

SUBDIVISION REGULATIONS FOR THE TOWN OF DECATUR, TENNESSEE

**PREPARED BY THE
DECATUR MUNICIPAL PLANNING COMMISSION**

**DECEMBER 1994
(As Amended Through August 13, 2002)**

**(THESE REGULATIONS, DATED DECEMBER 1994, HAVE REPLACED
THE PREVIOUS REGULATIONS TITLED SUBDIVISION STANDARDS
FOR THE DECATUR PLANNING REGION, AND DATED 1985. THESE
NEW REGULATIONS ARE CONSIDERED COMPLETE AND IN FORCE
AT THE TIME OF ADOPTION, AND ARE SUBJECT TO CHANGE FROM
TIME TO TIME.)**

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CHAPTER 1

PREAMBLE AND ENACTMENT CLAUSE

SECTION 1.00. PREAMBLE AND ENACTMENT

IN PURSUANCE OF THE AUTHORITY SET FORTH IN SECTION 13-4-301 THROUGH SECTION 13-4-309, **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 STREETS, 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 DEVELOPMENT 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 DECATUR, TENNESSEE, THE MUNICIPAL PLANNING COMMISSION OF THE TOWN OF DECATUR, TENNESSEE, DOES ORDAIN AND ENACT THE FOLLOWING CHAPTERS AND SECTIONS.

SECTION 1.01. SHORT TITLE

This document shall be known and may be cited as the **Subdivision Regulations of Decatur, Tennessee**.

CHAPTER 2 DEFINITIONS OF TERMS

SECTION 2.00. DEFINITIONS Except as specifically defined herein, all words used in these regulations have their customary dictionary definitions where not inconsistent with the context. The term "shall" is mandatory. When not inconsistent with the context, words used in the singular include the plural and those used in the plural number include the singular. Words used in the present tense include the future. For the purpose of these regulations, certain words or terms are defined as follows.

BOND - any form of security (including a cash bond, surety bond, undated letter-of-credit, cashiers check, or certified check) in a 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 DMPC.

BUILDING - any structure built for support, shelter, or enclosure for any occupancy or storage.

DEVELOPER - Any individual, subdivider, fir, 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").

DEVELOPMENT - any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DMPC - PLANNING COMMISSION - Decatur Municipal Planning Commission.

