county environmentalist who works for the Tennessee Department of Environment and Conservation.

Improvements, Subdivision. Road 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 facilities normally associated with the development of raw land into building sites and which may be required by subdivision regulations.

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.

Lot, Non-residential. A lot intended to be used for purposes other than residential structures and their accessory uses; such as for commercial or industrial development.

Lot of Record. A designated tract of land as shown on a plat or other document recorded in the County Register's Office or the County Assessor of Property's Office.

LOT DIMENSIONS are defined as follows:

Lot Area. The total area of a lot calculated from surveyed boundaries or other reliable means. The lot area of a flag lot shall include its access strip, but the strip shall not be included in meeting minimum lot size.

Lot Width. The width of the lot measured along a straight line between side lot lines (generally parallel to the road) and measured at the building setback line as indicated on the plat.

Lot Depth. The average distance from the front lot line measured perpendicularly to the rear lot line.

Mobile Home. A factory-manufactured structure or housing unit at least eight feet in width and 40 feet in length, which is not self-propelled, but which is built as a single unit and is transportable. It is built on a permanent single chassis and is designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

Monuments. Permanent concrete or iron markers used to establish definitely all lines or the plat of a subdivision, including all lot corners, boundary lines, corners, and points of change in road alignment.

Non-residential Subdivision. A subdivision whose intended use is other than residential such as commercial or industrial to include shopping centers or malls. Such subdivisions shall comply with the applicable provisions of these regulations.

Offer of Dedication. The act of granting land or roads to an entity, such as the government, association, person, etc. The offer of dedication shall not constitute the acceptance of such land or roads by the local government, association or person.

[Table of Contents](#)

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.

Planning Commission. The City of Charleston Municipal Planning Commission (CMPC) which is the official planning commission for City of Charleston.

Planning Region. The land within the corporate limits of the City of Charleston.

Planning Staff. The planners and/or inspectors working on behalf of the City of Charleston either as employees or contractors.

Plat. The scale drawing or map of a subdivision including plat, plan, plot, or replot.

Preliminary Plat. A subdivision plat showing the proposed lot arrangement and with the provisions contained in Article 5. It is generally submitted to the CMPC for approval prior to the preparation of the final plat.

Final Plat. A subdivision plat prepared in accordance with the provisions contained in Article 7. The final plat is designed to be placed on record with the County Register after approval by the planning commission.

Private Road. A privately-maintained road, right-of-way, and/or easement serving as primary access to one or more properties not fronting on a publicly maintained road with no other means of access to a County Road or City Street.

Public Sewer System. Any system designed and constructed for purpose of sanitary sewerage disposal that is operated by a governmental entity which has a legally enforceable obligation to provide the perpetual repair, maintenance and operation of the system. Repair, maintenance and operation of such systems shall be governed by the governmental entity furnishing the service, subject to all rules and regulations of the State of Tennessee.

Resubdivision. A change in a map of an approved or recorded subdivision plat if such change affects any road layout on such map, or area reserved thereon for public use, or any lot line; even if all the lots are over five (5) acres; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Right-Of-Way (R.O.W). A strip of land occupied or intended to be occupied by a road, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, 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 roads, crosswalks, water mains, sanitary sewers, storm sewers, storm drains, 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. Such rights-of-way shall not become a governmental responsibility until accepted, however.

Road. Any right-of-way designed for vehicular movement. "Road" includes the full width of the right-of-way between property lines as well as the traveled portion thereof. "Road" includes "street", "highway", or any other designation of a right-of-way designed for vehicular movement.

For the purpose of these regulations, ROADS are divided into the following categories:

Table of Contents

1. **Interstate.** The highway designated as such on the City of Charleston, Tennessee, Major Road Map (no interstates within the City's limits).
2. **Arterial.** A road designated as such on the City of Charleston, Tennessee Major Road Map. Arterials are the principal traffic carriers.
3. **Collector.** A road which primarily carries traffic from local roads to arterials. Collector roads include those designated as such on the City's Major Road Map. Some large subdivisions may require a collector road.
4. **Local Road.** A minor road or street primarily for providing access to residential, commercial, or other abutting property.
5. **Marginal Access Road.** a minor road parallel and adjacent to an arterial road which offers access to abutting properties and is used to limit access points on an arterial.
6. **Cul-de-sac.** a local road with only one outlet, sometimes called a "dead-end" road. A cul-de-sac is measured from its ingress to the dead-end.
7. **Crescent or Loop Road.** A local road which has its only ingress and egress at two points on the same local or collector road.
8. **Private Road.** A privately maintained road constructed on a recorded permanent easement and built according to the standards set forth in these regulations based on the number of lots the private road accesses. Generally "private roads" will also be classified as type 4, 5, 6, or 7 above.

Roadway. The actual road surface which is utilized to transport motor vehicles including necessary road shoulders and drainage facilities including ditches and curbing and guttering.

Road Paving Material Class. "Class" refers to the type and cleanliness of the paving material.

Road Paving Material Grade. "Grade" refers to the size of the aggregate in the paving material.

Sanitary Sewer System. A municipal or community sewage collection, treatment, and disposal system of a type approved by the Health Department.

Setback Line. A line established by the Subdivision Regulations, generally parallel with and measured from the lot lines, delineating the minimum allowable distance between the property line and a building on a lot within which no building or other structure shall be placed except as otherwise provided. For this description building means the perimeter of the building, excluding open steps, cornices, and terraces, but including porches, decks, and attached carports.

Sight Triangle. A triangular shaped portion of land established at road intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. The triangle shall be the three-sided area formed by measuring back twenty-five (25) feet from the intersection of the two pavement edges along each pavement edge.

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

[Table of Contents](#)

sale, lease, or development 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.)

Subdivision. The term "subdivision" means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose whether immediate or future, of sale or building development and includes re-subdivision.

It is further defined in Tennessee Code Annotated 13-4-301(B) & (5) as follows:

(B)

(i) "Subdivision" means, in all counties except those in subdivision (4)(A), 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;

(ii) As used in subdivision (4)(B)(i), "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; and

(5) "Submission" means:

(A) With respect to a development plan, the date on which an applicant submits to a local government a complete application for approval of the development plan; or

(B) With respect to a building permit, the date on which an applicant submits to a local government a complete application for approval of the building permit.

Subdivision Regulations. The 2025 "City of Charleston, Tennessee, Subdivision Regulations" in its entirety and future amendments, thereto.

Townhouse. *(See Article 8 or the Charleston Zoning Ordinance.)*

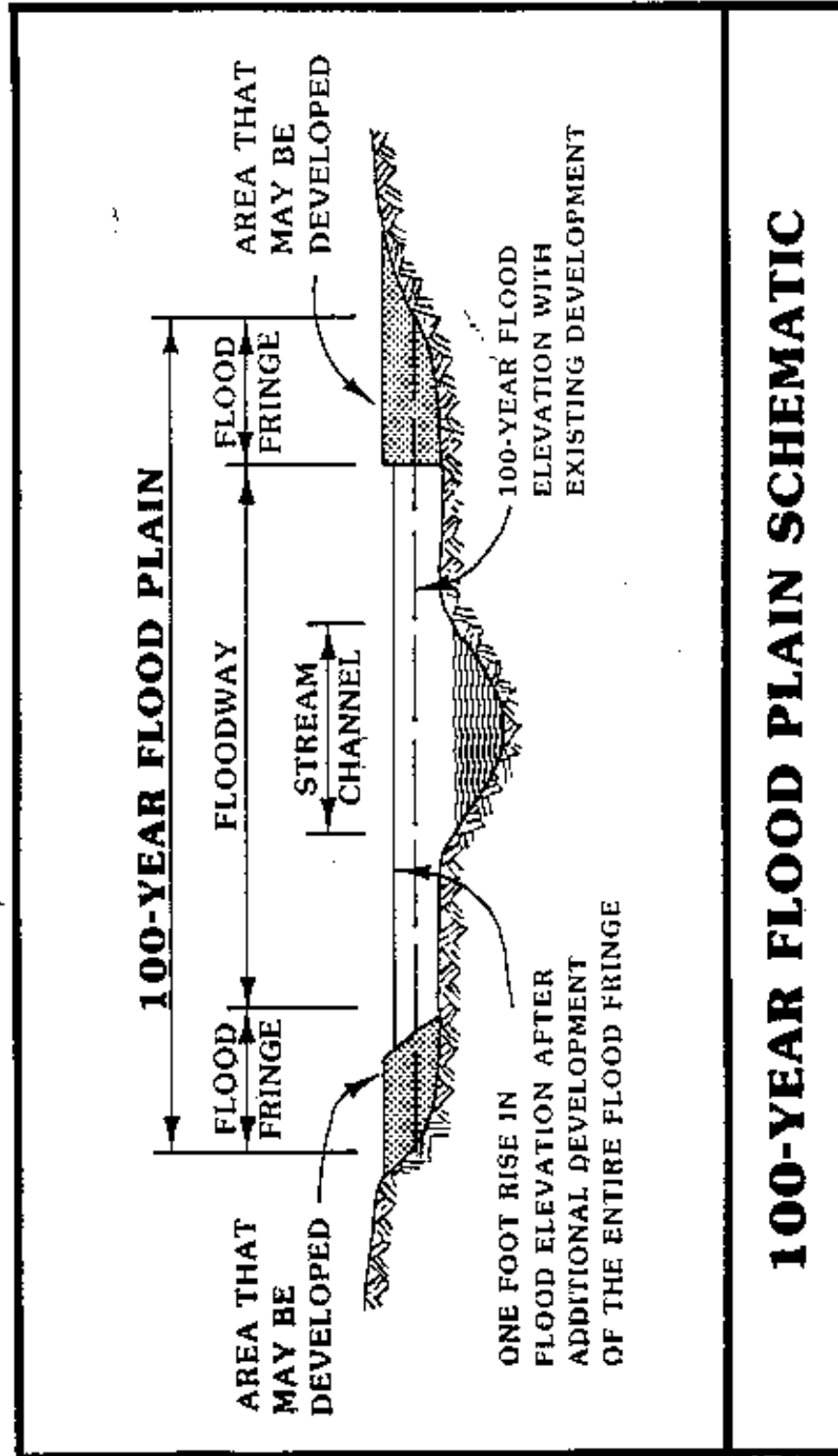
Utility, Public. A public utility is a business, organization, or government entity which is regularly supplying the public with some commodity or service to include, but not be limited to, such commodities or services as natural gas, electricity, water, telephone, sewage collection, cable television, etc., which requires 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, or Local Government.

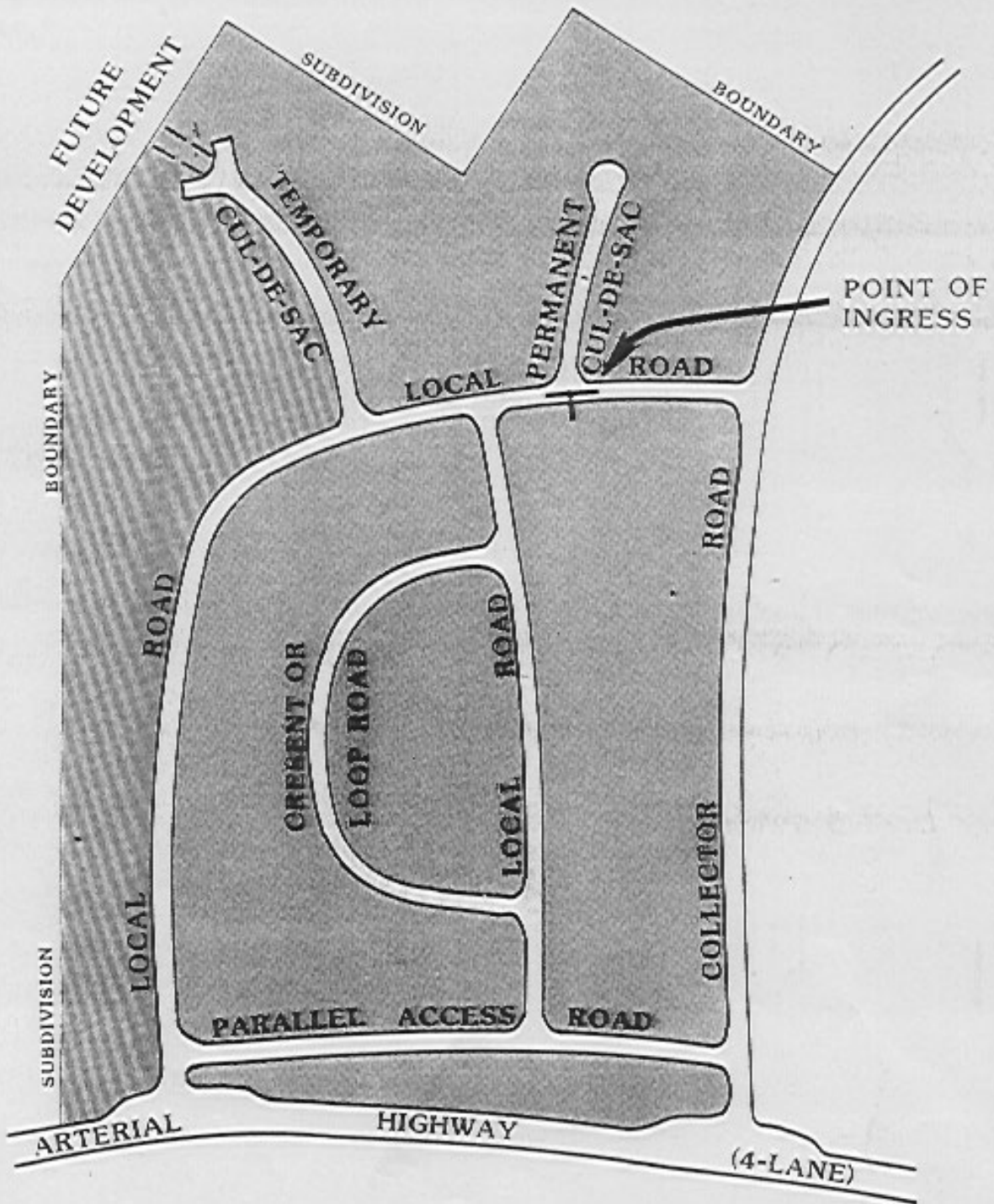
Variance. A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations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

Yard, Front. The open space unoccupied by buildings between the road or street right-of-way line and the principal building.

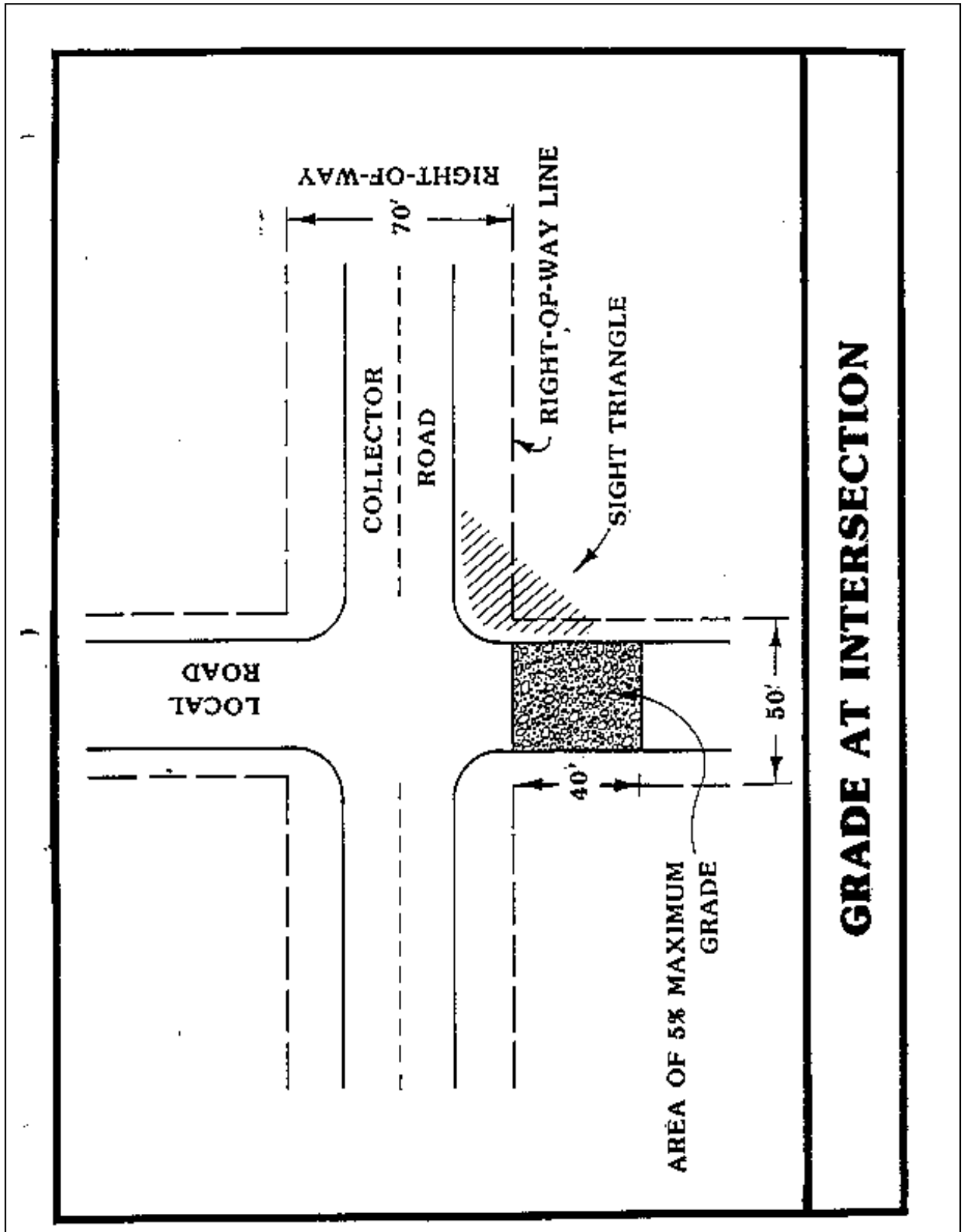
Yard, Rear. The space unoccupied except by an allowed accessory use, extending from the rear of the principal building to the rear lot line, the full width of the lot.

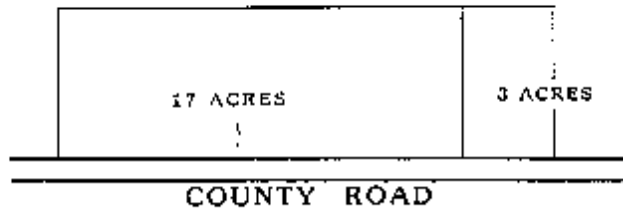
Yard, Side. The space, unoccupied except as herein provided, measured between side lot line and the nearest point of the principal building and between the front yard and the rear yard.



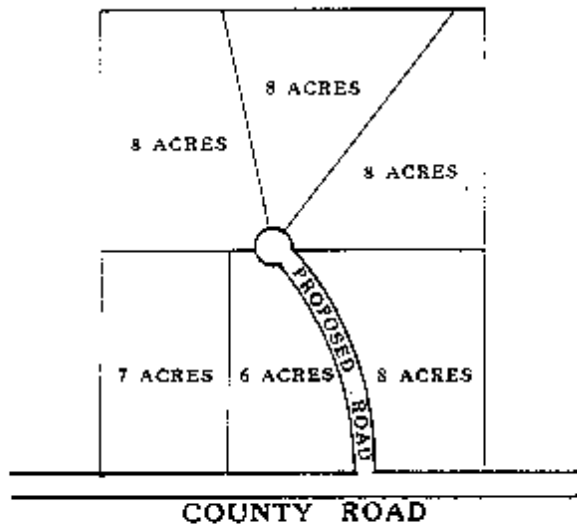


ROAD TYPES

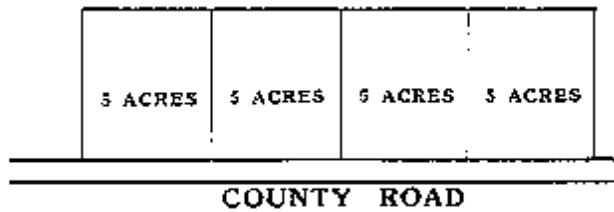




THIS IS A SUBDIVISION
BECAUSE ONE LOT IS LESS
THAN FIVE (5) ACRES.

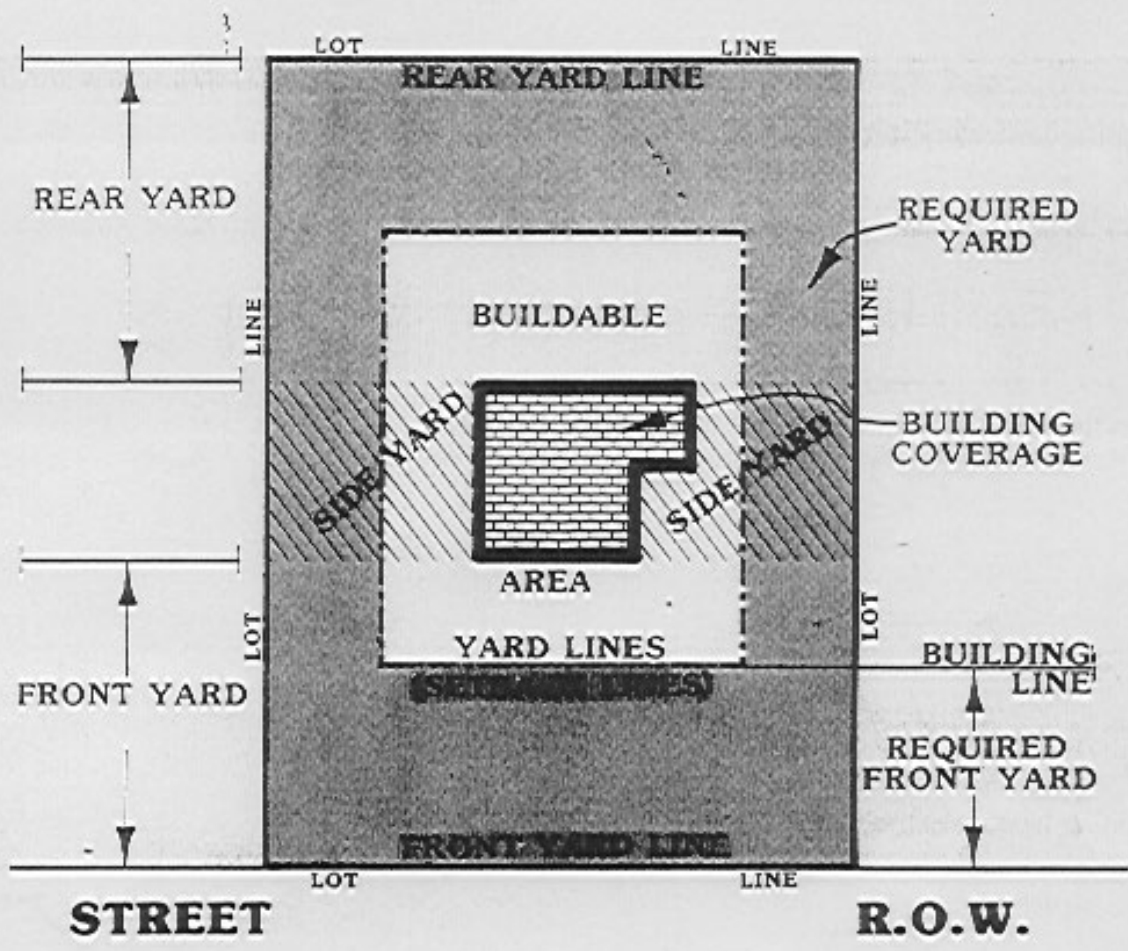


THIS IS A SUBDIVISION
BECAUSE A NEW ROAD IS
NEEDED FOR ACCESS.