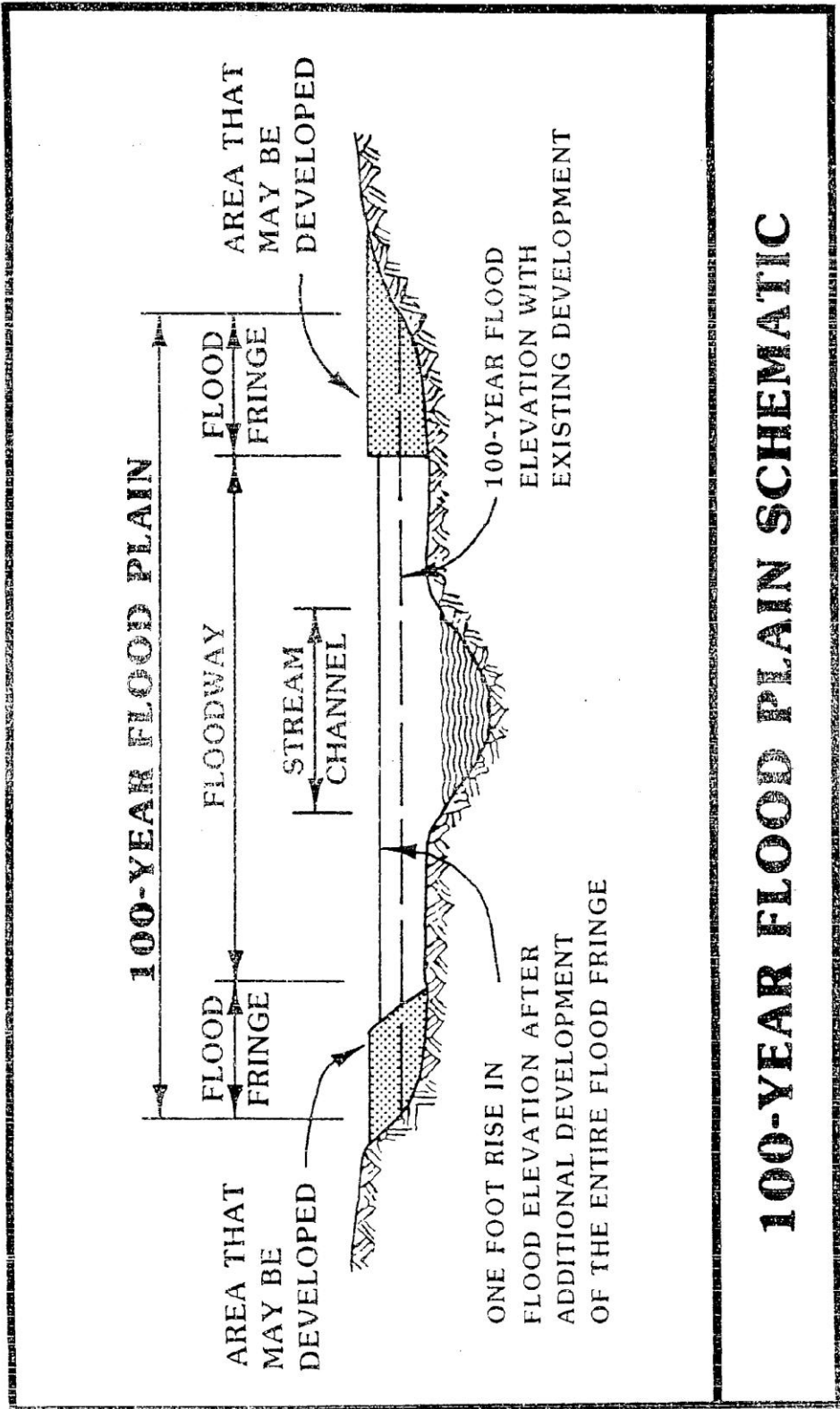
FLAG LOT - an interior lot located to the rear of another lot but with a narrow portion of the lot extending to the street. The narrow portion of the lot that extends to the road shall be suitable for ingress and egress, and shall not be included in the calculation of the minimum lot area.

FLOOD OR FLOODING - a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. the overflow of inland or tidal waters;
2. the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD HAZARD BOUNDARY MAP (FHBM) - an official map of a community, issued by the Federal Emergency Management Agency (FEMA), where the boundaries of the areas of special flood hazard have been defined as Zone A.

FLOOD INSURANCE RATE MAP (FIRM) - an official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.



FLOOD INSURANCE STUDY - the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the risk premium zones applicable to the community.

FLOOD PROTECTION ELEVATION - the elevation to which structures and uses regulated by these regulations are required to be elevated or flood-proofed. Since Decatur's floodways are calculated to pass the 100-year flood with an increase in water level not more than one (1) foot, the flood protection elevation at any point along a stream is the natural 100-year flood level at the point plus one (1) foot.

FLOODWAY - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

FLOODWAY FRINGE - the land located between the floodway boundary line and the maximum elevation subject to inundation by the 100-year flood.

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

HEALTH AUTHORITY - the environmentalist of the Meigs County Health Department or his duly authorized representative.

LOT - a portion or parcel of land separated from other portions or parcels by description as on a subdivision plat, or record of survey map, or as described by metes and bounds, and is 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.

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

PLANNING STAFF - the planner assigned to the Town of Decatur from the Tennessee Department of Economic and Community Development, Local Planning Office.

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; 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 street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special purpose. the usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right-of-way is established. Such right-of-way shall not become a governmental responsibility until accepted, however.

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

- a. **ARTERIALS:** major thoroughfares designed to move large volumes of vehicles.
- b. **COLLECTORS:** those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets of a residential development and streets for major circulation within such a development.
- c. **LOCAL STREET:** a neighborhood street used primarily for access to the abutting properties.
- d. **MARGINAL ACCESS STREET:** a minor street parallel and adjacent to arterials which offers access to abutting properties.
- e. **ALLEY:** a minor way used for service access to the back or side of properties otherwise abutting on a street.
- f. **CUL-DE-SAC:** a local street with only one outlet, sometimes called a dead-end street.