THIS IS NOT A SUBDIVISION
BECAUSE ALL LOTS ARE FIVE
(5) ACRES AND NO NEW ROADS
OR PUBLIC UTILITIES ARE
REQUIRED

WHAT IS A SUBDIVISION ?



SETBACKS AND YARDS

ARTICLE 3

DESIGN REQUIREMENTS FOR SUBDIVISIONS

Section 3.01. Suitability of the Land. The planning commission shall not approve the subdivision of the 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.

Land which is subject to flooding by the 100-year Flood, shall not be platted for residential occupancy or building sites unless such land is shown to be outside of the floodway of the river or stream causing the flooding. Fill may not be used to raise land within the floodway. However, fill may be used outside of the floodway providing that the following requirements are satisfied and further providing that any fill shall extend twenty-five (25) feet beyond the limits of any structure erected thereon.

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. The finished floor elevation for a concrete slab on grade type of structure or the bottom of the floor joist for a crawl space type of structure shall have a minimum elevation of one (1) foot above the defined elevation for a flood of 100-year frequency (the 100-year Flood), or three (3) feet above adjacent grade in an undefined Zone A (see floodplain ordinance for official requirements).

Since the City of Charleston is participating in the National Flood Insurance Program administered by the Federal Emergency Management Agency (FEMA), the authority for establishing the elevations of the 100-year Flood shall be FEMA and their contractors. In the event the subdivision is not in an area for which a study has been done, a comprehensive flood study will be required by a professional engineer licensed to practice in Tennessee.

Section 3.02. 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 3.03. Access to Subdivision. Access to every subdivision shall be provided over a public road maintained by a governmental unit; however, the planning commission may approve a private road from a subdivision to a public street or road which meets the standards contained herein.

Section 3.04. Minor Subdivisions. The only distinctions between major and minor subdivisions recognized in these regulations are the following:

- A. In order to be considered a minor subdivision, the tract or parcel of land to be subdivided shall have the required access to publicly-maintained road and that there are no changes to or required in existing streets, no new streets or access easements; no excavation, grading or physical development is needed and the property is adequately provided for by existing community facilities so no extensions of water, sewer or gas lines are required.
- B. A two (2) lot subdivision may be approved by staff provided it meets the criteria shown above for a minor subdivision and the request for approval is as required in Section 7.08.
- C. The planning commission may waive the preliminary plat for a minor subdivision provided:
 - 1. The plat does not exceed five (5) lots,
 - 2. The site contains no unusual or extreme topographic features.
- D. The Planning Commission may approve both the preliminary and final plat at the same meeting provided all platting requirements are met and:

Table of Contents

1. The subdivision does not involve new road construction or additional utility installations.
 2. The subdivision includes only a new private easement or waterline extension and the subdivision has six (6) or less lots.
- E. Lots which are less than five (5) acres shall be surveyed and platted. Any lot, part of said subdivision, over five (5) acres, may be shown as a sketch on the plat.

Two-lot plats may be submitted on paper of a type acceptable to the County Register. Sheet size shall be a minimum of 11" x 17" from the trim lines plus a two (2) inch binding edge along the left side. The County Register requires a 2"x3" square in the upper right corner for recording purposes.

Section 3.05. Large-scale Development. The requirements of these regulations may be further modified in the case of large-scale community or neighborhood units, such as office complexes, industrial parks, housing projects, mobile home parks, or shopping centers which are not subdivided into customary lots, blocks and roads. Plans for all such developments along with all TDEC required permits shall be presented to the planning commission for review and approval prior to the commencement of construction and shall include the following information:

1. The actual shape, location, and dimensions of the lot to be built upon.
2. The shape, size, and location of all buildings or other structures to be erected, altered, or moved and of buildings or other structures already on the lot and the elevation of the building site.
3. The existing and intended use of all such buildings or other structures, upon it, including the number of units the building is intended to accommodate.
4. The size and location of all yards and open areas required by these regulations.
5. The dimension and location of all public water and sewer lines from which the property is to be served.
6. The location and approximate dimension of all points of access to a public street or road.
7. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this regulations are being observed.

The following information shall be included in the site plan:

1. General Location Sketch Map at a scale not smaller than 1" = 2,000' showing:
 - a. The approximate boundaries of the site.
 - b. External (public access streets or roads in relation to the site).
 - c. Surrounding development (i.e., general residential, commercial, and industrial areas) within the general vicinity of the site.
 - d. Any public water and sewer systems in relation to site.
2. Site plan drawn at a scale no smaller than 1" = 50':

Table of Contents

- a.** The proposed title of the project, name of owner or owners of the land, the name of the engineer, architect, designer, developer, and planners.
- b.** The north point, scale and date.
- c.** Existing zoning, zoning boundaries and proposed zoning where applicable.
- d.** The actual shape, location, and dimensions of the lot.
- e.** The shape, size, and location of all buildings or other structures already on the lot.
- f.** The existing and intended use of the lot and of such structures upon it, including; for residential activities, the number of dwelling units the buildings are intended to accommodate.
- g.** Topographic features both existing and proposed, with contours at a vertical interval no greater than five (5) feet.
- h.** Location of all driveways and entrances.
- i.** Location of all accessory off-street parking areas to include a plan showing design and layout of such parking facilities where five (5) or more accessory off-street parking spaces are to be provided. (Dimensions shall be shown.)
- j.** Location of all accessory off-street loading berths.
- k.** Location of open space.
- l.** Proposed ground coverage, floor area, and building heights.
- m.** Position of fences and walls to be utilized for screening (materials specified).
- n.** Position of screen planting (type of planting specified).
- o.** Proposed means of storm water drainage, including all drainage ways and facilities; a separate drainage plan may be required.
- p.** Location of all easements and rights-of-way.
- q.** Location of areas subject to flooding.
- r.** Location and size of all utilities including all fire hydrants.
- s.** Location, type, and size of proposed signs.
- t.** Where appropriate, location with respect to each other and to lot lines, number of floors, floor area and approximately height of all proposed buildings and structures; locations should be drawn to scale, but full dimensioning is not required.
- u.** Where appropriate, tabulations of number of acres in project, density, dwelling units by sizes and types, and other data required to determine compliance with this resolution.
- v.** A site that does not unduly interfere with through traffic. (Each industrial subdivision or area should utilize a single collector for all heavy traffic between the area and the general system of streets and roads. Minor industrial roads and

[Table of Contents](#)

individual industrial parcels shall be oriented at right angles with the collector and with adjacent railroads.)

- w. An integrated parking area.
- x. A buffer against any adverse effects on any present or future adjacent residences.
- y. Roads in commercial and industrial developments may need to meet greater design standards as determined by the City of Charleston Road Superintendent.
- z. Lots for commercial and industrial purposes shall be adequate in size to provide service areas and off-street parking suitable for the type of use and development contemplated. Final plats of individual lots should be avoided unless an overall preliminary design of the land for commercial or industrial use has been approved.

3. The Planning Commission as the Reviewing Body May:

- a. Approve the plan as submitted City of Charleston.
 - b. Disapprove the plan.
 - c. Approve the plan with conditions or recommendations for alterations.
4. If no "actual construction" has begun in the development within three (3) years from the date of approval of the site plan, said approval of the site plan shall lapse and be of no further effect.

Section 3.06. Lot Requirements. To provide minimum standards of space, light, air, access, and sanitation, the following lot size criteria are required:

Area- See the City of Charleston Zoning Resolution

- A. Width-** Also see the City of Charleston Zoning Resolution
Lots shall be at least 100' wide at the front building setback line along public streets or private roads/easements at least 75' wide at the front building setback line for those fronting on the bulb of an approved cul-de-sac.
Lots which are pie- or fan-shaped, the planning commission shall require a greater front width to obtain the required width at the front building setback line.
- B. Depth -** Excessive lot depth in relation to lot width should be avoided and may not exceed a 3:1 ratio. All lots shall be of sufficient depth to meet front and rear setbacks in addition to providing a sufficient building site and meeting any further depth requirements of the health department.
- C. Building Setbacks -** See the City of Charleston Zoning Resolution
- D. Block Lengths and Widths**

- 1. Blocks shall be no shorter than four hundred (400) feet nor longer than twelve hundred (1,200) feet in length, except in unusual circumstances.
- 2. 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.

[Table of Contents](#)

Section 3.07. Lot Access. Each lot shall have direct access to a publicly maintained road or an approved private road meeting the standards as specified in these regulations, and shall front upon the public or private road by no less than fifty (50') feet.

Section 3.08. Double or Reverse Frontage Lots. Double frontage lots should be avoided, except where essential to separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. All double frontage lots shall meet the front setback from both streets.

Section 3.09. Flag Lots. A "Flag Lot" is a lot which, except for a narrow private access lane consisting of real property, that does not front on or abut a publicly maintained road or approved private road with the required minimum frontage for a lot. These lots are used to provide a building site in the interior of a tract of land behind the lots which have full frontage on a publicly maintained road.

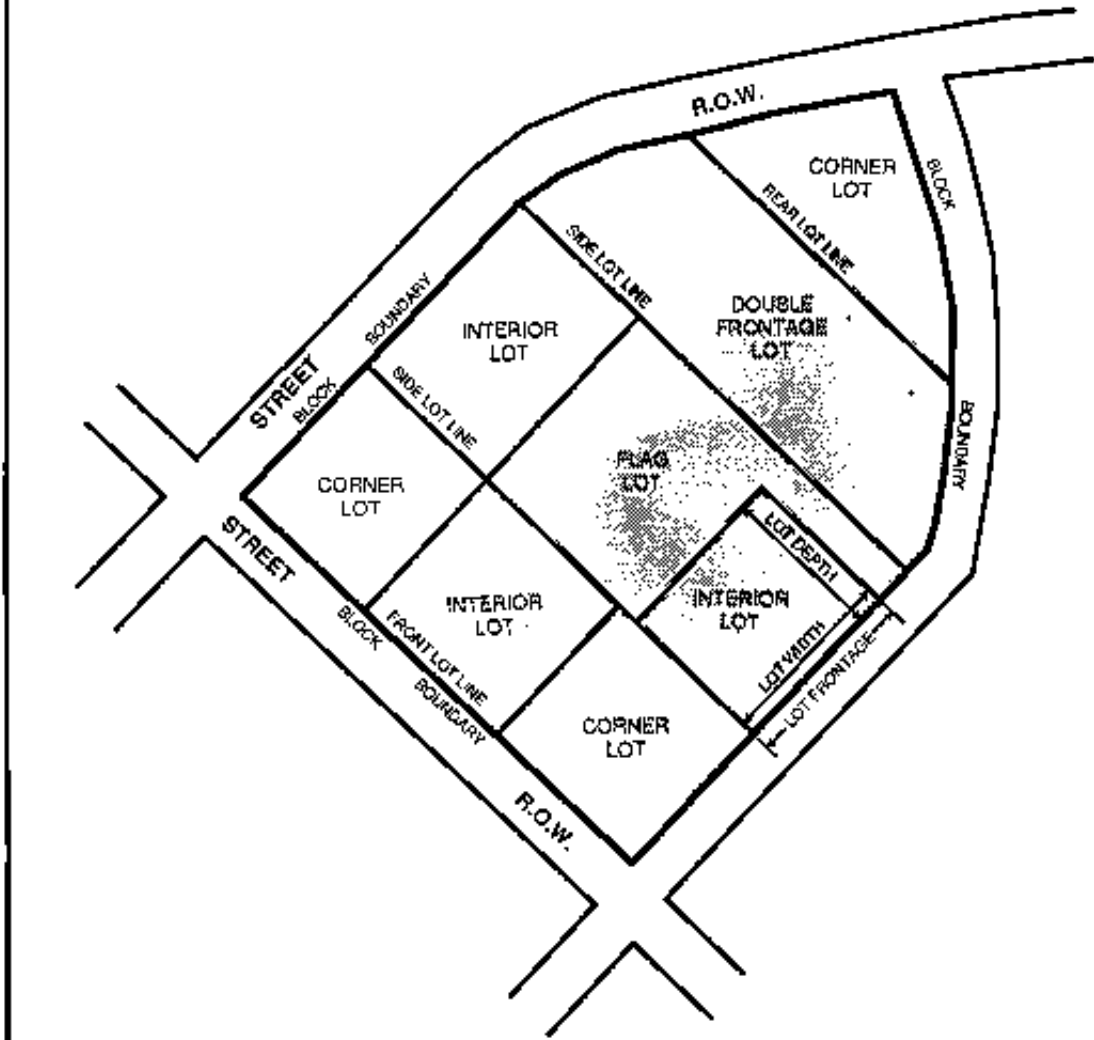
- A. For flag lots of one (1) acre or less, the access strip shall be a maximum of three-hundred (300) feet in length and a minimum of twenty-five (25) feet in width.
- B. For flag lots larger than one (1) acre, the access strip shall be a maximum of one-thousand (1,000) feet in length and a minimum of fifty (50) feet in width. Further, the access strip shall be limited to a length such that no more than one intervening lot or partial lot lies between the lot served by the access strip and the public or private street providing access to the new flag lot. (An intervening lot is one which lies between any portion of the flag lot and a public or private road providing access to the flag lot.) This wider access strip will allow room for a public/private street when and if the flag lot is further subdivided.
- C. All flag lots shall be designed so that the access point is safe (primarily considering visibility and grade) for vehicular ingress and egress. Unlike the owner of a conventional lot, the owner of a flag lot will have no other choice as to the driveway location. The safety of this intersection becomes even more important if the flag lot is ever re-subdivided and contains more than one home.
- D. All flag stems of any size flag lot shall not be located within one-hundred (100) feet of another flag stem or within one-hundred (100) feet of the intersection of public or private roads and permanent vehicular easements. For flag lots located at the end of cul-de-sacs (those that abut upon the bulb portion of the cul-de-sac), two twenty-five (25) foot flag stems may be permitted side by side, though all flag lots are still subject to the intervening lot rule. It should also be noted that flag stems located on the bulb portion of the cul-de-sac must be separated from all other flag stems by at least one-hundred (100) feet.
- E. The flag stem portion of any flag lot shall not change direction more than once, and it shall not change direction at an angle of less than ninety (90) degrees. In instances where a flag lot is to be located along the exterior property line of the proposed subdivided tract, the flag stem may follow the exterior property line of the original tract; however, it shall not change direction at an angle of less than ninety (90) degrees.
- F. The flag stem shall be located so as to prevent crossing flowing or intermittent streams, ravines, or similar topographic features without the provision of an adequate structure or fill and culvert to carry traffic.
- G. Minimum lot sizes shall be calculated excluding the access strip.
- H. The building setbacks shall apply only to the flag portion of the lot and not to the access strip.
- I. In instances where a fifty-foot (50') wide access strip is required, the developer shall locate it on land having a finished grade of no more than 14 percent. This requirement is needed so that the

[Table of Contents](#)

county does not, at a future date, have a road that is difficult to maintain and is dangerous for public vehicles, such as school buses and fire trucks.

- J. For lots larger than one (1) acre with additional or secondary access, the access strip and/or road frontage shall be a minimum of fifty (50) feet in width to include a fifty (50) foot width at all points that abut upon either a dedicated public street or an approved permanent easement. (This wider access strip will allow proper room for a public street when and if the lot is ever re-subdivided by using the additional or secondary access as the primary access in the re-subdivision.

TYPES OF LOTS



ARTICLE 4

DESIGN REQUIREMENTS FOR ROADS

Section 4.01. Conformance to Adopted Major Road Map. All roads and other features of the Major Road Plan of City of Charleston, Tennessee, shall be platted by the Subdivider in the location and to the dimensions, if any, indicated on the Major Road Map adopted by the planning commission.

Section 4.02. Road Connections.

- A. Where proposed roads intersect existing roads, the developer must make the connection at his expense and meet all road design requirements set forth in these regulations.
- B. Sufficient access streets to adjoining properties shall be provided within subdivisions to permit harmonious development of the area.

Section 4.03. Flood Requirements for Roads and Drainage Systems. The planning commission shall require centerline profiles and elevations of roads in areas subject to flood, as defined in these regulations. Fill may be used for roads provided such fill does not unduly increase flood heights; any areas filled must be submitted to FEMA per the flood zone ordinance. The minimum road elevation shall be no lower than two (2) feet below the elevation for a flood of 100-year frequency of occurrence. Drainage openings shall be designed so they do not restrict the flow of water and unduly increase flood heights.

Section 4.04. Road Names. The road names shall require the approval of the planning commission. Staff shall check proposed names against a master list to see that they are significantly different from existing names so that confusion will not arise when sending emergency 911 vehicles to addresses on those roads. Street numbers (address) will be assigned to every lot in a subdivision.

Section 4.05. Restriction of Access. When a tract fronts on an arterial highway, the planning commission may require such lots to be provided with frontage on a parallel, marginal access road or may require reverse frontage lots. Leaving a wide buffer of existing vegetation is recommended to lessen the effects of nearby heavy traffic.

Section 4.06. Reserve Strips. There shall be no reserve strips controlling access to roads.

Section 4.07 Reserved for Future Use.

Section 4.08. Drainage and Utility Easements. Easements shall only be provided along selected lot lines where deemed necessary by the Calhoun-Charleston Utility District, Volunteer Electric Cooperative, or other applicable utility districts for utility lines and underground mains and cables. When the easements follow lot lines, the easement width can be divided between adjacent lots. Easements of the same or greater width shall be required across lots where necessary for the extension of existing or planned utilities.

Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water or drainage easement of adequate width. Adequate widths are determined as follows:

- A. 20' drainage and utility easements on lot lines abutting public roads.
- B. 10' drainage and utility easements on lot lines forming the outer boundaries of the subdivision.

Section 4.09. Road Right-of-Way Widths and Road Pavement Widths.

- A. The right-of-way width shall be the distance across a road from property line to property line.
- B. Road pavement widths are measured from inside of curb to inside of curb. These widths are considered the minimum necessary to accommodate modern traffic. All arterials and collectors are designed to be high-volume traffic movers. At no time should parking be allowed along arterials or collectors; however in the case of local roads, street parking is allowable where a width of 8 feet over and above the standard pavement width is provided for each parking lane.
- C. Where 50 or more lots must be accessed by one subdivision street, that street shall be deemed a minor collector or higher. The minimum right-of-way for a minor collector is 50 feet, minimum pavement width shall be 24 feet wide inside the curbs. Collector or higher streets shall meet the standards of Section 6.06.C or higher as may be approved by the Road Superintendent.

**TABLE OF REQUIRED MINIMUM ROAD RIGHTS-OF-WAY
AND
PAVEMENT WIDTHS IN FEET**

ROAD TYPE ¹	VEHICLES PER DAY ²	RIGHT-OF WAY (feet)	PAVEMENT (feet)
Major Arterial ³	5,000 +	120	2-24 (2 lane divided hwy.) 60 (5 lane)
Minor Arterial	2 - 5,000	80	48 - 60
Major Collector	1 - 2,000	70	38 (3 lane)
Minor Collector	250 - 1,000	50	24
Local Roads ⁴	250 (-)	50	22
Loop or Crescent Roads ⁵ Cul-de-Sacs less than 1,000 feet in length	250 (-)	40	20
Loop or Crescent Roads Cul-de-Sacs greater than 1,000 feet in length	250 (-)	50	22

Notes to Table:

1. See City of Charleston "Major Road Map" for roads designated as arterials or collectors, provided, however, the City of Charleston Municipal Planning Commission may designate roads or segments of roads as arterials or collectors based on traffic counts or for new developments, potential traffic volume.

Table of Contents

2. Vehicles per day will be from TDOT traffic counts, City of Charleston traffic counts or for future development. For local streets in residential neighborhoods, use five vehicles per day per actual or potential dwelling unit.
3. A major arterial shall be either four lane divided or four lanes and a fifth center turning lane.
4. Local roads shall include marginal access roads and loop roads, which are one thousand (1,000) feet or more in length, or which connect two different roads.
5. Cul-de-sacs (permanent or temporary) shall be provided at the dead end with a turnaround area designed according to the illustrations in these regulations. A "T" or "Y" turn-around shall be allowed only if the CMPC feels that the amount of traffic to be served will not warrant the more efficient circular turnaround. An island of vegetation may be permitted in cul-de-sac turnarounds provided provisions are made for its maintenance and provided the following dimensions are followed:

MAXIMUM RADIUS FOR PLANTED MEDIAN ISLAND..... 18' (36' DIA.)

MINIMUM PAVEMENT WIDTH SURROUNDING ISLAND.....22'

MINIMUM WIDTH OF R.O.W. BEYOND EDGE OF PAVEMENT..... 10'

**MINIMUM R.O.W. RADIUS..... 50' (100' DIA.)
(Pavement radius 40 feet or 80 feet diameter inside curbs)**

**MINIMUM R.O.W RADIUS FOR ROADS LESS THAN 1,000 Feet...40' (80' DiA.)
(Pavement radius 30 feet or 60 feet diameter inside curbs)**

Section 4.10. Dedication of Property. The planning commission shall not require an owner of private property to dedicate real property to the public or pay money to a public entity in an amount that is determined on an individual and discretionary basis, unless there is an essential nexus between the dedication or payment and a legitimate local governmental interest (see *Nollan v. California Coastal Commission*) and the dedication or payment is roughly proportional both in nature and extent to the impact of the proposed use or development of the property (see *Dolan v. City of Tigard*). An owner of private property required to make dedication or pay money in violation of this subdivision may seek relief through a common law writ of certiorari in chancery court.

Section 4.11. Road Grades. Road grade in subdivisions should be no more than fifteen (15) percent where possible. Road grade can exceed fifteen (15) percent to up to eighteen (18) percent in areas that cannot be designed less than fifteen (15) percent grade for no more than four hundred (400) feet using a D mix utilizing granite for skid resistance. Under no circumstances shall a road grade be greater than eighteen (18) percent in any subdivision.

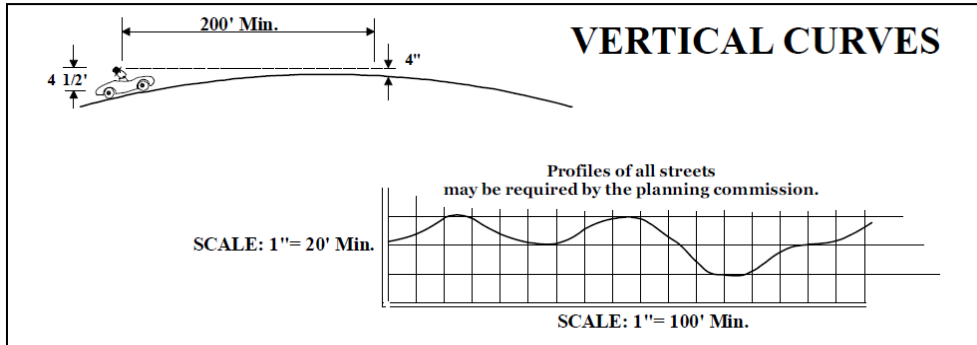
Section 4.12. Grades Approaching Intersections. Road grades approaching intersections shall not exceed five (5) percent for a distance not less than that shown on the following table, measured back from the right-of-way of the intersecting road:

**When Roads less than Arterials or..... 40 Feet
Collectors intersect with Arterials
or Collectors (see illustration).**

**When Roads less than Arterials or..... 30 Feet
Collectors intersect with other non-
arterial or non-collectors.**

[Table of Contents](#)

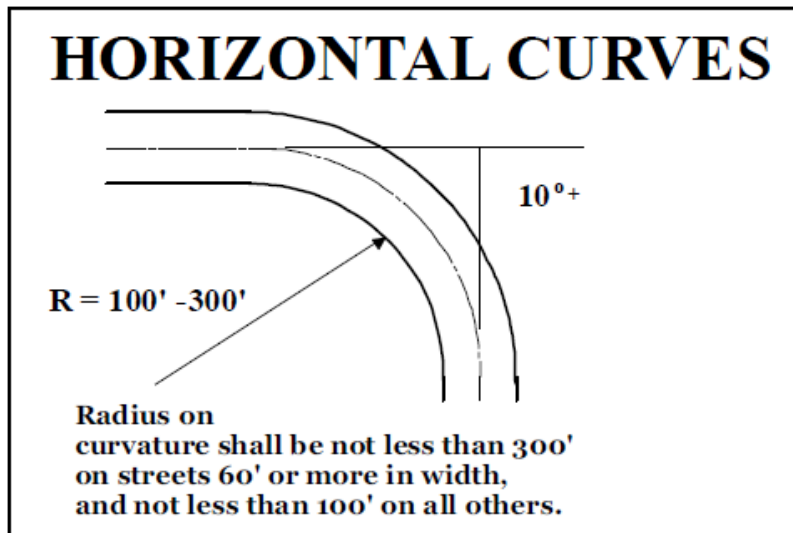
Section 4.13. Vertical Curves. Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet. Sight distance shall be measured from four and one-half (4 1/2) feet above the pavement, to an object four (4) inches high on the pavement. 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 4.14. Road Profiles. Profiles of roads showing natural and finished grades drawn to a scale of not less than 1" = 100' horizontally and 1" = 10' vertically shall be required on all new roads proposed.

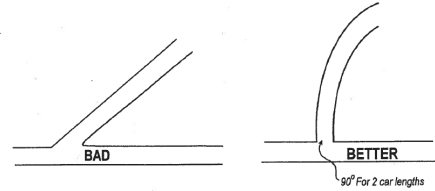
Section 4.15 Horizontal Curves. Where a deflection angle occurs in the horizontal alignment of a road, the road shall have a centerline radius of not less than the following:

- A. Arterials..... 300 Feet
- B. Collectors..... 200 Feet
- C. Local Roads (including parallel,..... 100 Feet
access roads, loops, and temporary
cul-de-sacs
- D. Permanent Cul-de-sacs 100 Feet



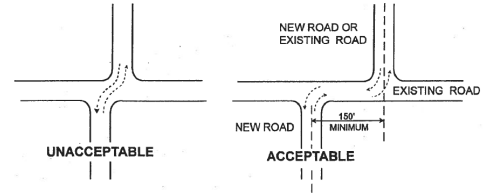
[Table of Contents](#)

Section 4.16. Intersections. Road intersections shall be as nearly at right angles as possible, and no intersection shall form an angle of less than seventy-five (75) degrees. Sight distance shall meet or exceed the requirements as set in the AASHTO "A Policy on Geometric Design of Highways and Streets".



INTERSECTIONS

Curb radii at road intersections shall not be less than twenty (20) feet, and where the angle of a road 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 a future sidewalk at a road corner to less than normal width, the property line at such road corner shall be rounded or otherwise setback sufficiently to permit such construction.



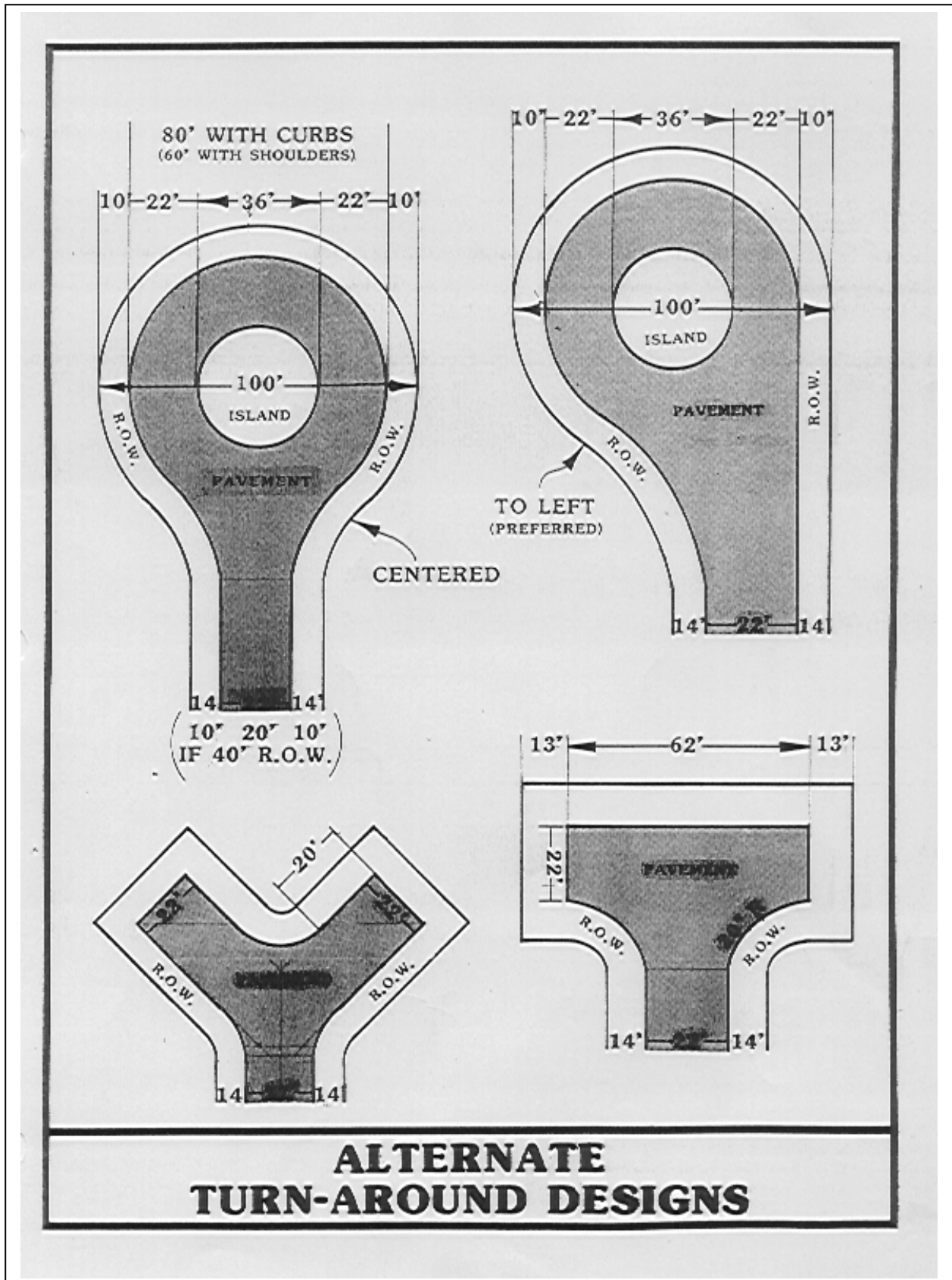
STREET JOGS

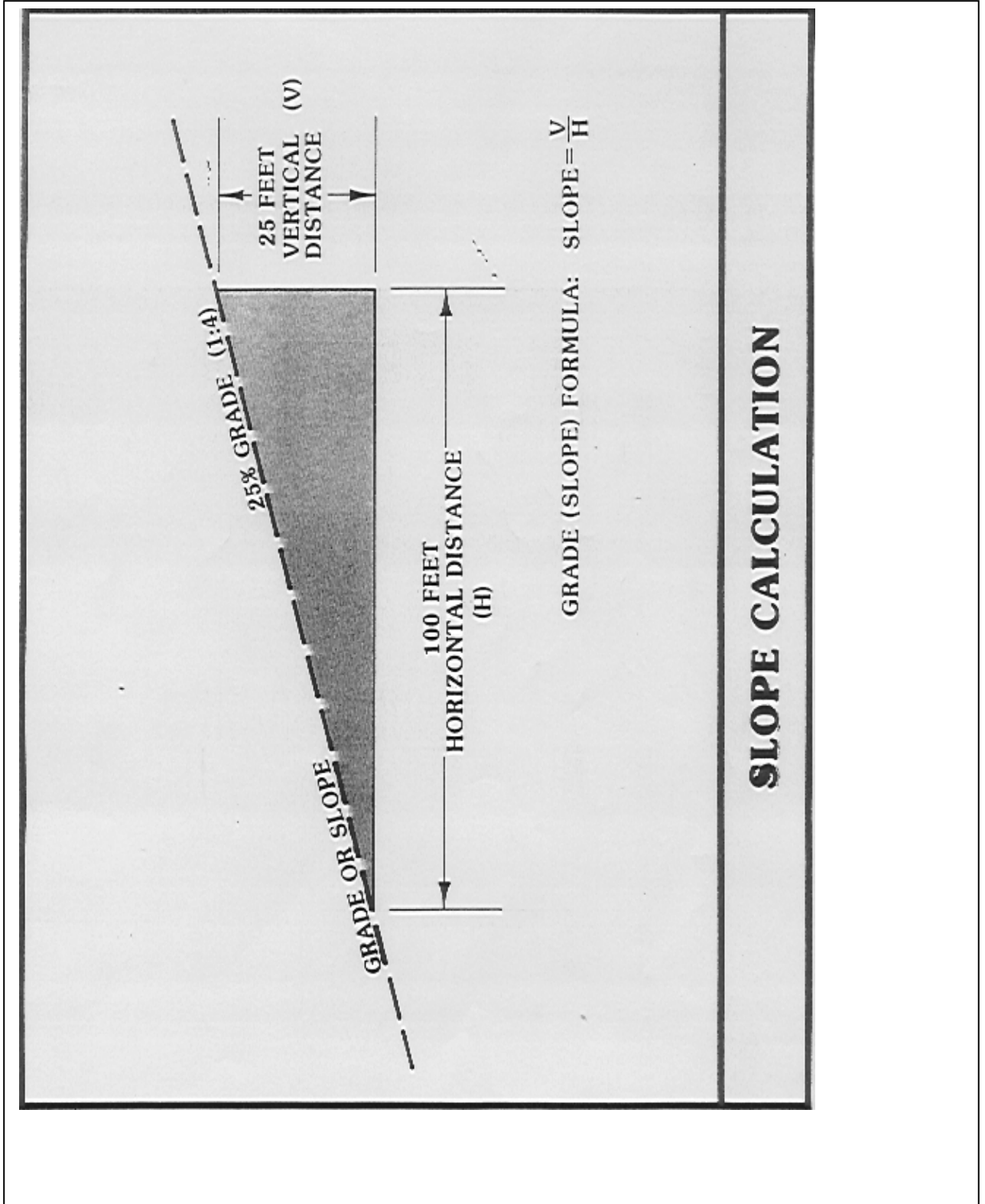
Section 4.17. Road Jogs. For improved traffic safety, road or street jogs with centerline offsets of less than one hundred fifty (150) feet shall not be allowed. The 150 foot separation shall also apply to jogs created between a new subdivision road and an existing road.

Section 4.18. Cul-De-Sacs. Cul-de-sac road grades shall be no more than eight (8) percent grade front to back. Cul-de-sac road grades shall be no more than four (4) percent side to side.

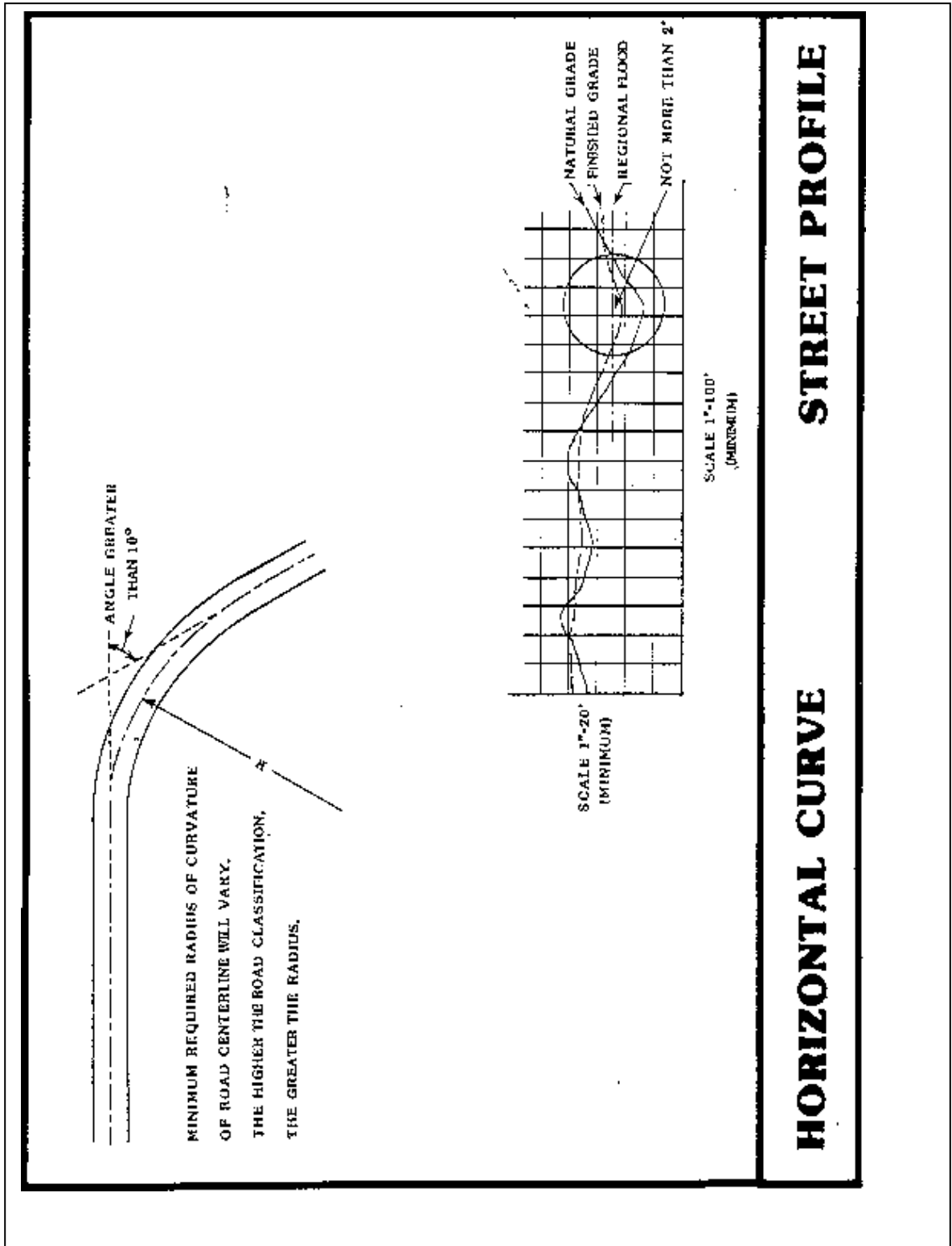
Cul-de-sacs or dead-end streets shall not be greater in length than one-thousand (1,000') feet. They shall be provided at the closed end with a turn-around having a property line radius of at least fifty (50) feet with an outside pavement radius of at least forty (40) feet (thirty [30] feet where shoulders are used).

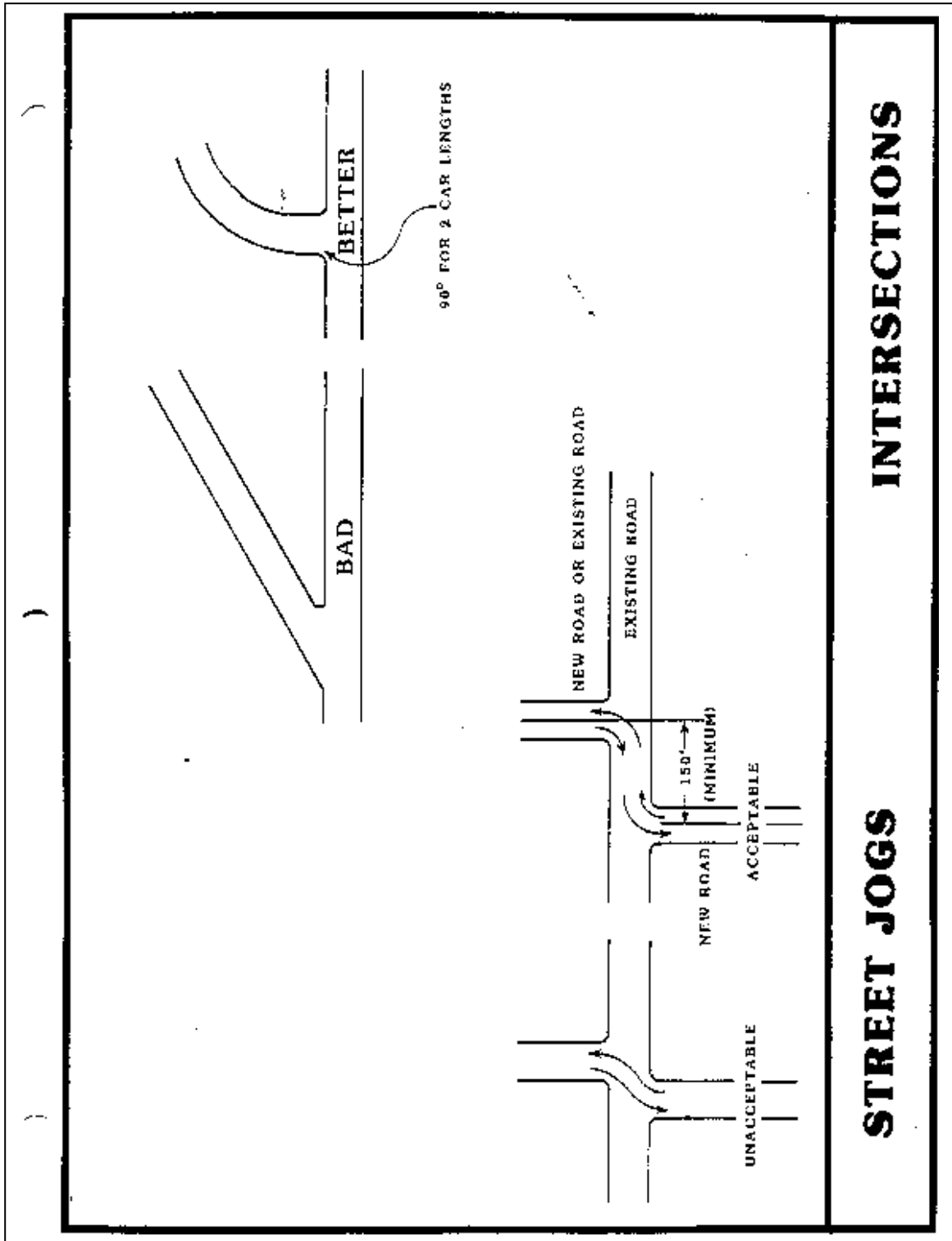
Where the opinion of the planning commission it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedicating to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around approved by the planning commission. Adequate rights-of-way shall be dedicated to connect with any temporary dead-end street adjoining the subdivision.





SLOPE CALCULATION





INTERSECTIONS

STREET JOGS

ARTICLE 5

PRELIMINARY PLAT REQUIREMENTS

Section 5.01. Pre-application Review. Whenever a subdivision of a tract of land within the City of Charleston Planning Region is proposed, the Subdivider is urged to consult early and informally with the planning commission staff. 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.

NOTES: (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 staff in order to facilitate the subsequent preparation and approval of plats.

(2) The various plat reviews required by these regulations may be properly made by the planning commission staff, although copies of the plat will be sent to CMPC members. It would be unnecessary for the entire planning commission membership to review a proposed land subdivision in detail 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.

Section 5.02. Application for Preliminary Plat Approval and Staff Review. Following the optional pre-application review of a proposed subdivision, the Subdivider, or his agent, shall notify the City of Charleston Planning staff at least twenty-one (21) calendar days prior to the next regular meeting of the planning commission of what it is they wish to have on the AGENDA. Then, an electronic PDF copy of the preliminary plat shall be submitted to planning staff not less than twenty-one (21) calendar days prior to the meeting. An updated PDF copy of corrected plats shall be submitted seven (7) calendar days prior to the meeting.

The planning staff shall “log-in” the plat, the City of Charleston shall assess the platting fee (see Section 5.03) and tell the developer the date/time of the meeting when the plat will be considered. (The next regular meeting unless the plat is late.) If a meeting date is changed, staff shall notify each developer with a plat pending.

NOTE: See section 7.08 for procedure for approval of two-tract developments without new roads or public water or public sewerage.

A. Digital Plan Submission Standards

1. Electronic Format Required

All plats, site plans, and related development drawings required for review or approval under this ordinance shall be submitted in Portable Document Format (PDF) in addition to any paper copies required.

2. Scale Accuracy

The submitted PDF shall be created directly from the original digital drawing file (e.g., CAD or GIS source) and shall be preserved at its original plotted scale and sheet size. The PDF must allow for accurate measurement such that distances measured electronically within the file correspond precisely to the scale bar shown on the drawing.

Example: One (1) inch on the PDF, when measured digitally, must represent the same real-world distance as indicated on the scale bar of the drawing.

3. Draft and Non-Recordable Status

The electronic file may be marked “DRAFT” or otherwise clearly labeled as a non-recordable copy. To preserve this status, the submitted PDF may omit or obscure any professional seals or signatures of the licensed surveyor or engineer.

[Table of Contents](#)

4. **Markup Capability**

Submitted PDFs shall be unlocked and capable of markup, allowing the reviewing authority to make digital annotations, comments, and redlines as part of the review process. PDFs must not be flattened or encrypted in a manner that prevents these markups.

5. **File Naming and Submission**

Each PDF file name shall include the name/title of the plans and the date being submitted.

6. **Conformance Certification**

The applicant shall certify that the digital PDF submission conforms to the original scale and dimensions of the drawing and that no scaling, compression, or alteration was introduced during the conversion process.

B. Review Procedure

After reviewing the plat, staff shall contact the developer or surveyor to note obvious deficiencies, which can be corrected before the meeting. The planner will review and return recommendations for any changes on the plat to the developer or surveyor. If the deficiencies are not corrected and if a reason is not given for the deficiencies not being corrected, the corrected preliminary plat submitted seven (7) days ahead of the next meeting will not be placed on the agenda for the next regular meeting. Staff shall also study the appropriate City of Charleston Tax Maps to see the proposed subdivision in relation to surrounding developments, drainage, and road connections. Copies of the appropriate tax map or maps also shall be provided by staff for planning commission viewing. Staff shall give their recommendation regarding the plat to the CMPC prior to or at the meeting.