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

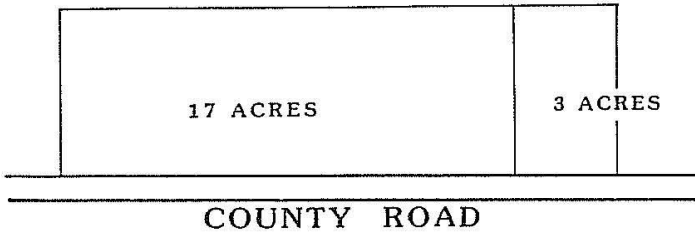
SUBDIVISION - the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of five (5) acres or less for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided.

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.

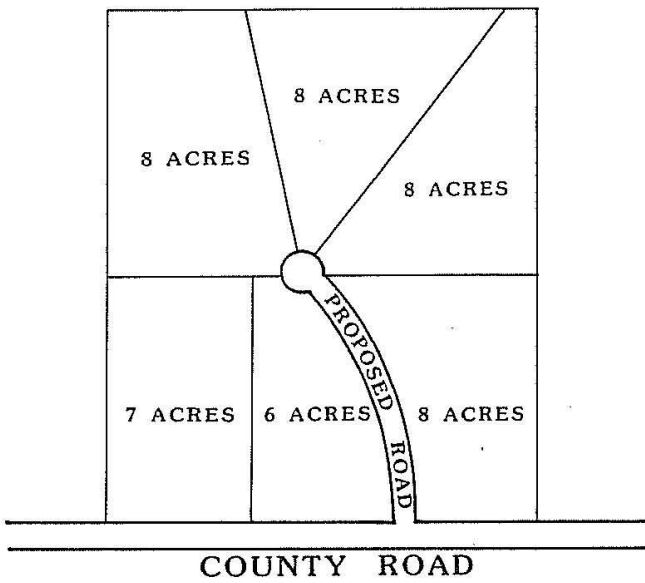
YARD, FRONT - the required open space, unoccupied by buildings, between the road or street right-of-way line and the principal building.

YARD, REAR - the required space, unoccupied except by a building or accessory use as herein provided, extending from the rear of the principal building to the rear lot line, the full width of the lot.

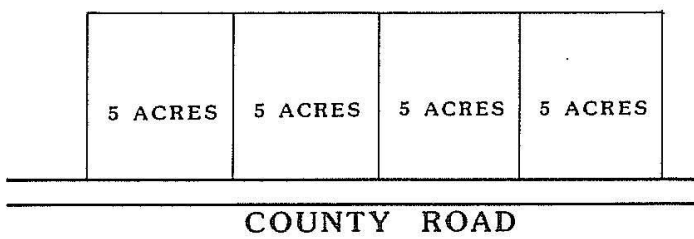
YARD, SIDE - the space, unoccupied except as herein provided, measured between side lot line and the nearest point of the principal building and between the front yard and the rear yard.



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 ?

CHAPTER 3

PLATTING JURISDICTION AND ENFORCEMENT

SECTION 3.00. PLATTING AUTHORITY.

The **Decatur Municipal Planning Commission (DMPC)** shall be the official platting authority for land within its planning jurisdiction. The DMPC's planning jurisdiction shall include land within the corporate limits of Decatur, Tennessee.

SECTION 3.01. USE OF PLAT.

The transfer of sale, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a subdivision plat that has not been given final approval by the planning commission and recorded in the Office of the Meigs County Register of Deeds is prohibited. The description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from these regulations.

SECTION 3.02. ENFORCEMENT.

No plat or plan of a subdivision located within the area of planning jurisdiction shall be filed or recorded by the county register of deeds until said plat or plan has received final approval in writing by the Decatur Municipal Planning Commission.

SECTION 3.03. OPENING AND IMPROVING OF PUBLIC STREETS.

No public officer, authority, or town governing body shall accept, layout, open, improve, grade, pave, or light any street; lay or authorize the laying of water mains or sewers; or the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the planning commission, or on a street plan made and adopted by the planning commission. The town board of mayor and aldermen may accept or layout any other road provided the ordinance for such acceptance, laying out, or adoption shall first be submitted to the planning commission for its approval. And if disapproved by the planning commission, shall receive at least a majority vote of the entire membership of the Decatur Board of Mayor and Aldermen.

SECTION 3.04. ERECTION OF BUILDINGS.

No building permit shall be issued and no building shall be erected on any lot in a subdivision within the area of jurisdiction of the planning commission unless the street giving access thereto has been accepted as a public street in accordance with these regulations.

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

SECTION 3.05. PENALTIES.

No county register shall receive, file, or record a plat of a subdivision without the approval of the planning commission. Violation of this provision shall be deemed a misdemeanor, punishable as provided by law.

Any 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 such subdivision to the planning commission and obtained its approval as required before such plat be recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law, and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The town, through its attorney or other official designated by the board of mayor and aldermen, may enjoin such transfer or sale or agreement by action or injunction.

CHAPTER 4

DESIGN REQUIREMENTS FOR SUBDIVISIONS

SECTION 4.00. SUITABILITY OF LAND.

The planning commission shall not approve the subdivision of land if from adequate investigations is deemed unsuitable for platting and development purposes of the kind proposed.

Land within the floodways shall not be platted for residential occupancy or building sites, but may be used in calculating overall lot size. Such land shall be set aside for uses as shall not be endangered by periodic or occasional inundation and extreme water velocities.

Land located in floodway fringe areas may be platted for residential occupancy or for such other uses which will not increase the flood hazard, endanger health, life, or property, or aggravate erosion provided a notation of the flood hazard is shown on the plat and provided the lot has a flood-free building site. In applying this provision, land below the elevation of the 100-year flood shall be considered subject to periodic flooding.

The elevation of these controls shall be determined from the "Flood Insurance Study" and the corresponding Flood Insurance Rate Maps, and any subsequent revisions thereto developed by the Federal Emergency Management Agency, which are made part of these regulations.

Fill may not be used to raise land within the floodway area. In other areas subject to flood, fill may be used provided the proposed fill does not restrict the flow of water or increase flood heights.

SECTION 4.01. 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 4.02. ACCESS.

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

SECTION 4.03. PUBLIC USE AREAS.

When public use features or other plans adopted by the planning commission are located in whole or in part in a subdivision, land for such features shall be either dedicated or reserved by the subdivider for acquisition within one (1) year by the appropriate public agency.

The planning commission shall refuse to approve the plat and shall notify the governing body of the reasons for such action whenever it finds a dedication of land to public uses is not required or suitable for such use.

Where public use is to be made of the property and the residents of the subdivision will receive benefit, the dedication of the property should be encouraged. Where the public use is for the public as a whole, the community should pay proportionately for the acquisition of reserved areas within a reasonable time. A reasonable time is to be determined according to the

circumstance--the subdivider should not be required to hold his land idle for a lengthy, indefinite period.

SECTION 4.04. BLOCK LENGTHS AND WIDTHS.

Block lengths and widths shall be as follows:

- a. Blocks shall be no shorter than four hundred (400) feet nor longer than twelve hundred (1,200) feet in length, except in unusual circumstances.
- b. Blocks shall be wide enough to provide two (2) tiers of lots of minimum depth, except where abutting upon major streets or where other situations make this requirement impractical.

SECTION 4.05. FLOOD PROTECTION ELEVATION.

Each lot in a subdivision shall contain a flood-free building site outside 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 be a minimum of one (1) foot above the 100-year flood elevation. Lots, building locations and elevations shall be in conformance with the requirements of the Decatur Flood Damage Prevention Ordinance.

SECTION 4.06. LOT SIZES.

Lots shall meet the lot width and lot area of the Decatur Zoning Ordinance, i.e. for residential lots in the R-1 Low-Density Residential, one hundred (100) feet; and for the R-2 High Density Residential District, seventy-five (75) feet, at the building setback line. In the absence of zoning, the minimum width shall be seventy-five (75) feet at the building setback line. Other lot size requirements include:

- a. Residential lots shall have a depth of not less than one hundred (100) feet and not greater than three (3) times the width of the lot at the building line, unless unusual circumstances make these limitations impractical.
- b. Lots not served by public water or sewer systems shall be at least twenty thousand (20,000) square feet in area or of a size specified by the county health authority; the minimum distance between the septic tank and well shall be one hundred (100) feet.
- c. Where lots are served by public sewer and public sewer, the minimum lot size in the R-1 district shall be twelve thousand (12,000) square feet and in the R-2 district be ten thousand (10,000) square feet. In the absence of zoning, the minimum lot size shall be twenty thousand (20,000) square feet.
- d. Corner lots shall have adequate width to meet building setback requirements for both abutting streets.
- e. Commercial and industrial lots shall be adequate in size to provide service areas and off-street parking suitable for the type of use and development contemplated.