Five (5) printed copies at scale with the appropriate signatures on the preliminary plat along with and other documents are required to be presented to the Planning Commission in completed form on the day of the meeting. At least one signed copy will be retained by the City of Charleston for their records, at least one copy will be returned to the subdivider, and the additional copies may be retained for other government entities or utilities, so subdividers are encouraged to bring any additional plats they may wish to have returned to them after being approved by the Planning Commission.

Copies of the final signed plat may also be retained for distribution to all applicable utilities, the Department of Environment & Conservation, the Planning and Inspections Office, and the City of Charleston Road Superintendent. The Planning Office will distribute these as needed.

If the developer intends to have the services of the local natural gas company and the local cable television company, copies of the plat should also be sent to these concerns.

After preliminary approval, the developer is required to contact the City of Charleston/Planning Office to set up a time for a pre-construction conference to be held before any work begins. The pre-construction conference will include the developer, the contractor, the Planner, the City of Charleston Road Department and all applicable utility companies.

Section 5.03. Platting Fee. To defray part of the expense of subdivision plat review and the required on-site inspections, the City of Charleston has adopted the following platting fee schedule based on the number of lots in the proposed subdivision. Since road construction requires more frequent inspection, a higher fee is assessed for lots fronting new roads. The fee shall be paid to the City of Charleston at the time the Preliminary Plat is submitted to staff for their review.

\$2.50 for each proposed lot having access on an existing publicly maintained road.

\$5.00 for each lot having access only on a proposed public or private subdivision road.

[Table of Contents](#)

The minimum platting fee shall be \$25.00 whenever the formula results in a lesser amount.

Example: *If a proposed 20-lot subdivision had 8 lots fronting an existing city road and 12 lots fronting a proposed road, the total platting fee would be \$80 and would defray the staff's cost of reviewing both the preliminary and final plats.*

8	x	\$2.50	=	\$20.00
12	x	\$5.00	=	<u>\$60.00</u>
TOTAL				\$80.00

Section 5.04. Preliminary Plat Specifications.

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

5.04.02. Ground Elevations. Contour lines shall be drawn and labeled on the plat with a line of a maximum of five (5) feet change in elevation; elevations shown shall be based on Mean Sea Level (MSL). The method of obtaining the contour lines (field survey, aerial survey, U.S.G.S. Quad Sheet, etc.,) shall be stated on the preliminary plat. Contours shall not be shown on the final plat.

When the land to be subdivided is so flat that there is not a five foot contour line crossing the site, then the elevation of each corner of the site shall be shown on the plat to indicate the direction of drainage.

5.04.03. Information to be Provided on Preliminary Plat. The preliminary plat shall contain the following information:

- a. Name of Subdivision which must be different from existing subdivisions in City of Charleston,
- b. Acreage of proposed subdivision for which preliminary approval is sought, given to nearest 1/10th acre,
- c. Name, address, and phone number of owner, Subdivider (if different from owner), and surveyor,
- d. North arrow, graphic (bar) scale, and date of drawing,
- e. Vicinity map prepared from county tax maps and showing location of subdivision in relation to nearby city roads with road names indicated,
- f. Boundary lines of the tract to be subdivided,
- g. Existing roads with names, water courses with names, and culverts with size and type, on the tract or within two hundred (200) feet of the tract,
- h. Proposed design including roads with proposed road 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 residential use,
- i. Lot numbers arranged consecutively regardless of the number of sections in the subdivision. (No block numbers shall be used),
- j. All existing water and sewer lines within two hundred (200) feet of the subdivision shall be shown with line size and provider. (When connections to certain public utilities are

Table of Contents

not practical, any proposed individual water supply and/or sewage disposal system must be approved by the Tennessee Department of Environment and Conservation).

- k. Plans for all proposed utility layouts and easement showing connections to existing or any proposed utility systems,
- l. Minimum building setback lines, as provided for in the City of Charleston Zoning Ordinance,
- m. Street centerline profiles and cross-sections for proposed new roads,
- n. The limit of the 100-year flood and the boundary and elevation of the floodway, if any portion of the land being subdivided is subject to flood, the FIRM map and panel number ,as defined in these regulations, and,
 - i. The flood plains limits shall be shown
 - ii. Public utilities and facility shall be constructed so as to minimize flood damage
 - iii. Adequate drainage shall be provided
 - iv. The developer of a subdivision greater than fifty (50) lots or five (5) acres shall develop base flood elevation data for the entire subdivision,
- o. Contour lines as required in Section 5.04.02.
- p. Names of adjoining property owners and/or subdivisions for reference purposes.
- q. Contour lines for at least every five (5') feet change in elevation. Source of topographical lines/information.
- r. Tax Map / Parcel Identification Number.
- s. Notations concerning drainage and utility easements.
- t. Current zoning of the property.
- u. Existing buildings or structures on the property

Section 5.05. Planning Commission Review of Preliminary Plat. The planning commission with staff assistance shall check the plat for conformance to these regulations and shall afford a hearing on the preliminary plat at one of their meetings. The planning commission may defer action on a plat or disapprove it if the developer is not present to explain questions that may arise.

Thereafter, the planning commission shall give tentative approval or disapproval of the preliminary plat. A notation of the action shall be made in the official 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 copy shall be returned to the Subdivider or his agent and one copy added to the records of the planning commission.

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 three (3) years unless an extension of time is applied for by the Subdivider or his representative and approved by the planning commission.

In accordance with Tennessee Code Annotated 13-4-310, tentative approval of the preliminary plat begins a three (3) year vesting period in which the applicant is permitted to operate under the locally adopted development standards in place at the time of approval. However, the applicant shall report to the planning commission annually on progress made during this time, and shall be required to have the preliminary plat

Table of Contents

renewed each year during the vesting period. Failing to have a preliminary plat approval renewed annually during the vesting period shall require future actions on this development to comply with locally adopted development standards in place at that time. If the applicant obtains local government approval of a final plat, secures necessary permits, and commences site preparation within the vesting period, then the vesting period shall be extended an additional two (2) years to commence construction from the date of the expiration of the three (3) year period.

Action on a submitted plat shall take place within the timeframe prescribed in Tennessee Code Annotated 13-4-304. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 5.06. Certificate of Approval of a Preliminary Plat.

Pursuant to the **Subdivision Regulations of Charleston, Tennessee**, all of the requirements of preliminary approval have been fulfilled. Therefore, the "Preliminary Plat of _____ Subdivision" has been approved by the Charleston Municipal Planning Commission on _____, 20 _____, subject to any of the following modifications listed below. This approval does not constitute approval of a final plat, and this **Preliminary Approval** shall expire and be null and void on _____, 20 _____ (three years from date of approval). This tentative approval is vested for three (3) years from the original date of passage under the subdivision standards in effect at that time, or as stated in Tennessee Code Annotated 13-4-310. Each year during the vesting period, the applicant must report to the planning commission on any progress, and request an extension on preliminary approval during the vesting period. If the approval lapses before the end of the vesting period or prior to the approval of a final plat, then vesting will start over with the current regulations in place at that time. The current regulations in effect are version _____.

Variations or modifications granted (if any): _____

Year 1. Certificate of Preliminary Plat Approval shall expire and be null and void on _____, 20 _____

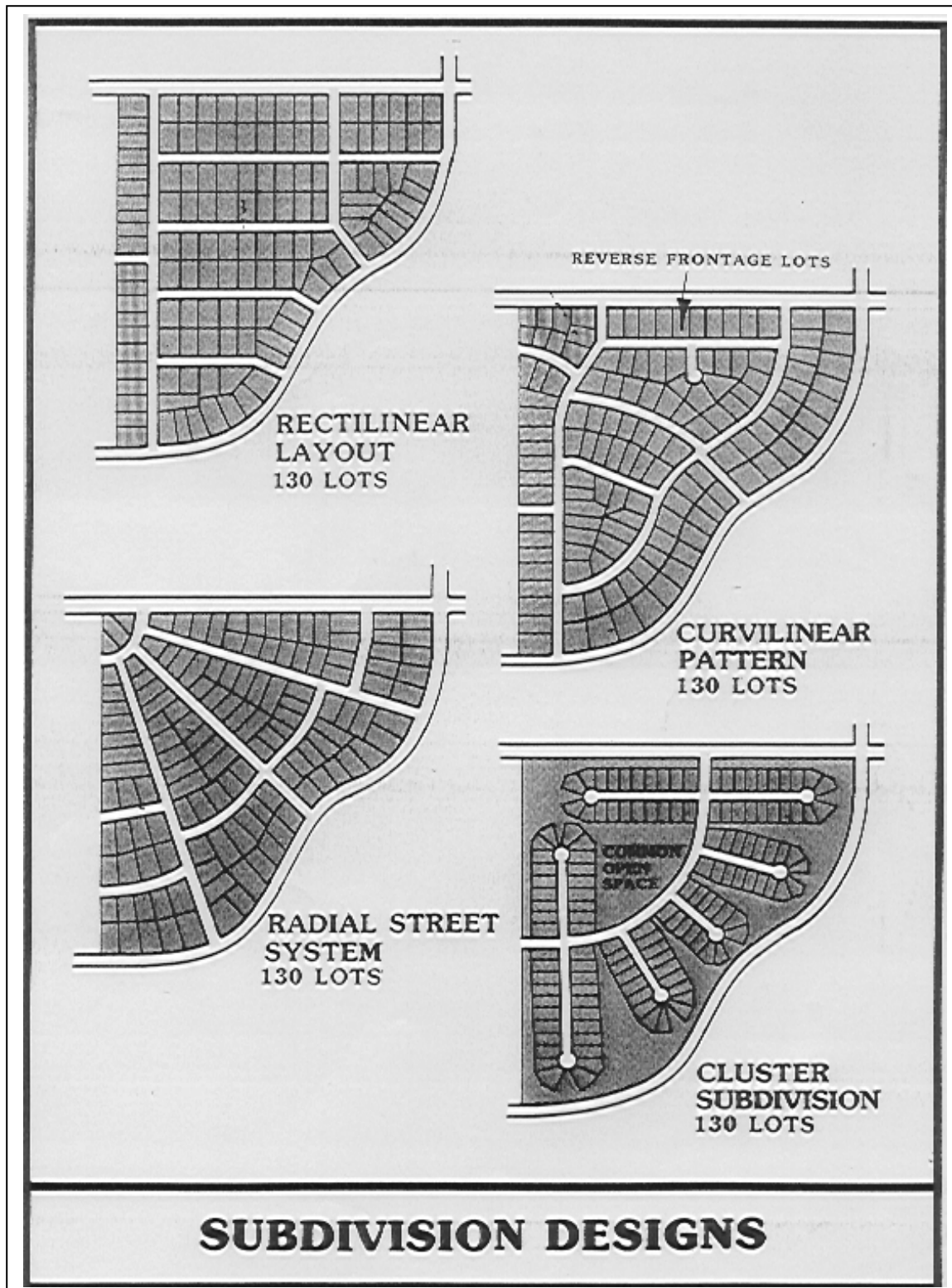
Date Secretary. Charleston Municipal Planning Commission

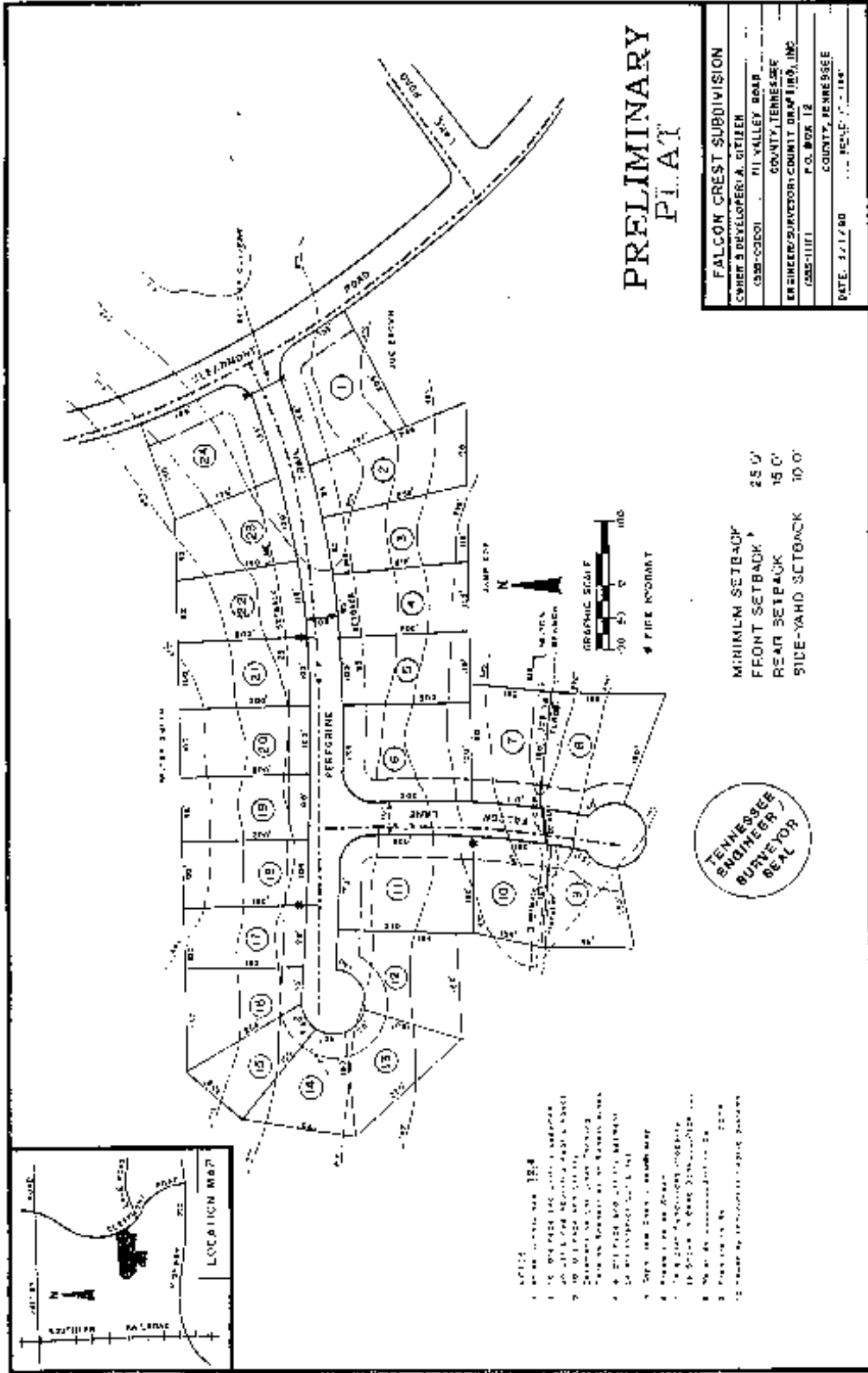
Year 2. Certificate of Preliminary Plat Approval shall expire and be null and void on _____, 20 _____

Date Secretary. Charleston Municipal Planning Commission

Year 3. Certificate of Preliminary Plat Approval shall expire and be null and void on _____, 20 _____

Date Secretary. Charleston Municipal Planning Commission





ARTICLE 6

SITE IMPROVEMENTS REQUIRED BEFORE FINAL PLAT APPROVAL

Prior to the approval of a final subdivision plat, an agreement shall be reached between the Subdivider or his agent and the City Government with regard to the installation of all road improvements and utility construction called for in the subdivision plat. The Subdivider shall be required to have installed at his expense the following improvements, which are minimums and additional requirements may be required by the Road Superintendent to overcome problem areas:

NOTE: The Subdivider at his expense, may contract with a private firm to install the necessary improvements.

Section 6.01. Compliance with Regulations of Tennessee Department of Transportation. All construction of or relating to roads shall comply with or exceed the existing regulations of the Tennessee Department of Transportation (TDOT) for the type of road being constructed. This includes having a proper "crown" for the road.

Section 6.02. Monuments.

- A. So that the lot lines in the subdivision can be located, a minimum of two (2) concrete monuments, four (4) inches in diameter (or four (4) inches square) and thirty (30) inches long, with a flat top, shall be set in each phase on the rear lot line. City of Charleston will provide the surveyor with two (2) brass disks to be placed in the concrete monuments to identify properly the location.

Note: Concrete monuments shall be set with reference to recognized geological marks, or by other acceptable surveying techniques.

- B. All other lot corners shall be marked with iron pipes not less than one-half (1/2) inch in diameter and eighteen (18) inches long and driven so as to be one (1) inch above the finished grade.
- C. New monuments and iron pipes shall have a cap or tag of non-corrosive material with the surveyor's registration number or company name attached or stamped as required by current "Tennessee Land Surveyor Laws and Regulations."

Section 6.03. Road Grading.

Width and Location. All streets, roads, and alleys shall be graded by the Subdivider to the required cross section & road profile. All roads on the proposed development must be field staked and profiled. If cross slopes within the limits of the proposed road right-of-way exceed fifteen (15) percent, cross sections must be furnished on 50 foot stations (and any other pertinent areas) to a distance of 50 feet to each side of the centerline. Deviation from the above will be allowed only for difficult topographic conditions, with the 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 or guy wire, and all grading for the road shall be done in a manner which will not disturb the transmission line 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.

All subdivisions with proposed new roads shall be tied to state grid coordinates and elevations in order to relate to the County G.I.S. system.

Table of Contents

- A. Preparation.** Before grading is started a gravel construction entrance and erosion control features must be installed. In addition, the entire right-of-way area shall be first cleared of all stumps, roots, brush, and other objectionable materials and all vegetation not approved for preservation.
- B. Cuts.** All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet, or greater if required by the Road Superintendent or his/her designee, to reach a firm substratum below sub-grade. Rock, when encountered, shall be removed to the sub-grade; all topsoil shall be removed except where deemed not feasible. This provision applies to the roadway width, not necessarily to the entire right-of-way width. The finished cut shall meet a compaction rate of **98** percent Standard Proctor.
- C. Fill.** All suitable material from roadway cuts may be used in the construction of fills, approaches or at other places as needed. Unsuitable materials, including organic materials, soft clays, etc., shall be removed from the roadway. The fill shall be spread in layers not to exceed eight (8) 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 tamped. All fill must meet a compaction rate of **98** percent Standard Proctor.
- Any trench cut across an existing or proposed roadbed right-of-way shall be backfilled with compacted crusher run or flowable fill in any area that will be under the pavement section and shall extend two (2) feet outside the edge of the base width and then thoroughly tamped. All utilities placed in the right-of-way shall be back-filled with compacted crusher run or flowable fill compacted level with the adjacent sub-grade.
- D. Slope Specifications.** Cut and fill slopes shall not be steeper than two units horizontal to one unit vertical and erosion control measures shall be used, as needed, to prevent washing. No slopes shall be steeper than 2:1 unless authorized by the Road Superintendent or his/her designee who shall require additional erosion control measures.
- Any slope greater than 3:1 will require additional stabilization measures such as: sod, geotextile fabrics, riprap, etc. to the right of way limits. Slopes greater than 3:1 may require guardrail and end treatments as determined by the Road Superintendent or his/her designee.
- E. Compaction Tests.** Compaction tests by a certified laboratory shall be required for all roads unless in the opinion of the Road Superintendent or his/her designee the tests are unnecessary for compliance with soil stability requirements. A minimum of one density test for each 1000 cubic yards of material placed per layer shall be required. The Road Superintendent or his/her designee may specify other frequencies as appropriate to the job required. A copy of all test results shall be provided to the City of Charleston Road Department and approved before additional work is continued. The Road Department will contract with the testing company and will invoice the Subdivider at actual cost of the testing. The final plat will not be signed, and bond will not be released, unless all invoices are paid in full.
- F. Survey Prior to Paving.** A survey shall be completed prior to paving after grading of roads. The survey shall be sent to the design engineer for review to ensure the road is being built to the design specifications. Once the design engineer has reviewed the survey a letter shall be sent to the Road Superintendent confirming the road is being built to design specifications. Once confirmation is made of receipt of this letter is made by the Road Superintendent, road construction can proceed.

[Table of Contents](#)

- G. Mandatory Additional Preconstruction Meeting Prior to Paving.** The developer and their contractor will be required to have an additional preconstruction meeting with the Road Superintendent and City of Charleston/planning staff after grading is finished and before any paving is done. This preconstruction meeting will be mandatory for road approvals. Road standards and inspection requirements will be discussed prior to paving to ensure quality of roads.

Section 6.04. Installation of Utilities. After grading is completed, inspected, and approved, and before any base is applied, all underground utilities and service connections shall be installed completely and approved throughout the subdivision.

Section 6.05. Pavement Standard Required for Each Road Type. The pavement required for various road types is stated below. In the case of collector roads, the pavement requirements shall be determined by the Road Superintendent.

- A.** Hot-mix (Class A) pavement or concrete is allowed for any type of subdivision road.
- B.** Gravel (Class C) surface is allowed only for private roads serving less than seven (7) lots (see private road standards).

Each of the preceding shall be constructed according to the specifications given in the following sections. All grading, utility installation and placement of base and asphaltic materials shall be done by a Contractor licensed in the State of Tennessee and insured as per state regulations unless the improvements are made by the registered land owner. All asphalt plants shall be State approved. All equipment and materials to be used on project must meet the specifications as specified in the latest edition of the Tennessee Department of Transportation's Standard Specifications for Road and Bridge Construction.

Section 6.06. Hot-Mix Pavement (Class "A" Road). Hot-mix roads (also known as "asphaltic concrete") shall be constructed to the following specifications:

A. Residential

1. **Base:** Mineral aggregate type "A", Grading "D" crushed stone base material shall be uniformly placed across the entire satisfactorily prepared road bed and roadway shoulders, if present, to a final compaction depth of not less than five (5) inches vertical. Developer/contractor shall furnish the source and Standard Proctor for the material used. All base material shall meet a compaction rate of 95 percent Standard Proctor and plus or minus two (2) percent on the optimum moisture content as determined by a certified testing laboratory. All testing must be completed with passing results before the binder course is placed.
2. **Binder Course:** After the crushed stone base material is fully set and bonded, bituminous material for prime coat shall be applied to the entire roadbed at a uniform rate of between 0.30 and 0.35 gallons per square yard horizontal measure. Bituminous plant mix base (Hot mix binder) Grading "B" mixture (TDOT spec 903.06) shall then be uniformly placed and compacted across the entire roadbed to a depth of not less than two (2) inches and a minimum density of two hundred and twenty (220) pounds per square yard. Developer/contractor shall furnish a copy of the mix design to be used prior to placement of the binder course. All testing must be completed with passing results before the surface course is placed.
3. **Surface:** Asphaltic concrete surface course (hot mix surfacing (Grade E) mixture (TDOT spec 903.11) shall then be uniformly placed and compacted across the entire roadbed to a depth not less than one (1) inches with a minimum density of 110 pounds per square

[Table of Contents](#)

yard. Developer/contractor shall furnish a copy of the mix design to be used prior to placement of the surface course.

4. Core drillings shall be made for hot-mix roads by the City of Charleston Road Department after hot-mix application, and they shall be inspected against acceptable standards. Where the sample does not meet minimum standards, the developer shall also pay for all additional compaction tests or other lab tests to determine the pavement's character and strength. The average of all cores must have a compaction of at least ninety-two (92) percent with no core below ninety (90) percent compaction. The thickness of the layers of the core will also be measured.

B. Commercial: Construct as per requirements in Section 6.06 C., with the following exceptions:

1. Base: Eight (8") inches compacted mineral aggregate type "A, Grading "D" crushed stone base
2. Binder: Two and one-half (2 ½) inches compacted, hot mix binder, Grading "B" with a minimum density of 275 pounds per square yard.
3. Surface: One and one-half (1 ½) inches compacted hot-mix asphaltic concrete Type E with a minimum density of 165 Pounds per square yard.

C. Industrial or Heavy Commercial: Construct as per requirements in Section 6.06 C., with the following exceptions:

1. Base: Eight (8") inches compacted mineral aggregate type "A, Grading "D" crushed stone base
2. Binder: Three and one-half (3 ½) inches compacted, hot mix binder, Grading "B" with a minimum density of 385 pounds per square yard.
3. Surface: One and one-half (1 ½) inches compacted hot-mix asphaltic concrete Type E with a minimum density of 165 pounds per square yard.

Weight tickets shall be made available for inspection/copying when the mix is delivered to the job-site. The developer is required to guarantee the material, products and workmanship relative to the asphalt roadway(s) as per following statement:

Subdivisions with Standard Test Results

_____, Developer, hereby guarantees the material, products and workmanship relative to the asphalt roadway(s) located within _____ Subdivision, to be free from defects for a period of one (1) year from the date that the asphalt topping is placed. Upon notification, Developer, shall promptly make all adjustments, repairs or replacements which arise out of defects of said roadway and become necessary during the guarantee period. The costs of all materials, parts, labor, supervision, and supplies required for replacement or repair of the roadway for correction of defects shall be paid by the developer. If within fourteen (14) days after City of Charleston has notified developer of a defect, failure or abnormality in the roadway, and developer has not started to make the necessary repairs or adjustments, or if developer fails to complete the repairs or adjustments in a timely and satisfactory manner, it is understood and agreed that City of Charleston is hereby authorized to make the repairs or adjustments or to order the work to be done by a third party, the costs of the work to be paid by developer.

Date: _____

Developer Authorized Signature: _____

Title: _____

Developer or Contractor License Number and Class (if applicable): _____

Subdivisions with Marginally Substandard Test Results

_____, Developer/ contractor, hereby guarantees the material, products and workmanship relative to the asphalt roadway(s) located within _____ Subdivision, to be free from defects for a period of two (2) years from the date that the roads are accepted by the City of Charleston Commission. Upon notification, Developer/ contractor shall promptly make all adjustments, repairs or replacements which arise out of defects of said roadway and become necessary during the guarantee period. The costs of all materials, parts, labor, supervision, and supplies required for replacement or repair of the roadway for correction of defects shall be paid by the developer. If within fourteen (14) days after City of Charleston has notified developer of a defect, failure or abnormality in the roadway, and developer has not started to make the necessary repairs or adjustments, or if developer fails to complete the repairs or adjustments in a timely and satisfactory manner, it is understood and agreed that City of Charleston is hereby authorized to make the repairs or adjustments or to order the work to be done by a third party, the costs of the work to be paid by developer.

Date: _____

Developer/ contractor Authorized Signature: _____

Title: _____

Developer or Contractor License Number and Class (if applicable): _____

Section 6.07. Concrete Pavement (comparable to a Class "A" Road). Concrete roads must be constructed to the following specifications.

- A. **Base.** A minimum base of three inches of compacted stone shall be placed over a sub-grade meeting the requirements of Section 6.03.

Concrete Mix Design. All concrete used shall develop four thousand (4,000) pounds per square inch compressive strength at twenty-eight (28) days, with a five (5) percent air-entrainment. The concrete supplier shall furnish copies of the design mix to the developer and it shall be approved by the Road Superintendent or his/her designee prior to any concrete being placed. The maximum allowable slump is four (4) inches. Samples of the concrete being used shall be taken and tested by a certified laboratory.

- C. **Concrete Road Thickness.** The minimum thickness shall be five (5) inches, except as needed at formed and keyed construction joints. At least a #6 gage wire arranged in a 6" by 6" mesh grid or 1/2" steel reinforcing rods shall be required. A fiber mesh may be used in lieu of the above reinforcing steel.

- D. **Expansion/Contraction Joints.** Transverse contraction joints shall be sawed or hand-formed at intervals of no more than fifteen (15) feet. The depth of the contraction joint shall be one (1) inch or one-fourth (1/4) the depth of the slab. The maximum width of the joint shall be one-fourth (1/4) inch.

- E. **Finish.** The concrete finish shall be a medium broom finish to a gritty final surface.

- F. **Curing of Concrete.** Curing shall be that obtained with a uniform coverage of white membrane curing compound, or by seven (7) day coverage with white polyethylene or water proof paper. The completed pavement shall be closed to passenger car traffic for a minimum of three (3) days and to truck traffic for seven (7) days.

Section 6.08. Reserved for Future Use.

Section 6.09. Extruded Curbs, Road Shoulders. Within City of Charleston, the Subdivider shall provide one of the illustrated types of concrete or asphalt curbs on each side of the paved surface. Where extruded curbs are installed, backfill shall slope as shown in Typical Tangent Section, Type 2, and shall be higher than the curb to ensure drainage of surface water into the storm drainage system.

Curb cuts shall be installed with a lip one and a half (1.5) inches vertically above asphalt road surface.

[Table of Contents](#)

Section 6.10. Required Inspections During Road Construction. While road construction is taking place, inspections shall be made by the Road Superintendent or his/her designee during or after each of the following steps as shown in the table below, and before a step or process is covered over by the next course or procedure. The Road Superintendent or his/her designee shall check the width, depth, and crown of the road among other things. Weight tickets showing the type, class, and weight of gravel and surfacing material shall be furnished to the Road Superintendent or his/her representative.

<u>Steps For:</u>	<u>Hot-Mix</u>	<u>Concrete</u>	<u>Gravel</u>
*Rough Grade	X	X	
*Finish Grade	X	X	X
*Utility Installation	X	X	X
*Finish Gravel	X	X	X
*Binder	X		
*Hot-Mix	X		
*Concrete Installation		X	
*Finished Concrete Surface		X	

Section 6.11. Drainage Provisions and Erosion Control. The development of land usually necessitates some degree of grading, excavating, or the removal of topsoil, trees, and vegetation. Such major changes in the landscape usually produce adverse conditions to adjoining properties, public drainage facilities, and rights-of-way. Erosion and sedimentation become even more serious when changes in the landscape occur on moderately to steeply-sloped land.

- A. **Detailed Erosion/Sedimentation Control and Drainage Plan Shall be Required.** On plats requiring approval by the CMPC, the City of Charleston Stormwater Coordinator shall require that a detailed erosion/sedimentation control plan and a detailed drainage plan with calculations be prepared and stamped by a registered professional engineer in the state of Tennessee. All areas in which detention ponds or detention structures are to be located shall have field shot topography of the area to be disturbed. Additionally, all existing culverts and/or drainage structures to be used in the storm drainage plan will be field located with elevations. The erosion/sedimentation control plan, drainage plan, and copies of all TDEC permits shall be submitted prior to the beginning construction. The City of Charleston Stormwater Coordinator will issue a grading permit after review of the erosion/sedimentation control plan and drainage plan and after the required preconstruction meeting. **No construction shall begin prior to receipt of grading permit signed by the Stormwater Coordinator.** The developer shall use appropriate control measures to ensure that erosion, or adverse conditions caused by erosion or sedimentation, is eliminated or held to a minimum during the development of the subdivision and after its completion. As stated in the land disturbance permit, the developer has a duty to not create erosion or adverse conditions caused by erosion, sedimentation or increased run-off so as to result in a nuisance or undesirable condition to adjoining property owners, and conform to the regulations of TDEC's NPDES.

All subdivisions with storm drainage structures shall be tied to state grid coordinates and elevations in order to relate to the County G.I.S. system.

- B. **Control Measures.** The following control measures should be used on all subdivisions for effective control of erosion and sedimentation. Control measures shall be installed, inspected, and approved by the Developers certified erosion control specialist before any land disturbance activity begins.

Table of Contents

1. The development plan for the subdivision should be fitted to the topography and soils to reduce erosion.
2. The smallest practical area of land should be exposed at any one time during development and conform with the stormwater pollution prevention plan.
3. When land is exposed during development, the exposure should be kept to the shortest practical period of time. No disturbed lot area or road side area shall be left exposed (without some planted or seeded vegetation or other protective measures to minimize erosion until permanent cover is established) for longer than thirty (30) days. The developer shall be responsible for obtaining all state and local permits required for the project and providing documentation of such to this office.
4. Mulching or other temporary protective measures should be used to protect exposed areas during development.
5. Temporary furrows, terraces, sediment or debris basins should be installed to prevent washing and erosion during construction and during the time between road grading and road surfacing.
6. The permanent final vegetation and road pavement should be installed as soon as practical in the development after the land area is exposed.

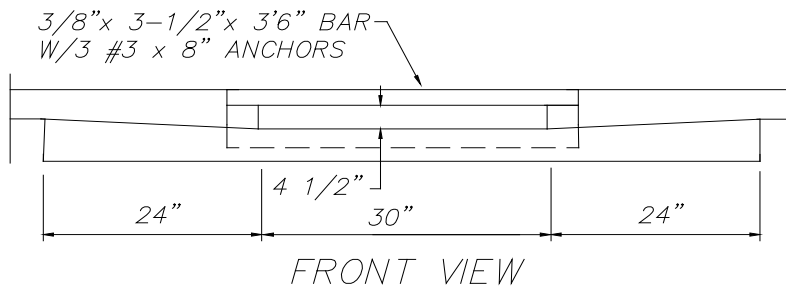
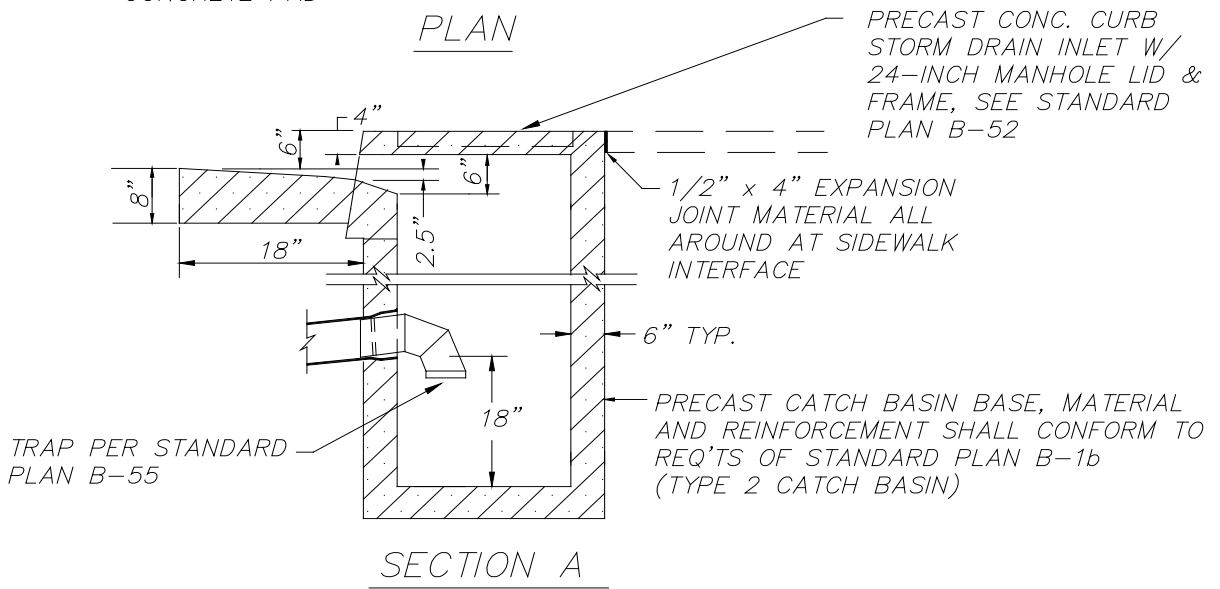
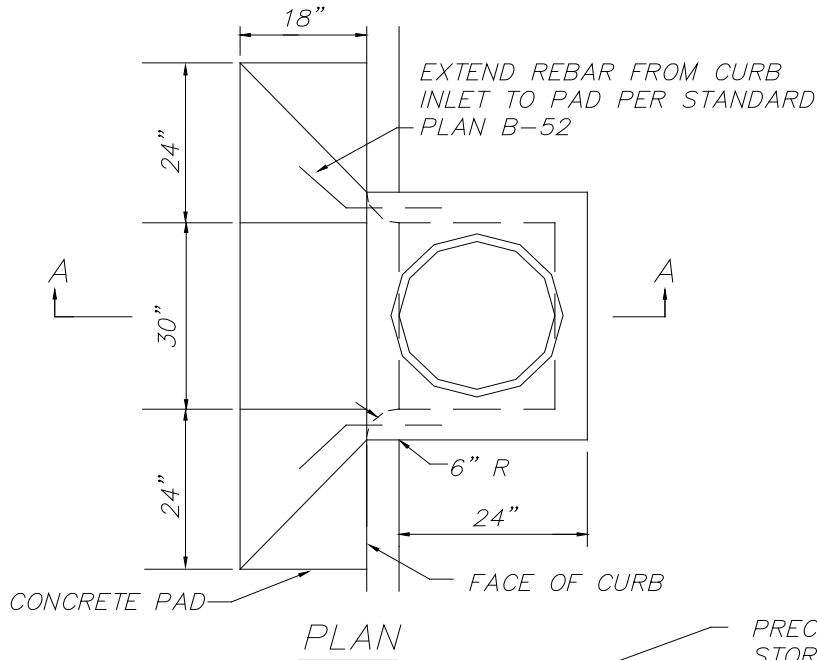
NOTE: When peak runoffs are increased by development, detention/retention ponds or other special means will be required to hold flood waters from downstream properties until these waters can be released at a rate less than predevelopment rates to compensate for the concentrated flow. All detention/retention ponds will be property of the Developer or Home Owners Association and shall be noted as such on the plat. The Developer or Home Owners Association will be responsible for maintenance and repair.

- C. Determination of Peak Runoffs.** For drainage areas up to 200 acres, the Rational Formula may be used for determining peak runoffs. Soil Conservation Service (SCS) methods may be used for watersheds up to 2,000 acres. For larger watersheds, flood frequency methods or Corps of Engineers' Method may be used. The Burki-Ziegler Formula or Talbot Formula shall not be used for any watershed.
- D. Storm Drainage Improvements.** An adequate drainage system, including necessary open ditches, pipes, culverts, catch basins with curb inlets (flat grates in, or adjacent to the roadway will not be permitted), (See detail), drop inlets, and bridges, etc. shall be provided for proper drainage of all surface water. Cross drains shall be of sufficient length to permit full roadway widths and the required shoulders and slopes. All storm drainage contained in pipes or culverts under roadway must have end walls, headwalls, or rip-rap with concrete apron walls. When open trenches or ditches are used, the measures used to prevent erosion must be approved by the Stormwater Coordinator and may include paving with concrete. All ditchlines with a grade greater than or equal to three (3) percent shall be sodded, lined with a geotextile fabric or other erosion control measures with the exception of those steeper than 2:1. All drainage ditches greater than or equal to 2:1 shall be paved with concrete or covered with a suitable erosion control cover including energy dissipaters. Spillways, eight (8) feet in length and four (4) feet wide, shall be constructed of concrete at all curb cuts. These spillways shall be backfilled and stabilized to prevent undermining of the spillways and the roadbed.

[Table of Contents](#)

All storm drainage improvements should be shown on the plat prior to construction. Inlets and curb cuts shall be placed so that the water is removed from the paved area at distances less than or equal to 400'. Provide curb inlets, curb cuts, drainage tiles and other items as necessary to assure that no water crosses over any portion of the roadway. Provide cleanout/catch basins every 60' for extended lengths of drainage tile. If the registered engineer of the developer determines field conditions warrant changes in the location and sizes of the improvements and structures, these changes should be approved by the Road Superintendent or his/her designee prior to construction. A copy of all storm drainage plans and calculations shall be provided by an engineer registered in the State of Tennessee for the City of Charleston Stormwater Staff and Road Department Staff to review. Review by City of Charleston Staff is not a representation that the stormwater plan will function properly. The responsibility for the proper functioning of the stormwater plan is that of the developer and/or design engineer. The developer and/or design engineer remains responsible for any modifications or corrections.

Table of Contents



CURB INLET
NOT TO SCALE

[Table of Contents](#)

- E. Drainage Structures.** All drainage structures must be designed by a professional engineer licensed by the State of Tennessee. In keeping with FEMA requirements, drainage openings shall be designed so they do not restrict the flow of flood waters and unduly increase flood heights. Culverts shall therefore be designed for a 100-year flood frequency. Minimum culvert size shall be 15 inches. Maximum velocity in culvert shall be 15 ft/sec. Energy dissipaters shall be provided for the 50- year frequency at the outlet end of pipes and culverts. Stormwater detention shall be provided wherever needed to control downstream flooding. The design shall be such that damage will not occur to the roadway or adjacent properties during a 100yr flood event.

Cross drains (culverts) shall be built on a straight line and grade and shall be laid on a firm compacted base. In the event rock is encountered in the trench, the rock shall be removed four (4) inches below the grade and replaced with suitable material. Pipe shall be laid with the spigot end pointing in the direction of flow and with ends fitted and matched to provide tight joints and a smooth uniform invert. Cross drains 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. All cross drain and side drain culverts located in the right-of-way shall have a clean-out/catch-basin placed at intervals less than or equal to sixty feet (60') or as specified by the Road Superintendent or his/her designee, for maintenance purposes.

When necessary for proper flow, inlet and outlet ditches shall be provided at drainage structures and drainage easements shall be shown on side and rear lot lines. Where at all possible, main drainage ways shall be cut to the rear of lot lines and not carried down the roadway. This is to avoid having oversized side drains under driveways.

Pipe Systems and road inlets for public roads shall be designed for the 10 year frequency. Minimum pipe size shall be 15 inches. Inlets shall be spaced so that the spread in the road to collect the design flow shall not exceed 8 feet.

- F. Developments in or Adjacent to a Flood Zone.**

Developers are required to provide hydraulic studies for any development or improvement of greater than or equal to 5 acres or greater than or equal to 50 lots that includes any portion of a flood zone. Any change would require a Conditional Letter from FEMA. The as-built for the development along with the appropriate hydraulic calculations would require FEMA approval before any local approval could be given. The installation of a permanent reference point by the developer would also be a part of this approval for new developments.

Section 6.12. Sidewalks. For the safety of pedestrians and of children at play or on approaches to community facilities, installation of sidewalks on at least one side of the road shall be encouraged by the developer to provide a safe route to a nearby school or recreation facility.

When sidewalks are provided, the following specifications shall be met: in single-family residential areas, Portland cement concrete sidewalks shall be four (4) feet wide and four (4) inches thick and ADA accessible; in multi-family, group housing, or commercial developments, sidewalks shall be five (5) feet wide and four (4) inches thick, ADA accessible and constructed of Portland cement concrete.

Section 6.13. Road Signs. Stop signs, speed limit and road name signs of a type specified by the City of Charleston Road Department, and approved by the planning commission, shall be installed at the intersection of all roads within the subdivision and at the point existing roads are intersected by the roads of the subdivision. The road name signs shall state the name of both intersecting roads. A sign with a minimum of six (6) inch high green blades with white reflective letters will be acceptable. Stop signs shall be 24" by 24" in size and shall be reflective. Speed limit signs shall establish a maximum 25 mile per hour limit. All signs must meet MUTCD standards.

[Table of Contents](#)

Private roads shall have signs with dimensions as described in this section, but the road name signs shall be black letters on white background.

Section 6.14. Required Utilities. The developer shall see that each lot is (A) provided with a public water supply including fire hydrants, is (B) provided with public sewerage or is approved for an individual septic tank system for each lot in accordance with the requirements which follow, and is (C) provided with electricity to each property line:

6.14.01. Water Supply System & Fire Hydrants. Water mains and appurtenances properly connected with the community water supply and approved by the Tennessee Department of Environment and Conservation Division of Water Supply or the water district involved, and the planning commission, shall be constructed in each subdivision to adequately serve for both domestic use and fire protection of all lots. All construction of water lines and appurtenances may be made by the water utility district serving the area, either with their own forces or by contract, upon the Subdivider making proper bond or financial arrangements with said district. The Subdivider may construct said water lines and appurtenances, but said construction shall be subject at all times to the inspection and approval of said district or local health authority and all inspections will be at the cost of the Subdivider. Once the Utility and State have reviewed and approved the plans, a copy of the State-Approved Plans (or Plans approved by the Calhoun-Charleston Utility District as designated by the State) may be required to be submitted to the Planning & Inspection Staff by the developer before consideration of the final plat will be given

No fire hydrant shall be located on less than a six (6) inch main. Therefore, six (6) inch (or greater) water lines shall be installed in all subdivisions in order to provide current and future fire protection for the development, however, with the approval of the TDEC's Division of Water Supply, pumps will be required for both domestic and fire flow if quantity is available but pressure is not. Smaller lines may be installed at the recommendation of the utility and on approval of the Planning Commission, on dead-end/cul-de-sac roads serving five or less lots, and for which the required fire protection can be provided at the intersection of the cul-de-sac with an existing or new road on a 6 inch or greater waterline. If this cul-de-sac development is further subdivided, it will be the requirement of the developer to upgrade the line to adequately support fire flows for the entire development. When adequate fire flow is available, no lot should be more than five hundred (500) feet, measured along the road, from a fire hydrant, and no setback line of any lot should be more than six hundred (600) feet from a fire hydrant. Fire hydrants shall be located not more than one thousand (1,000) feet apart in order to maintain a good fire insurance rating and safety level. For those lines that cannot provide 500 gpm at 20 psi residual required for adequate fire flow (e.g. a 6 inch line coming off a 4 inch main), fire hydrants may be installed according to Chapter 0400-45-01 Tennessee Division of Water Supply as adopted by the local utility systems. Additional hydrants may be required by the local water district. The City of Charleston will not require the developer to install hydrants on subdivisions created by minor subdivision plats.

The specifications of all material, including but not limited to fire hydrants, and the manner in which all lines and appurtenances are laid, shall meet the inspection and approval of the water district involved.

All water construction plans for subdivisions shall include a service line from the main water line to the property line of each proposed lot in order that each proposed lot, at the time of construction, may be served by water without the installing of additional lines or cutting the road pavement. The end of each service line shall be properly marked.

The entire cost and expense of installing the required water supply system, including the connection to the existing water supply and including but not limited to the cost of pipe, valves, fittings, fire hydrants, trenching, back filling, and services shall be born by the Subdivider, including the stipulated payment for tapping and stubbing-out the system to serve each lot.

[Table of Contents](#)

6.14.02. Sewage Disposal. These standards for development of sanitary sewer systems are established to insure healthful living conditions and protect the health of the community, to provide the best possible method of waste disposal, and to provide the necessary current and future sanitary disposal systems at the least ultimate cost to the community and individual homeowners.

- A. **Required Public Sanitary Improvements.** When any portion of a proposed subdivision is located within a reasonable distance, as hereinafter defined, of an existing public sanitary sewer line, sanitary sewers shall be installed to serve all the lots within the subdivision. Said reasonable distance as used in this section shall be determined by the City of Charleston Planning Commission but in no case shall be less than three hundred (300) nor more than one thousand (1,000) feet. Should the subdivision have elevations which are below those of the nearest public sanitary sewer, a lift station shall be installed by the Subdivider, provided the public sanitary sewer is within a reasonable distance of any portion of the subdivision.

All sanitary sewer construction shall be built in accordance with the rules and regulations of the Tennessee Department of Environment and Conservation and/or those of the applicable local utility district. All construction of sanitary sewers and appurtenances shall be by an appropriate utility district, either with their own forces or by contract, upon the Subdivider making proper bond or financial arrangements with said district. The Subdivider may construct such sanitary sewers and appurtenances but said construction shall be subject at all times to the inspection and approval of said district. In no way shall City of Charleston be responsible for the cost of these inspections.

All sewer lines, except house services, shall be no less than an eight (8) inch diameter PVC pipe or approved equal.* Manholes shall be precast reinforced concrete, or approved equal, properly treated to prevent infiltration and located at each change in direction and/or grade and no farther apart than recommended by the Tennessee Department of Environment and Conservation and/or the local utility district serving the subdivision. Designs for needed force mains and lift stations must be approved prior to construction by all affected governing bodies and utility boards. The Calhoun-Charleston Utility District is an approved inspection agency.

**** NOTE: Exceptions to this regulation may be granted if the proposed exception meets the requirements of the Tennessee Department of Environment and Conservation.***

All sewer construction plans for subdivisions shall include a house service from the main sewer line to the property line of each proposed lot in order that each proposed lot at the time of construction may be served by sewer without the installing of additional lines or cutting of road pavements. The end of each house service shall be properly marked.

The entire cost and expense of installing the required sanitary sewage system including the connection to the existing public sanitary sewer line and including but not limited to the cost of pipe, manholes, lift stations, force mains, stubbing, trenching, excavation, backfill and services shall be borne by the Subdivider. The payment for tapping the system to serve each lot shall be the responsibility of the builder or homeowner of each respective lot. This does not preclude the developer from attempting to negotiate a sharing of expenses with the utility for the portion needed to bring sewerage to the edge of his subdivision.

- B. **Individual Sewage Disposal Systems.** Where a subdivision is located beyond the reasonable service limits of a public sewerage system as determined by the planning commission, the Subdivider may elect to have the lots served by individual sewage disposal systems. Should individual sewage disposal systems be proposed, satisfactory evidence shall be required that the soils are suitable for this type of sewage disposal. In such subdivisions, each lot shall be large enough and have a suitable area adequate for the installation of the

Table of Contents

proposed individual system and a duplicate system in case one is ever needed. If a lot in a subdivision has an existing individual subsurface sewage disposal system, the lot does not need approval of TDEC unless it cannot be determined where the existing system is located or if it is still functional. In these instances, the surveyor shall sketch the approximate site of the subsurface sewage disposal as shown by property owner. All subdivision lots without existing subsurface sewage disposal systems shall be approved in writing by the Bradley County Health Authority or the Tennessee Department of Environment and Conservation.

NOTE: Upon receipt of a preliminary plat, the Health Authority reviews the data and a field investigation of each lot is made. If the soil conditions are acceptable, other topographic features, including lot sizes, are considered. In addition to unsatisfactory soil types or soil tests, lots may be deemed unacceptable because of rock outcroppings, gullies, natural storm drainage ways, excessive slope, and the like. In view of topographic features and soil conditions, 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, Tennessee Department of Environment and Conservation 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.

- C. Section 6.14.03. Alternative or Decentralized Sewer Treatment Systems.** Alternative or decentralized systems cannot be used when public sanitary sewers operated by a utility company are available as described in Section 6.12.02A. The utility company must provide the developer a letter within thirty (30) days of application stating whether sanitary sewer service is available in the utility company's water and sewer service area located in City of Charleston. If the letter states no public sanitary sewer service is available to the subdivision the City of Charleston Municipal Planning Commission may then consider a request for an alternative or decentralized sewer system.

All subdivisions developed with an alternative or decentralized sewer system must be reviewed and granted preliminary approval in writing by the appropriate City of Charleston utility district and the Tennessee Department of Environment and Conservation before consideration will be given to the preliminary plat by the City of Charleston Municipal Planning Commission and staff.

Final plat approval of the subdivision will not be granted by the City of Charleston Municipal Planning Commission until the State of Tennessee Division of Water Pollution Control has completed their review and issued an approval letter and operating permit for the facility. An approval letter with a commitment for operation and maintenance of the system from the appropriate City of Charleston utility district is also required prior to final plat approval.

All required wastewater utility easements shall be shown on the final plat.

A scaled drawing shall be submitted to the Planning Commission along with the preliminary plat showing the preliminary site layout including:

1. The potential treatment area for the sewer system (including immediate and probable future development).
2. Pre-application treatment facilities

Table of Contents

3. Storage facilities
4. Disposal fields
5. Buffer zones
6. Access roads and utilities
7. Watercourses and drainage structures
8. Wells within 500 feet of the site

All wastewater treatment and disposal systems constructed in City of Charleston using land for disposal of the wastewater shall comply with the provisions of the State of Tennessee Department of Environment and Conservation Division of Water Pollution Control Design Criteria for Sewage Works, Chapter 16, Slow Rate Land Treatment, effective April 2, 1996. (amendment 7.11.06)

Section 6.15. 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 has been met:

- A. All required improvements have been constructed in a satisfactory manner and approved by the various authorities for which certificates are required. These improvements include the extension of water and/or sewer lines and the construction of roads and storm drainage.

OR

- B. The Planning Commission has accepted a surety bond, letter of credit, or certified check that is for a period of twenty-four (24) months or less in an amount equal to one hundred and fifty (150) percent of the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the City or other responsible utility system in the event of default by the subdivider. The City Attorney will be responsible for the execution of the surety instrument, which will be held in a secure place at Charleston City Hall. At the end of the twenty-four (24) month period (or time specified in the surety instrument approved by the Planning Commission), the Planning Commission shall have issued a written decision specifying what should be done with the surety instrument based on the status of the improvements for which it was issued. Upon a ruling by the Planning Commission, the City Attorney will be charged with the responsibility of either releasing or collecting the surety instrument on behalf of the City.

NOTE: The Planning Commission shall set the amount of the surety instrument based upon the cost of improvements estimated by the Charleston Street Supervisor or the appropriate utility official or other authority designated by the Planning Commission.

Section 6.16. Procedure for Executing and Enforcing Surety Instruments.

Once a final subdivision plat is submitted to the Planning Commission for approval, the developer/subdivider shall have also submitted a surety bond, letter of credit, or a certified check in an amount equal to one-hundred-fifty (150%) percent of the estimated cost of installing and constructing the required improvements. The developer/subdivider then has twenty-four (24) months to complete the required improvements. The appropriate signed certificates on the plat should recognize that a surety instrument has been secured, and it must state the amount that it will cover. The surety instrument serves as a contract between the developer/subdivider and the City of Charleston, thus ensuring that the required improvements will be completed in a timely manner and at no cost to taxpayers.

Table of Contents

A. Procedure for Completed Improvements

1. If the required improvements are completed within twenty-four (24) months, then the developer/subdivider shall formally request in writing that the Planning Commission release the surety instrument after an inspection has been performed by the appropriate authority who can certify completion.
2. A letter must also be obtained from the appropriate utility or city official stating that the required improvements have been completed in an acceptable manner and that no further or immediate costs are anticipated as a result of the completion of a particular project.
3. The Planning Commission may require a letter from a certified/licensed Tennessee engineer if there is question about operation or design of the completed infrastructure.
4. The Planning Commission shall certify that all of the required improvements have been installed or constructed in an acceptable manner based on good engineering principles and adherence to state and local regulations. Once satisfied, the Planning Commission shall instruct the City Attorney in writing to release the surety instrument.
5. In the case of roads, the developer/subdivider shall request that the Charleston Board of Mayor and City Commissioners accept the road as a public street. Otherwise, the maintenance of the road falls to the developer/subdivider.

B. Procedure for Calling in a Surety Instrument for Incomplete Improvements

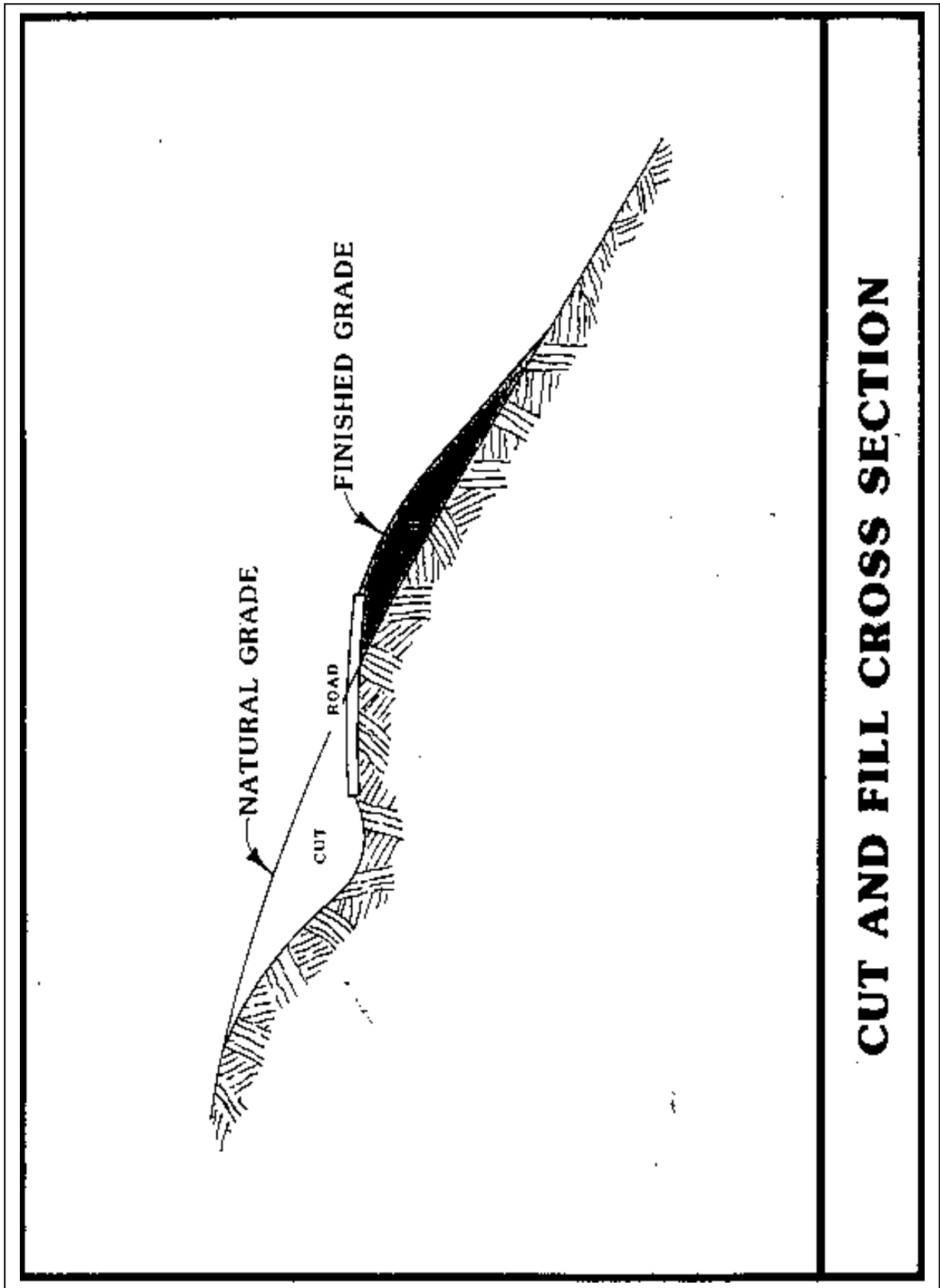
1. Ninety (90) days prior to the expiration of the surety instrument, the Planning Commission shall send a certified letter to the developer/subdivider and the issuer of the surety instrument notifying them of the deadline for completing the required improvements. If the required improvements are not completed, then the Planning Commission shall begin the process of collecting payment guaranteed in the approved surety instrument beginning thirty (30) days prior to the end of the twenty-four (24) month period. It should be noted that the end of the twenty-four (24) month period does not make the surety bond, letter of credit, or certified check invalid; rather it allows the Planning Commission to collect it to fund the completion of the required improvements. The Planning Commission may call in the surety instrument at anytime following the twenty-four (24) month period. An extension of up to twelve (12) months may, in some cases, be granted by the Planning Commission, but a renewed surety bond, letter of credit, or certified check shall be of a sufficient amount to cover the remaining improvements. The renewed surety instrument must also specify the extended timeframe granted by the Planning Commission. If a surety instrument expires prior to the work being completed and the City not taking action, the developer shall still be held liable for completion of the agreed upon work. The City may then choose to take legal action against the developer for any incomplete work, and withhold all future building permits.
2. The developer/subdivider and the issuer of the surety bond, letter of credit, or certified check shall be notified at least seven (7) days prior to the hearing in which the Planning Commission will vote to call in the surety instrument.
3. Within thirty (30) days prior to the end of the twenty-four (24) month period, the Planning Commission shall conduct a hearing either at a special called meeting or a regularly scheduled meeting to vote on calling in the surety instrument if the required improvements are incomplete. A certified letter shall be sent to the developer/subdivider and the issuer of the surety instrument with notification of the Planning Commission's decision.
4. The Planning Commission shall send a letter to the City Attorney requesting that the surety instrument be dispensed to the City to cover the cost of completing the required improvements. If

improvements are completed in a satisfactory manner, then the Planning Commission shall instruct the City Attorney to release the surety instrument.

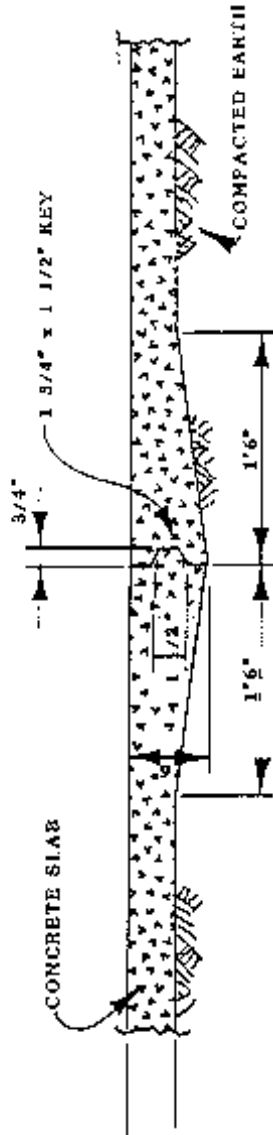
Section 6.17. Acceptance of Street by Board of Mayor and City Commission.

Streets shall be accepted by the City of Charleston for operation and maintenance through the following procedure:

1. Construction is complete.
2. The road inspector conducts a final inspection and determines the street meets the design guidelines specified herein, and further certifies that the street will function properly and has adequate drainage designed to prevent excess water from adversely affecting other streets or adjacent property owners.
3. The Charleston Municipal Planning Commission has released any surety instrument that was issued to ensure completion of the street.
4. The road inspector recommends in writing that the street be accepted by the City for regular operation and maintenance.
5. The City Commission approves by ordinance the acceptance of the street.

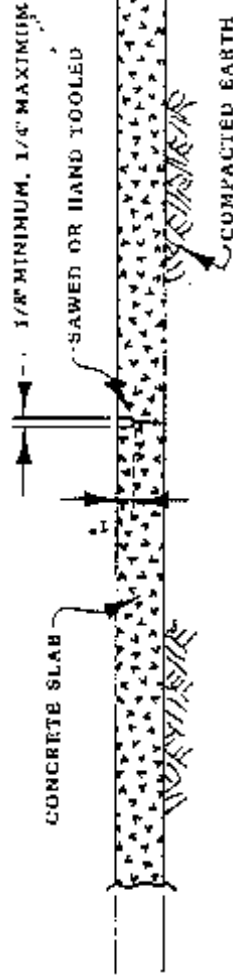


TYPICAL CONSTRUCTION JOINT

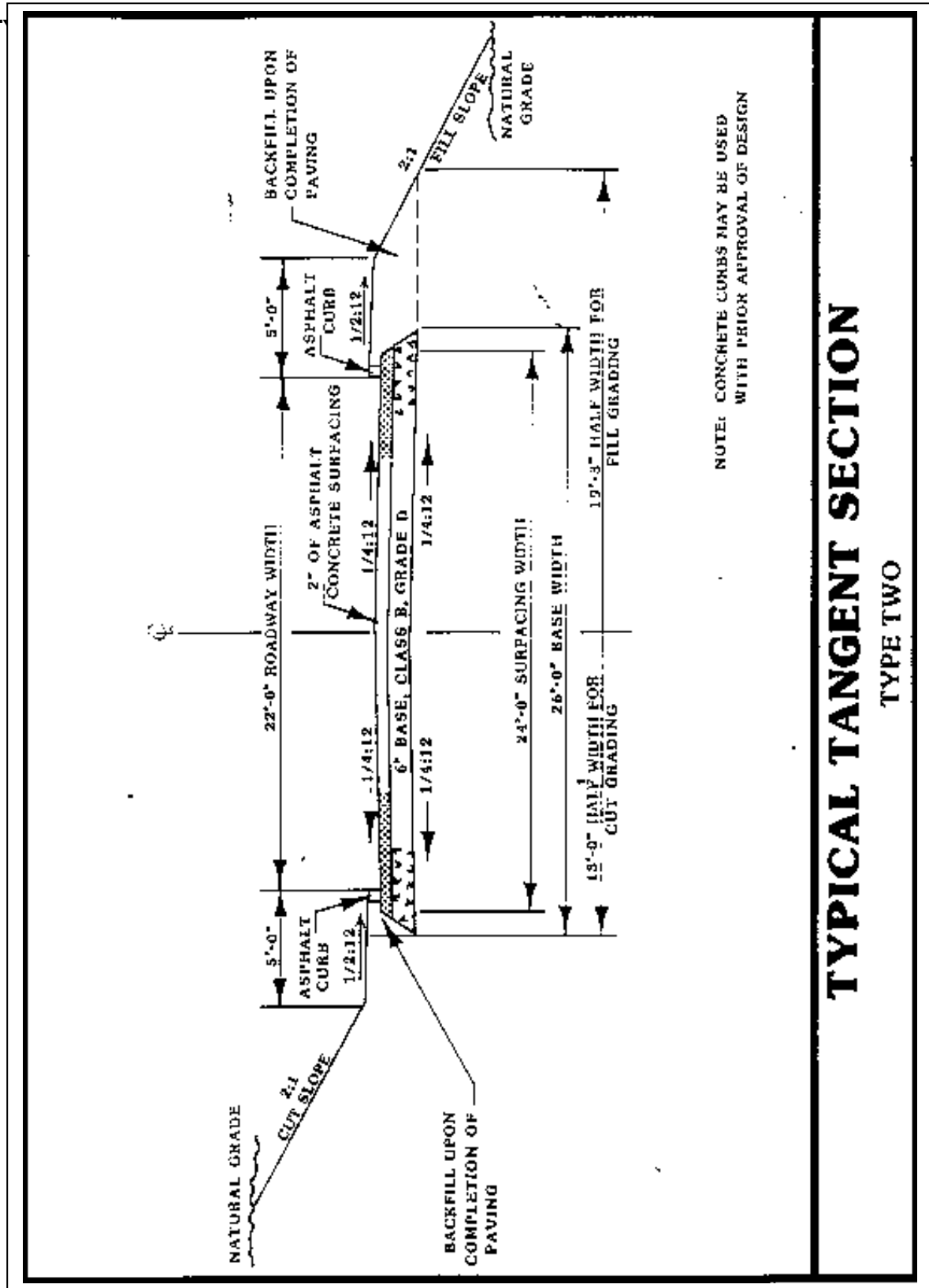


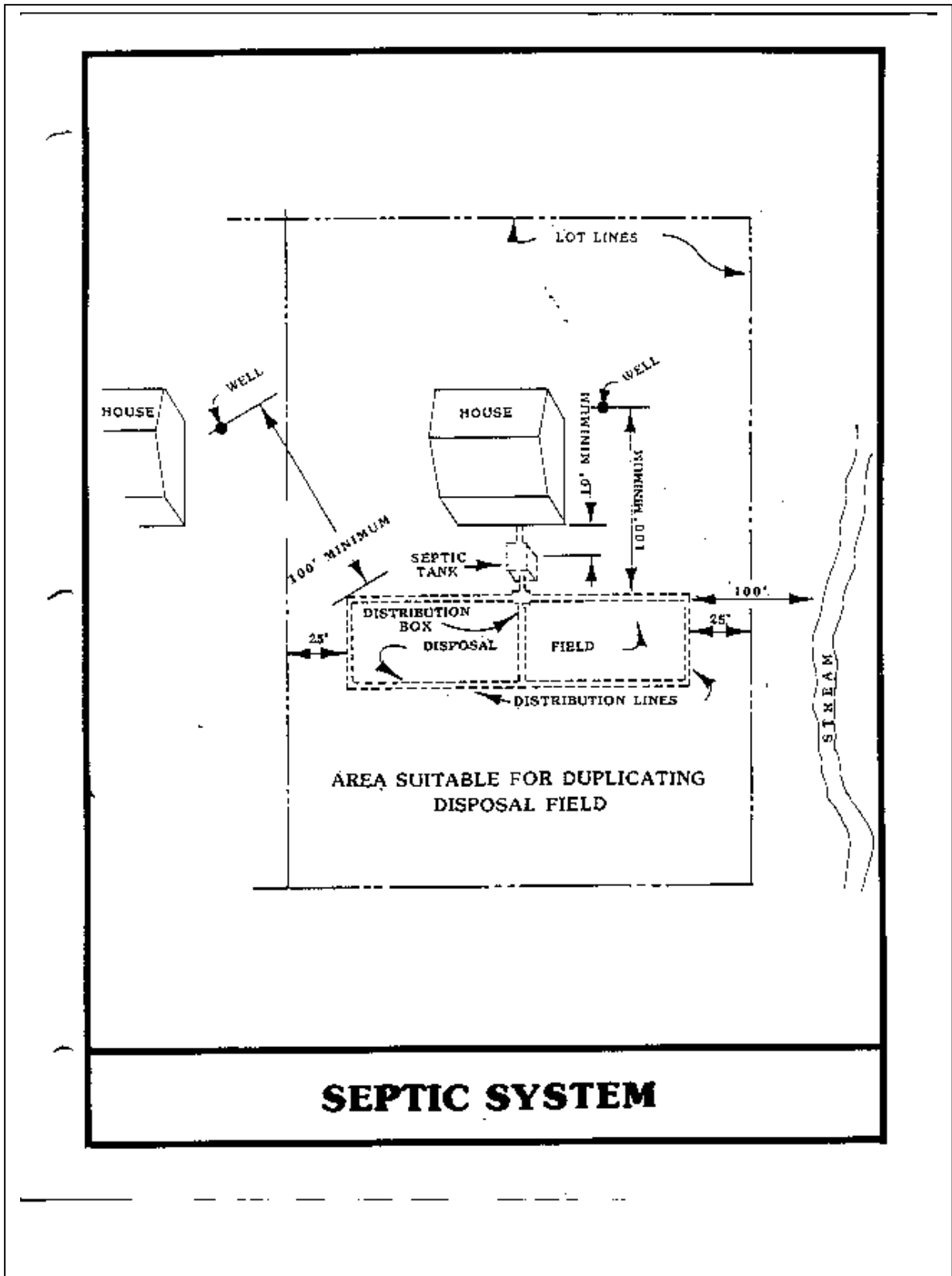
NOTE: ROAD SECTION SHALL GRADUALLY RISE TO PROVIDE A 2" CROWN IN CENTER.

TYPICAL TRANSVERSE CONTRACTION JOINT



DETAILS OF CONCRETE ROADS





ARTICLE 7

FINAL PLAT REQUIREMENTS

Section 7.01. Time Limit and Specifications. After the preliminary plat of a proposed subdivision has been approved by the CMPC, the Subdivider or their agent must, within three (3) years of the date of preliminary plat approval, submit the final plat to staff of the CMPC. If the final plat is not presented within three (3) years of the date of approval of the preliminary plat, the CMPC shall require that the preliminary plat first be resubmitted for review and re-approval according to the current regulations. Under no condition shall an expired preliminary plat be resubmitted and granted approval in the same meeting as a final plat.

A PDF copy of the final plat must be submitted at least twenty-one (21) days prior to the CMPC meeting at which the plat is to be considered. Additional copies of the plat shall be submitted to the relevant utilities, TDEC, TDOT, and street superintendent as necessary.

A. Digital Plan Submission Standards

1. Electronic Format Required

All plats, site plans, and related development drawings required for review or approval under this ordinance shall be submitted in Portable Document Format (PDF) in addition to any paper copies required.

2. Scale Accuracy

The submitted PDF shall be created directly from the original digital drawing file (e.g., CAD or GIS source) and shall be preserved at its original plotted scale and sheet size. The PDF must allow for accurate measurement such that distances measured electronically within the file correspond precisely to the scale bar shown on the drawing.

Example: One (1) inch on the PDF, when measured digitally, must represent the same real-world distance as indicated on the scale bar of the drawing.

3. Draft and Non-Recordable Status

The electronic file may be marked "DRAFT" or otherwise clearly labeled as a non-recordable copy. To preserve this status, the submitted PDF may omit or obscure any professional seals or signatures of the licensed surveyor or engineer.

4. Markup Capability

Submitted PDFs shall be unlocked and capable of markup, allowing the reviewing authority to make digital annotations, comments, and redlines as part of the review process. PDFs must not be flattened or encrypted in a manner that prevents these markups.

5. File Naming and Submission

Each PDF file name shall include the name/title of the plans and the date being submitted.

6. Conformance Certification

The applicant shall certify that the digital PDF submission conforms to the original scale and dimensions of the drawing and that no scaling, compression, or alteration was introduced during the conversion process.

Section 7.02. Platting Fee. To defray part of the expense of subdivision plat review and the required on-site inspections, the City of Charleston has adopted the following platting fee schedule based on the number of lots in the proposed subdivision. Since road construction requires more frequent inspection, a higher fee is assessed for lots fronting new roads. The fee shall be paid to the City of Charleston at the time the Final Plat is submitted to staff for their review.

\$2.50 for each proposed lot having access on an existing publicly maintained road.

\$5.00 for each lot having access only on a proposed public or private subdivision road.

[Table of Contents](#)

The minimum platting fee shall be \$25.00 whenever the formula results in a lesser amount.

Example: ***If a proposed 20-lot subdivision had 8 lots fronting an existing city road and 12 lots fronting a proposed road, the total platting fee would be \$80 and would defray the staff's cost of reviewing both the preliminary and final plats.***

8	x	\$2.50	=	\$20.00
12	x	\$5.00	=	<u>\$60.00</u>
TOTAL				\$80.00

Approval of a final plat as provided herein constitutes a final development plan as set forth in Tennessee Code Annotated 13-4-310. On the date the Planning Commission votes to approve the final plat, two (2) years will be added to the original vesting period of three (3) years which began upon the date of approval of the preliminary plat. This is a total of five (5) years. If all of the necessary permits have been obtained and construction commences within the five (5) year period, then an additional vesting period of five (5) years will be added to the development project for a total of ten (10) years. For multi-phase developments, an additional five (5) years is added to the vesting period for each phase with a maximum total vesting period of fifteen (15) years. The provisions of Tennessee Code Annotated 13-4-310 shall supersede any inconsistencies listed in these regulations. Vesting means that the subdivision regulations in place when the original plan was presented are still in force regardless of any local regulations amendments or changes.

Section 7.03. Review by Staff and CMPC. Upon receiving an electronic PDF copy of the final plat, twenty-one (21) days ahead of the next meeting, the staff of the Planning Office shall "log-in" the plat, and tell the developer the date of the meeting at which the plat will be considered. (The next regular meeting unless the plat is late.) The developer shall be present at the meeting. If a meeting date is changed, staff shall notify each developer with a plat pending.

After reviewing the plat, staff shall contact the developer or surveyor to note obvious deficiencies, which can be corrected before the meeting. Usually this will take the form of a completed "plat checklist". If the deficiencies are not corrected and if a reason is not given for the deficiencies not being corrected, the corrected final plat submitted by noon seven (7) days ahead of the next meeting will not be placed on the agenda for the next regular meeting. The planner will review and return recommendations for any changes on the plat to the developer or surveyor. Staff shall also study the appropriate City of Charleston Tax Maps to see the proposed subdivision in relation to surrounding developments, drainage, and road connections. Staff shall give their recommendation regarding the plat to the CMPC prior to or at the meeting.

At their meeting, the planning commission may defer action if the developer is not present to explain important questions that may arise regarding the subdivision.

The planning commission shall check the final plat for substantial conformance with the approved preliminary plat, and with the rules and regulations of this document.

Thereafter, the CMPC shall approve or disapprove the final plat. If disapproved, the reasons for such shall be stated in the CMPC minutes. Action on a submitted plat shall take place within the timeframe prescribed in Tennessee Code Annotated 13-4-304. However, the applicant for approval may waive this requirement and consent to an extension of time.

The original plat shall be drawn in permanent ink on paper, equal to the standards required by the County Register. Sheet size for major plats shall be twenty-two (22) by thirty-three and one-half (33 1/2) inches from trim lines, with a four (4) inch binding edge on the long side with a 4" x 4" blank box in the top right corner of the plat for the registers stamp. Sheet size for minor plats shall be eleven (11) inches by

Table of Contents

seventeen (17) inches with a two (2) inch binding edge on the left side with a 2" x 3 ½" blank box in the top right corner of the plat for the registers stamp. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size. Signatures and the required certifications shall be placed on all five (5) prints of the plat.

If the development is so large that it will take many sheets to show at a scale of **1" = 100'**, then the developer shall be allowed to demonstrate to staff that the plat requirements can be legibly met at a reduced scale never to be smaller than **1" = 200'**.

Section 7.04. Recording of Final Plat. Upon approval of a final plat, the Subdivider shall have one (1) paper copy of the original final plat with all certificates and original signatures recorded in the office of the Bradley County Register of Deeds. All wording on the original plat must be legible and readable.

Section 7.05. Road Acceptance. If there are any new roads in the subdivision, they will be submitted to the Board of Mayor and City Commissioners with a recommendation for the Charleston Street Superintendent who has certified that the roads have passed their final inspection and the developer has given assurance that all of the expenses regarding the subdivision have been paid, i.e. subcontractors, etc. (See Section 6.15). When the City Commission accepts the recommendation of the Street Superintendent, the roads are added into the city-maintained road system and they are also subsequently added to the city road map series. The road bond, letter of credit or certified check, if there was one, is not released until the road or roads are accepted for city maintenance.

As part of the road acceptance process, the developer shall certify to the planning commission that the dedicated roads are free of any liens, encumbrances or claims of any parties. This shall be done through a recorded release on any claims for any dedicated road rights-of-way from any lending institution which may hold any portion of this development as collateral or by any other such proof as may be required by the planning commission. The planning commission shall also require an affidavit from the developer that all contractors and subcontractors involved with improvements to any rights-of-way have or will have no future liens on the roads for which acceptance is being sought.

Section 7.06. Final Plat Requirements.

The **FINAL PLAT** must be based on the approved preliminary plat and must substantially **MEET ALL OF THE SPECIFICATIONS OF THE PRELIMINARY PLAT** listed in Section 5.04 (except for showing contour lines and utility lines) and those listed as follows:

- a. the subdivision depicted at a scale of not less than 1" = 100",
- b. date, name, location of the subdivision, graphic scale, and true north point,
- b. location sketch map showing the site in relation to the area,
- c. bearings and distance to the nearest existing road lines, bench marks, or other permanent monuments. (Not less than two of these shall be accurately described on the plat to locate the subdivision accurately in relation to existing development),
- d. municipal and county boundary lines accurately tied to the lines of the proposed subdivision by distance and angles when such lines traverse or are within two hundred (200) feet of the subdivision,
- e. boundary lines of the tract, determined by a land survey, giving distances to the nearest one-tenth of a foot and angles to the nearest minute which shall be balanced and closed with an error of closure not exceeding one in seventy-five hundred 1:7,500),
- f. location, widths, and names of all roads within and connecting to the property,

Table of Contents

- g. the lines of all streets and roads, alley lines, lot lines, building setback lines, and lots number in consecutive numerical order,
- h. Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every street line, lot line, boundary line, block line, and building line, whether curved or straight; this shall include the radius, central angle, and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets. Where the subdivision does not require a public street but private driveways connect to city or state highways, the subdivider shall provide documentation of approval from city or state road officials that the driveway connection conforms to city or state regulations,
- i. lot lines with dimensions to the nearest one-tenth of a foot and bearings to the nearest minute,
- j. location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use,
- k. location and size of the necessary drainage structures,
- l. statement of modifications or limitations by local health authority regarding individual water or sanitary sewer systems,
- m. required certificates (see following sections).
- n. names of adjoining property owners and/or subdivisions for reference purposes.
- o. size and location of public utility lines
- p. location of hydrants
- q. submission of road profile to staff
- r. If any portion of the land being subdivided is subject to flood, as defined in these regulations, the following criteria shall be met:
 - (A) The flood plain limits shall be shown.
 - (B) Public utilities and facilities shall be constructed so as to minimize flood damage.
 - (C) Adequate drainage shall be provided.
 - (D) The developer of a subdivision greater than fifty (50) lots or five (5) acres shall develop base flood elevation data for the subdivision.
- s. Contour lines **only** if so specified by the planning commission.
"As built" plans and profiles of all streets, sewers, waterlines, and storm drains shall be furnished to the city upon completion of the project.
- t. If the property contains an existing subsurface sewage disposal system, the approximate location of the SSD and field lines shall be shown on the plat. The SSD and all field lines shall be contained within the lot for which it serves.
- u. Existing streets, buildings, railroads, culverts, utilities and easements on and adjacent to the tract, as well as natural features such as sink holes, watercourses, and rock outcroppings.

Section 7.07. Final Plat Certifications.

"OWNER'S CERTIFICATION"

"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 he owns the land being subdivided; that there are no previous private restrictions against subdividing; that all Tennessee state taxes, City of Charleston taxes, and other assessments now due on this land have been paid; and that I am dedicating the road rights-of-way for public use and any other areas so designated and is also establishing easements as specified on the plat."

_____	OR	_____
AGENT		OWNER
_____		_____
DATE		DATE

"SURVEYOR'S CERTIFICATION"

I hereby certify that this plat is true and correct to the best of my knowledge and belief and was prepared from an actual survey of the property by me or under my supervision and that the ratio of precision of the unadjusted survey is 1 per _____ as shown hereon."

_____	_____
SURVEYOR	TN. R.L.S. #

DATE	

Certificate of Approval of Public Sewer System Connection.

I hereby certify that each lot shown on this subdivision plat is adjacent to a properly installed extension of an approved public sewerage system, or that an adequate surety [bond, letter of credit, or certified check] in the amount of _____ has been posted for such sewer extensions.

_____	_____
DATE	PUBLIC SEWERAGE SYSTEM OFFICIAL

Existing Septic System Certificate

The existing septic system is located as shown on the plat (lot(s) _____). The location includes the septic tank and all field lines. To the best of my knowledge, the septic system is in proper working order on this date and the septic system(s) is/are contained within the boundary of the individual lot. I understand that my lot has not been verified for a duplicate septic system by TDEC (state environmentalist/health department).

_____	_____
Date	Owner

Certificate of Approval of Water System.

I hereby certify that each lot shown is either:

- 1) is served by public water system extensions designed and installed in accordance to applicable local and state regulations;

DATE

LOCAL WATER UTILITY

OR

- 2) is served by water line extensions designed and installed in accordance with applicable local and state regulations or than an adequate surety [bond, letter of credit, or certified check] has been posted in the amount of _____ to cover such water system extensions.

DATE

LOCAL WATER UTILITY

DATE

PLANNING COMMISSION SECRETARY

Certificate of Approval by Electric Power Utility.

I hereby certify that this subdivision plat shows adequate easements for needed electric power lines.

DATE

ELECTRIC POWER OFFICIAL

Certificate of Approval by Gas Utility. (If applicable.)

I hereby certify that this subdivision plat shows adequate easements for available natural gas lines.

DATE

NATURAL GAS COMPANY

CERTIFICATION OF E-911 APPROVAL

I hereby certify that I have reviewed this plat and find that it conforms to the county's E-911 requirements. I further certify the preparer of the plat has submitted a .dwg file in the TN State Plane Coordinates to the 911 office of the final approved layout shown on this plat.

_____, 20____, _____
DATE 911 BOARD REPRESENTATIVE

_____, 20____, _____
DATE Surveyor

Certificate of Approval of Streets and Drainage System.

I hereby certify that the streets and drainage facilities shown on this plat have been installed in an acceptable manner in accordance to required specifications or that an adequate surety [bond, letter of credit, or certified check] has been provided to the City to cover the costs of the incomplete roads and drainage as proposed on this plat and the approved preliminary plat.

DATE Charleston Public Works

Certification of Road Status (Owner) Private Road

"It is hereby certified that the road labeled on this plat is private and not dedicated to the City of Charleston. The government of the City of Charleston will not be expected to accept any responsibility for the maintenance of this private road.

Date Developer 660B

Certification of Road Status (Completed Private Road)

"It is hereby certified that the road (private easement) shown on this plat has been designed in an acceptable manner in accordance to required specifications. The government of the City of Charleston will not be expected to accept any responsibility for the maintenance of this private road."

Date Licensed Engineer (for design)

Date Owner

Certificate by Planning Commission of Approval for Recording.

I hereby certify that the subdivision plat shown hereon has been found to comply with the **Subdivision Regulations of Charleston, Tennessee**, with the exceptions of such variances, if any, as may be noted on this plat; and that all required improvements have either been completed or covered by an approved surety [bond, letter of credit, or certified check] large enough to complete the required improvements in case of default; and that this plat has been approved for recording in the Office of the Bradley County Register of Deeds.

DATE PLANNING COMMISSION SECRETARY

DIVISION OF GROUNDWATER PROTECTION CERTIFICATE OF SEWAGE DISPOSAL

Approval is hereby granted for Lots _____, defined as, _____ Bradley County, Tennessee, as being suitable for Subsurface Sewage Disposal (SSD) systems, with the listed or attached restrictions. Each buyer and developer should be made aware of these restrictions and understand that failure to follow them may result in disapproval of their individual SSD system by this office.

Restrictions: List Restrictions Here.

Prior to any construction of a structure, mobile or permanent, the plans for the exact house/structure must be approved and a SSD system permit issued by the Division of Ground Water Protection. Water taps, water lines, underground utilities and driveways on **new systems** should be located at the side of property lines unless otherwise noted. Any cutting, filling or alterations of the soil conditions may void this approval.

The following statement applies to lots that have "See Restrictions" placed within the boundaries of the lot(s) on the plat. The statement is "This lot has not been evaluated, pursuant to this plat review, for an SSD system and plat approval does not constitute approval of this lot or the existing SSD system." The "See Restrictions" statement applies to lot(s) _____ defined as _____ Bradley County, Tennessee.

Date

Environmental Specialist
Division of Groundwater Protection

Section 7.08. Procedure for Expeditious Certification of Minor Subdivisions.

Minor Subdivision A – Plat Procedure

Whenever a proposed subdivision contains between three (3) and five (5) 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 (skipping the preliminary plat requirement) 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 7 of the Charleston Subdivision Regulations

Minor Subdivision B (Simple Land Split) – Plat Procedure

Procedure for Expeditious Certification of Minor Subdivisions. A developer or property owner who wishes to divide a tract or lot into two parcels, both of which will have the required access to a publicly-maintained road, and neither of which will require a road extension or the extension of public water, sewerage, or electrical, may prepare a combined preliminary and final plat which meets all of the platting requirements and submit it to the City of Charleston Planning Staff. Provided there is no request for, or need for a variance of any type, this minor type of subdivision may be approved by the City of Charleston Planning Staff and City Manager and signed by the secretary of the CMPC, upon staff's recommendation. In no case, however, shall any tract of land be subdivided under this section more than once in any three (3) month period of time. That time period beginning from the date of recording of a minor subdivision plat involving said property. If disapproved by the City of Charleston Planning Staff and City Manager, the developer may request to be on the AGENDA of the next CMPC meeting provided he meets the AGENDA deadline of twenty-one (21) days.

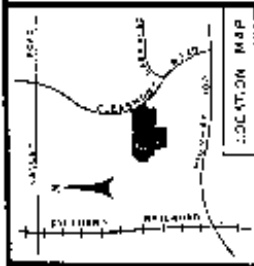
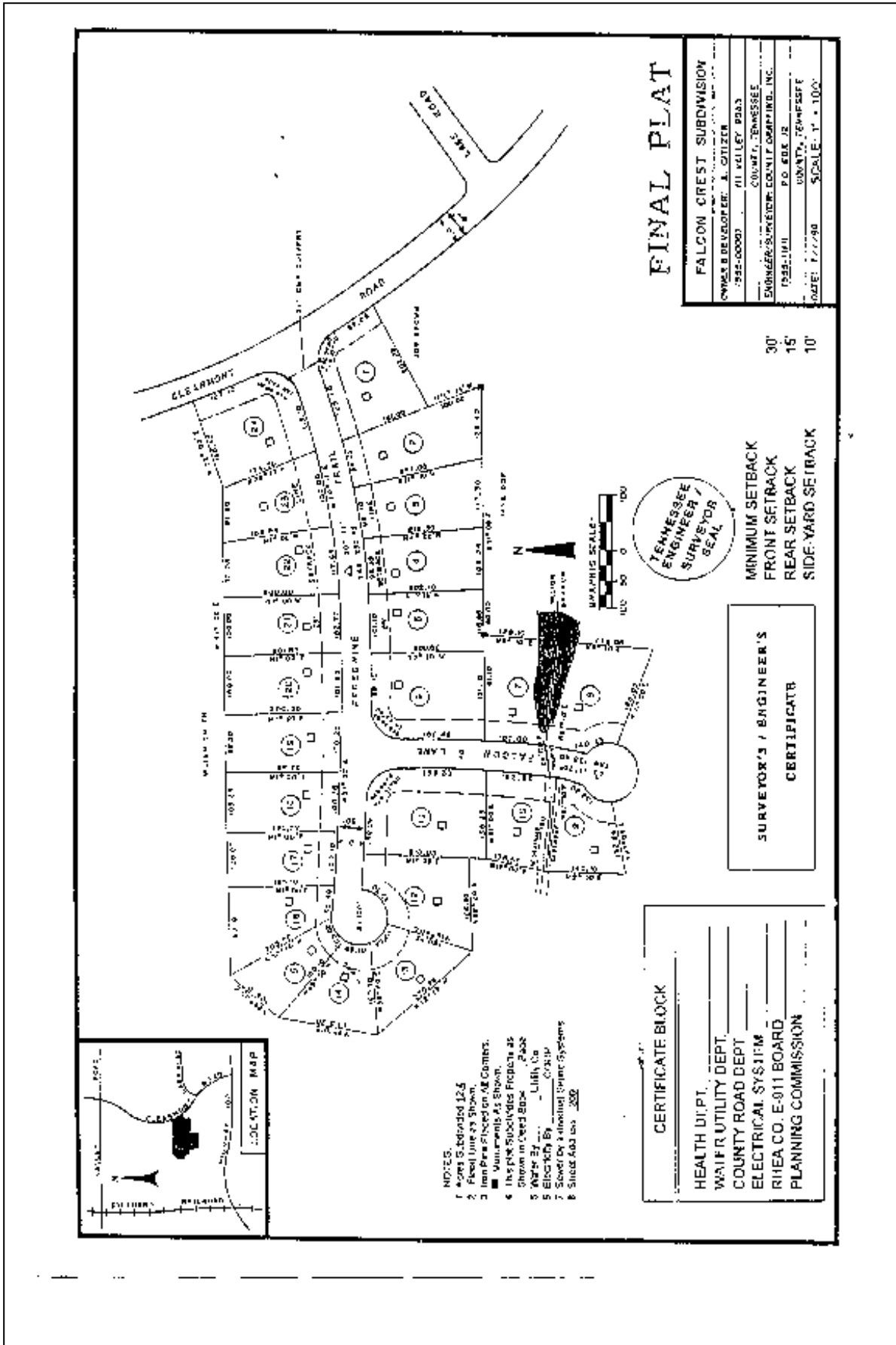
Such two-lot plats shall contain the same requirements found on Final Plats in Section 7.05 Final Plat Requirements, in addition to the other required appropriate certificates, a certificate worded as follows to assure the secretary of the CMPC that the plat has met staff approval:

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 Charleston, Tennessee, and no variances from the Subdivision Regulations and no improvements are required.

Date

Building Inspector



- NOTES:
1. Area is bounded 12.5
 2. Final line is shown.
 3. Iron pins placed on all corners.
 4. All monuments as shown.
 5. This plat subdivides property as shown on deed Book 2388
 6. Water by ... Lilly Co
 7. Electricity by ... Crisp
 8. Sewer by a standard sewer system

FINAL PLAT

FALCON CREST SUBDIVISION	
OWNER & DEVELOPER:	A. CITIZEN
	1942-0000
	11 KELLEY DR. #3
	COUNTY, TENNESSEE
ENGINEER-SURVEYOR:	EDWALT DORR, INC.
	1942-1011
	P.O. BOX 12
	UNION CITY, TENNESSEE
DATE:	1/1/79
	SCALE: 1" = 100'

MINIMUM SETBACK
 FRONT SETBACK 30'
 REAR SETBACK 15'
 SIDE-YARD SETBACK 10'



SURVEYOR'S / ENGINEER'S
 CERTIFICATE

CERTIFICATE BLOCK

HEALTH DEPT. _____

WATER UTILITY DEPT. _____

COUNTY ROAD DEPT _____

ELECTRICAL SYSTEM _____

RIECA CO. E-011 BOARD _____

PLANNING COMMISSION _____

ARTICLE 8
PLATTING JURISDICTION, ENFORCEMENT,
AND
PENALTIES FOR VIOLATION

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

Section 8.01. Platting Authority. The regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State to the Municipal Planning Commission in Tennessee Code Annotated, Section 13-4-302. Therefore, the developer has the duty of compliance with reasonable conditions laid down by the planning commission for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economic development of the local government therein and to the safety and general welfare of the future lot owners in the subdivision and the community at large.

Therefore, from and after the passage of these regulations, the planning commission shall be the official platting authority in the incorporated area of City of Charleston, and no plat of land subdivision shall be entitled to be recorded in the Office of the Bradley County Register of Deeds 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, with each day of noncompliance being a separate offense.

Section 8.02. 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 Charleston Planning Commission and endorsed by the Secretary and recorded in the office of the Bradley County Register of Deeds is a misdemeanor, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

Tennessee Code Annotated, Section 13-4-306, provides that whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of 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 city 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. Upon notice from the planning commission or its staff, the city commission through its attorney or other official, designated by the city commission, may enjoin such transfer or sale or agreement by action or injunction.

In addition, those who purchase the unapproved lots will have a cloud on their title, will be denied building permits if it is known the lot is illegal, and may have legal recourse against the developer who sold them the land.

Section 8.03. Enforcement. No plat or plan of a subdivision located within the area of the City of Charleston Planning Region shall be filed or recorded by the County Register of Deeds until said plat or plan has received final approval in writing by the secretary of the planning commission as provided in Tennessee Code Annotated Section 13-4-302.

Section 8.04. Opening and Improving Public Roads. No public officer, authority or city governing body shall accept, layout, open, improve, grade, pave, or light any road, lay or authorize the laying of water mains

Table of Contents

or sewers, or the construction of other facilities or utilities in any road located within the area of planning jurisdiction unless such road shall have been accepted, opened or otherwise received the legal status of a public road prior to the adoption of these regulations, or unless such road corresponds in its location and lines to a road shown on a subdivision plat approved by the planning commission, or on a road plan made and adopted by the commission as provided in Tennessee Code Annotated Section 13-4-307.

Section 8.05. Erection of Buildings. No City of Charleston Building Permit shall be approved by the City of Charleston Building Inspector's Office and no building requiring a building permit shall be erected on any lot in a subdivision within the area of jurisdiction of the City of Charleston Municipal Planning Commission unless the lot has one or more of the following types of access as prescribed in Tennessee Code Annotated 13-4-308:

(a)

(1) From and after the time when the platting jurisdiction of any municipal planning commission has attached as provided in § 13-4-302, no building permit shall be issued and no building shall be erected on any lot within the municipality, unless one (1) of the following circumstances is met:

(A) The street giving access to the lot upon which the building is proposed to be placed has been accepted or opened as, or shall have otherwise received the legal status of, a public street prior to that time;

(B)

(i) The street corresponds in its location and lines with a street shown on a subdivision plat approved by the planning commission and recorded in the register of deeds;

(ii) Whenever the street or other infrastructure improvements as denoted on the plat have not been completed, there shall be an adequate, valid, and enforceable bond, or an adequate, valid, and enforceable other guarantee for the completion of the improvements, which shall be held by the appropriate officials as provided in § 13-4-303. This subdivision (a)(1)(B)(ii) shall not be construed to require duplicate bonds or to require additional bonds when an adequate bond to complete the infrastructure is already in effect. This subdivision (a)(1)(B)(ii) shall not be construed as requiring a building contractor to post the bond required by § 13-3-403 on the infrastructure for the subdivision if such building contractor is not a developer of the subdivision;

(C) The lot fronts upon a permanent easement which conforms to all rules, regulations and specifications applicable to the permanent easement of the planning commission or other departments, divisions or agencies of the municipality and so long as the permanent easement has access to an existing highway, street, or thoroughfare, or with a street located or accepted by the chief legislative body of the municipality after submission to the planning commission and, in case of the commission's disapproval, by the favorable vote required in § 13-4-307; or

(D) The street corresponds in its location and lines with a street shown on a street plat made and adopted by the commission.

(2) The planning commission or other departments, divisions or agencies of a municipality, as approved by the planning commission, are authorized to adopt regulations to govern proposed permanent easements in proposed subdivisions as defined in § 13-4-301 and shall seek to ensure that the municipality shall not be responsible for future maintenance of such permanent easements.

(3) Any building erected or to be erected in violation of this section shall be deemed an unlawful structure and the building commissioner or solicitor of the municipality or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed.

(b) A building permit may be issued for a building to be located on a recorded lot of record as of April 21, 1987, which lot fronts on a permanent easement with access to an existing public street or road; provided, that any future subdivision of such lot shall be subject to subsection (a). If the municipality's zoning ordinance establishes a date or procedure by which a lot of record on an easement is recognized as a lot on which a building permit can be issued, then that date or procedure shall prevail over the aforementioned April 21, 1987 date.

[Table of Contents](#)

Section 8.06. 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 Tennessee Code Annotated Section 13-4-302, and any county register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

ARTICLE 9

VARIANCES, AMENDMENTS, AND APPEALS

Section 9.01. 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. Financial hardship shall not constitute a valid request provided the property can still be used in a reasonable manner. 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. The approval of the variance shall be only upon the affirmative vote of two-thirds of the quorum present at any meeting where voted.

Section 9.02. Amendments. These regulations may be amended from time-to-time by the planning commission, which shall first hold a public hearing on the proposed amendments. A public hearing notice of the time and place of the hearing shall be published in a newspaper of general circulation in the county as required by Tennessee Code Annotated 13-4-303.

Section 9.03. Appeals. Appeal is granted from the final action of the planning commission to the court of jurisdiction, but only for the wrongfully withholding of approval by its arbitrary, capricious and/or discriminatory conduct or acts.

ARTICLE 10

LEGAL STATUS PROVISIONS

Section 10.01. Separability. Should any section or provision of these regulations be declared invalid or 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 10.02. Conflict with Other Regulations. Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building codes, or other official regulations, the highest, or most restrictive standard shall apply.

ARTICLE 11

ADOPTION

These regulations are hereby officially adopted by the City of Charleston Municipal Planning Commission and shall replace previously adopted Subdivision Regulations.

May 18, 2026
DATE

Jeffrey J Callaway
CHAIRMAN
CITY OF CHARLESTON MUNICIPAL PLANNING
COMMISSION

ARTICLE 11
ADOPTION

These regulations are hereby officially adopted by the City of Charleston Municipal Planning Commission and shall replace previously adopted Subdivision Regulations.

DATE

CHAIRMAN
CITY OF CHARLESTON MUNICIPAL PLANNING
COMMISSION

[Table of Contents](#)

APPENDIX

Requirements for Permanent Vehicular Easements & Private Roads.

A permanent easement or private road may be permitted under certain conditions.

It shall meet the following minimum requirements, including any special conditions attached by the Planning Commission, and the requirements and special conditions for the easement or private road shall be placed on the final plat for recording.

The following standards shall apply to all private easements and/or private roads based on the numbers of lots the private access will serve (current or future).

The use of flag lots is not intended to abrogate standard subdivision development when it is feasible to construct required roads.

However, if the property is to be further subdivided in the future the easement or private road must be upgraded to meet the requirements below based on the total number of individual lots that use this non-public access as a means of primary ingress/egress to these properties. Improvements must be made between the public right-of-way and the lot requiring the improvement. The cost of the improvements shall be incurred by the property owner and a new maintenance agreement between all parties involved must be established.

A lot that has at least fifty (50') feet of road frontage on publicly maintained road, for which the fifty (50') feet of frontage is not located underneath a deeded easement/ROW, shall not count toward the number of lots considered to be using the private access when determining which of the standards below must be met.

Exceptions to the fifty (50') feet lot frontage requirement may be waived by the Planning Commission for flag lots of one (1) acre or less that meet the minimum flag lot width requirements.

The number of lots the easement serves will be based on the total number of lots with access to the easement. The total number of lots accessing the easement will be determined by the Planning Commission.

For the purpose of this section, "access" will be defined as any property (separate parcel) that utilizes the easement as its primary access.

# of Lots Using Private Access	Right-of-Way Required (Minimum)	Road Base Requirements	Road Frontage of Each Lot	Plat Requirements
1 – 2 Lots	50' Wide Easement or ROW	No Requirement	50'	Final
3 – 6 Lots	50' Wide ROW	Gravel = 20' Wide	50'	Preliminary + Final
> 6 Lots	At Least 50' Wide ROW	Standard City Street	50'	Preliminary + Final

1 – 2 Lots (Easement or Right-of-Way)

Access that will serve no more than a maximum of two (2) lots shall only be required to have a fifty (50') feet wide right-of-way or deeded easement upon which each lot served must front on the right-of-way or easement by at least fifty (50') feet.

[Table of Contents](#)

However, in no case shall a flag lot have a flag stem that is less than the minimum easement width if the access strip connects to the end of a private easement.

The Planning Commission may allow an access easement rather than a dedicated right-of-way and in such cases, shall have the authority to set conditions on the easement and special statements to be listed on the plat. However, in no case shall the required right-of-way or permitted easement be less than fifty (50') feet in width.

3 – 6 Lots (Right-of-Way + Gravel Road)

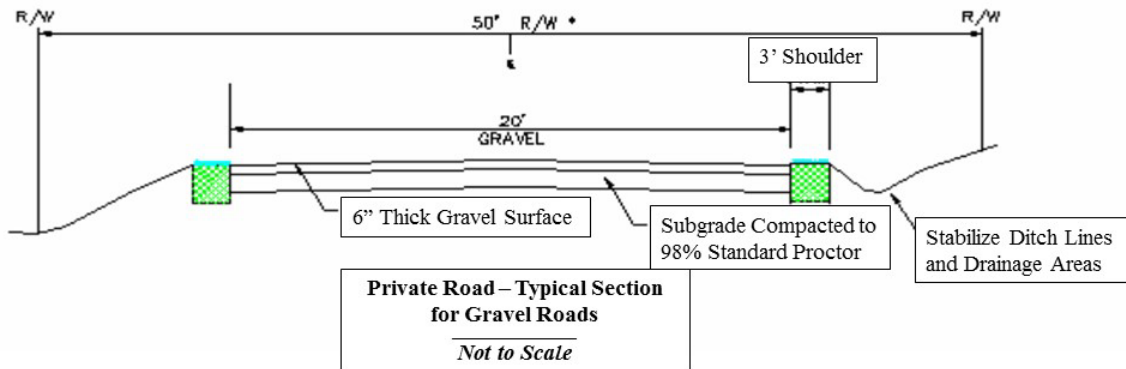
Access that will serve at least three (3) lots but no more than six (6) lots shall have at least a fifty (50') feet wide right-of-way within which a twenty (20') feet wide road base consisting of at least six (6") inches of compacted pug material will provide access to each lot (other materials may be considered by the Planning Commission). Adequate storm water drainage shall be included as specified in the Charleston Subdivision Regulations. The Planning Commission may require engineering and/or design plans to ensure the road is built to the appropriate standards, and that adequate storm water drainage is provided.

All lots using this access must front upon it by at least fifty (50') feet; exceptions to the fifty (50') feet frontage requirement may be waived by the Planning Commission for flag lots of one (1) acre or less that meet the minimum flag lot width requirements. However, in no case shall a flag lot have a flag stem that is less than the minimum easement width if the access strip connects to the end of a private easement.

The maximum length for such private road shall not exceed eight-hundred-fifty (850') feet, unless the entire roadway is brought up to the same standards as city-built roads found in the Charleston Subdivision Regulations. The Planning Commission has the authority to grant variances for private road lengths greater than eight-hundred-fifty (850') feet when it is decided that there are topographical, geographical, or other conditions peculiar to the property.

Further, a maintenance agreement shall be recorded in the office of the Bradley County Register of Deeds governing the use and maintenance of this private road by all current and future property owners that will use this road as a means of access. The maintenance agreement shall prescribe how maintenance costs are to be allocated among adjoining property owners and how costs will be reevaluated in the case of the lots being further subdivided. The maintenance agreement shall also be referenced on the final plat, and presented to the Planning Commission prior to the final plat being approved. The gravel road base shall be laid out and have been inspected by the City of Charleston prior to receiving approval of a final plat by the Charleston Municipal Planning Commission.

Gravel Road Typical Profile



More than 6 Lots (Right-of-Way + Road Built to City Street Specifications)

Access that will serve more than six (6) lots shall have at least a fifty (50') feet wide right-of-way within which a two-lane road built to the same design and material standards as public roads listed in the

Table of Contents

Charleston Subdivision Regulations and shall be constructed prior to approval of a final plat by the Charleston Municipal Planning Commission. Engineering plans for the roadway will be required, and shall be presented to and reviewed by the Planning Commission, City Planner, and City Manager. The Planning Commission will require a statement from the engineer to be submitted along with the final plat stating the road has been constructed and completed in accordance with the standards for public streets as found in the Charleston Subdivision Regulations. All lots using this access for ingress/egress shall front upon it by at least fifty (50') feet. Further, a maintenance agreement governing the use and maintenance of this private road by all current and future property owners using this road as a means of access shall be submitted to the Planning Commission for review prior to receiving final approval of a plat, and then recorded in the office of the Bradley County Register of Deeds. The maintenance agreement shall prescribe how maintenance costs are to be allocated among adjoining property owners and how costs will be reevaluated in the case of the lots being further subdivided. The recorded maintenance agreement shall also be referenced on the final plat. The road must be finished in final form in conformance with the standards set for public roads, and shall have been inspected and found to meet the specified requirements by the Planning Commission, City Planner, and City Staff before a final plat is to be considered for approval by the Planning Commission.

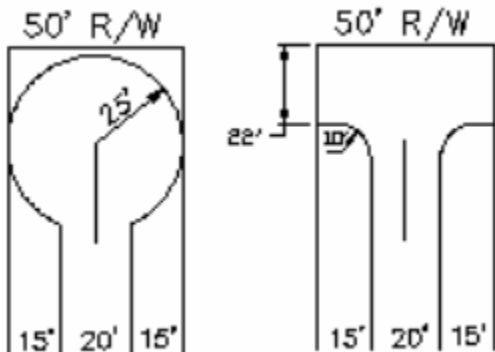
General Conditions for all Private Roads Requiring Right-of-Way (3 + Lots)

- a. Permanent easement improvements shall be maintained either by the owner, a legally established home-owner's association, or other similar group approved by the planning commission, and not by the Government of the City of Charleston. The legal documents establishing the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat and deed for each property.
- b. All desired utilities are the responsibility of the owner, a legally established home-owner's association, or other similar group approved by the planning commission. The City of Charleston is not responsible for providing utility services beyond the limits of a public road or public right-of-way. All required utilities shall be installed prior to completion and testing of the subgrade. Proof of utility installation shall be provided to the Planning Commission prior to approval being granted on a final subdivision plat.
- c. If, at any future date, a permanent easement/private road is submitted for acceptance as a public street or road, it shall be submitted to the planning commission for review. In considering the easement/private road for approval as a public street or road, the planning commission shall require the improvements to the easement/private road to meet the minimum street construction standards in effect at the time the request for public acceptance is made. The Charleston City Manager shall review plans pre-construction and post-construction, and shall have rendered a recommendation to the Planning Commission and City Commission for acceptance as a city street. It shall be stated on the plat and/or the private easement/road certificate that no private access roadway shall be adopted into the city system as a public street until it is brought up to the standards of city-built roads as specified in the Subdivision Regulations.
- d. The road base shall be laid out and designed so that it will not exceed a maximum grade of seven (7%) percent for gravel roads and not more than ten (10%) for paved roads. The Planning Commission may grant a variance on road grade after first obtaining a recommendation from the City Staff or their consultant.
- e. A maintenance agreement shall be recorded with the Bradley County Register of Deeds prior to a final plat being submitted to the Charleston Municipal Planning Commission for review. The registered maintenance agreement shall be noted on the final plat.
- f. Private road and driveway connections may be required to be paved at the portion where the private road/driveway connects to a city or county road. The type of paving material,

[Table of Contents](#)

width, and distance of paving on the private road shall be determined by the City of Charleston.

- g. The private road shall remain accessible to emergency, fire, police, and public utilities. If a gate is to be installed, the County Sheriff, City Police, and emergency responders must have a key code or other means of access to the roadway.
- h. The Charleston Municipal Planning Commission may require engineering and/or design plans for roads serving three (3) or more lots to ensure the road is constructed in such a manner that it will be safe, provide adequate drainage, and meet the requirements set forth in these regulations. All engineered plans shall clearly meet the design requirements found in the Charleston Subdivision Regulations.
- i. All private roads in subdivisions containing 6 or greater lots shall obtain a road name from the Bradely County 911 Office, and a stop sign and street name sign(s) shall be installed at the intersection of all roadways to identify them for emergency services. Street signs shall be permanently mounted with reflective lettering. All private street signs shall be marked with "PVT" along the righthand side and highlighted yellow to indicate it as a private road. Proof of the installed signs (i.e. pictures) shall be presented to the Planning Commission prior to receiving approval of a final plat.
- j. The maximum number of lots for the road type being used should be listed on the plat either in the notes or separately.
- k. All maintenance agreements for private roads serving more than two (2) lots shall have a provision included that allows a homeowner's association to place a lien on property of those who do not contribute financially to the maintenance of the shared roadway.
- l. The road centerline of all paved roads shall be surveyed and the road profile shall be shown on the final plat.
- m. The permanent easement must have access to a public road, but shall not connect between two (2) or more public roads unless the subdivision consist of 30 or more lots to provide additional access during emergencies and for emergency vehicles.
- n. For cul-de-sacs and dead-end roads, there shall be at least a "Y" turn-around or cul-de-sac circle constructed as shown below.



Road width shown as an illustration. Actual width shall be as required by the Charleston Subdivision Regulations based on size and type of road required.

- o. No lot shall be bought or sold, or deed transferred, until all permanent vehicular easement requirements have been met.

[Table of Contents](#)

Note: As lots are added to existing easements/private roads the entire right-of-way must meet current standards based on the “new” total number of properties (individual lots) with use of the easement. Previous divisions from the parent tract that abut the private road will be counted as lots toward the requirements in these regulations.

LETTER OF CREDIT
CITY OF CHARLESTON

(date)

City of Charleston Municipal Planning Commission
9017 Hiwassee Street,
Charleston, TN 37310

Re: Letter of Credit No. _____

(Subdivision/Name)

:

We, _____ (financial institution), hereby establish our IRREVOCABLE LETTER OF CREDIT in favor of City of Charleston, Tennessee, as Beneficiary for the account of _____ (developer) for the completion of roads in _____ (subdivision name) located in City of Charleston, Tennessee, up to the aggregate amount of _____ DOLLARS (\$) available by your draft on site.

Drafts are not to be presented for collection unless payment is not made to City of Charleston for roads and utilities completed by _____ (developer) within the prescribed terms for completion of the roads as set forth in the City of Charleston Subdivision Regulations and other governmental specifications and regulations related to said roads. Drafts presented for payment under this Letter of Credit are to be accompanied by an affidavit executed under oath by a duly authorized officer of City of Charleston as beneficiary indicating that the work has not been completed as required and that payment is due to City of Charleston for work to be completed by or completed by City of Charleston for the above project.

Drafts drawn under this Letter of Credit must be marked "Drawn under _____ (financial institution) _____ (address) Letter of Credit No. _____ and the amount and date of each draft must be endorsed on the back hereof by the negotiating bank.

This Letter of Credit expires at the close of business on _____ (date) and drafts must be presented prior to the expiration. However, this Letter of Credit shall be automatically renewable for additional six (6) month periods unless amended by the financial institution as follows:

- The financial institution must provide City of Charleston as beneficiary a thirty (30) day written notice of its intention to amend the Letter of Credit at its initial expiration or next renewal. Failure to provide such written notice or failure to provide such written notice in the specified time will automatically constitute renewal of the Letter of Credit.

[Table of Contents](#)

- The financial institution may amend the Letter of Credit in one of the following ways:
 - (a) it may be cancelled by the financial institution upon the written agreement with City of Charleston as beneficiary that the roads in above-named subdivision have been satisfactorily completed;
 - (b) it may be paid to City of Charleston as beneficiary in the aggregate amount or in a lesser amount for the remaining work to be completed as agreed to in writing by City of Charleston.

Except so far as otherwise expressly stated, this documentary credit is subject to the “Uniform Customs and Practices for Documentary Credit” (1993 Revision) fixed by the International Chamber of Commerce (Brochure No. 500).

We, _____ (financial institution), hereby engage as the drawers and/or bona fide holders that drafts drawn and negotiated in conformity with the terms of this credit will be duly honored for presentation.

Sincerely,

By: _____ (Financial Institution)

(Name)
(Title)

RESOLUTION NO. 2026-05PC

A RESOLUTION OF THE CHARLESTON MUNICIPAL PLANNING COMMISSION ADOPTING NEW SUBDIVISION REGULATIONS FOR THE CITY OF CHARLESTON, TENNESSEE; REPEALING AND REPLACING ALL PREVIOUSLY ADOPTED SUBDIVISION REGULATIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Tennessee Code Annotated (T.C.A.) § 13-4-302, the Charleston Municipal Planning Commission has the authority to adopt regulations governing the subdivision of land within its jurisdiction; and

WHEREAS, in strict accordance with T.C.A. § 13-4-302, the Charleston Municipal Planning Commission has previously adopted a Major Road Plan for the City of Charleston, Tennessee, and has filed a certified copy of said plan in the office of the County Register of Bradley County, Tennessee; and

WHEREAS, the Planning Commission finds it necessary to update and modernize its subdivision regulations to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the municipality, and to ensure orderly growth and coordinated development; and

WHEREAS, as required by T.C.A. § 13-4-303, a public notice of a public hearing on these proposed subdivision regulations was duly published in a newspaper of general circulation on; and

WHEREAS, a public hearing was held on **Monday, May 18, 2026**, at which time all interested citizens were given an opportunity to be heard on the proposed regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL PLANNING COMMISSION OF THE CITY OF CHARLESTON, TENNESSEE:

SECTION 1. Adoption of Regulations.

Pursuant to the authority granted by T.C.A. §§ 13-4-301 through 13-4-303, the Charleston Municipal Planning Commission hereby adopts the document entitled "*Official City of Charleston, Tennessee, Subdivision Regulations*," dated **May 18, 2026**, attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. Repeal of Conflicting Regulations.

Any and all subdivision regulations previously adopted by the Charleston Municipal Planning Commission are hereby repealed, rescinded, and replaced in their entirety as of the effective date of this Resolution.

SECTION 3. Severability.

If any section, subsection, clause, provision, or portion of these regulations or this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision, or portion of these regulations.

SECTION 4. Effective Date.

This Resolution and the regulations adopted herein shall take effect immediately upon its passage, the public welfare requiring it.

PASSED AND ADOPTED this 18 day of May, 2026.

APPROVED:

Jeffrey J Callaway

Chair, Charleston Municipal Planning Commission

Date: May 18, 2026

ATTEST:

Daniel Dattin

Secretary, Charleston Municipal Planning Commission

Date: May 18, 2026