- f. Land shall not be platted for commercial or industrial purposes unless the subdivider can demonstrate that each lot provides:
 - (1) A site that does not unduly interfere with through traffic,
 - (2) An integrated parking area,
 - (3) Insulation against any adverse effect on any present or future adjacent residences,
 - (4) A parcel size sufficient in area to allow future expansions.

SECTION 4.07. LOT LINES.

All lot lines shall be perpendicular or radial to the street lines, unless impractical because of topographic or other features.

SECTION 4.08. BUILDING SETBACK LINES.

All building setback lines shall be measured from the property line. Minimum building setback lines shall be as follows:

- a. Front yard setback 30 feet
- b. Side yard setback 15 feet
- c. Rear Yard Setback 20 feet
- d. Side yard setback abutting a public 30 feet
street (corner lot) or as may be required

In cases where a drainage or other easement is required on the plat, setbacks may be increased.

SECTION 4.09. LOT ABUTTING PUBLIC STREETS.

Each lot shall abut for at least thirty-five (35) feet upon a dedicated public street.

SECTION 4.10. DOUBLE FRONTAGE LOTS.

Double frontage lots should be avoided, except to overcome specific disadvantages of topography and orientation.

SECTION 4.11. REVERSE FRONTAGE LOTS.

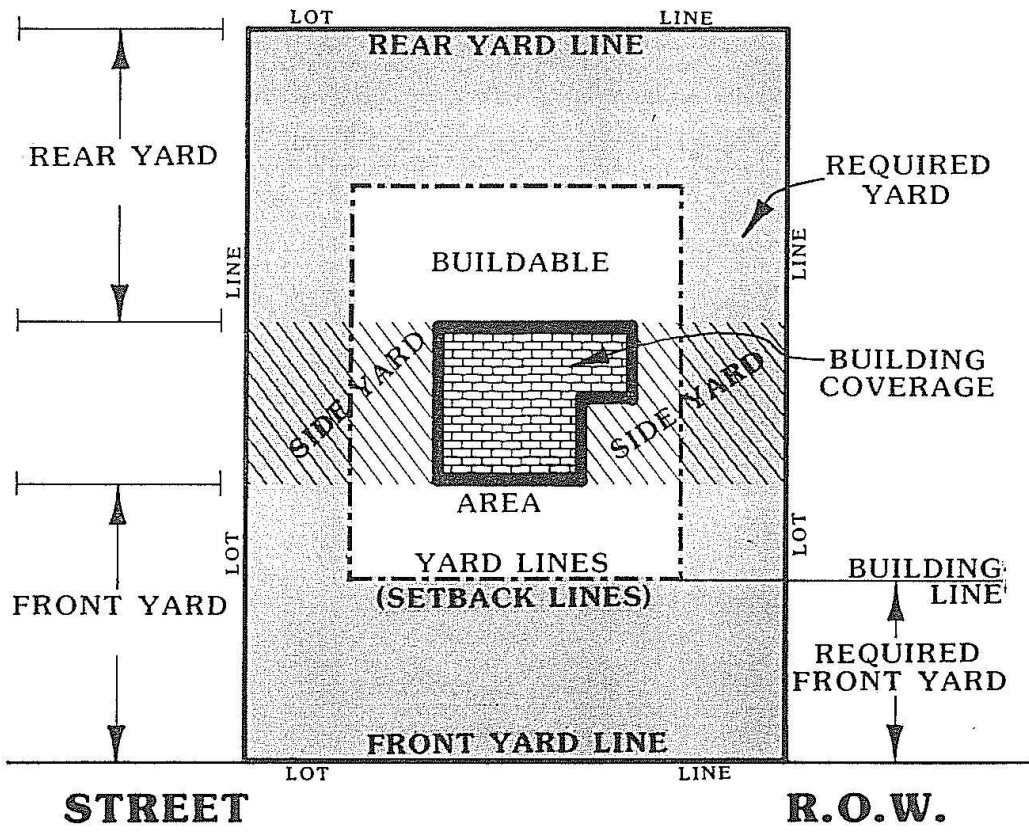
Reverse frontage lots should be encouraged where essential to provide separate residential development from traffic arteries, and shall have a depth of not less than one hundred fifty (150) feet.

SECTION 4.12. FLAG LOTS

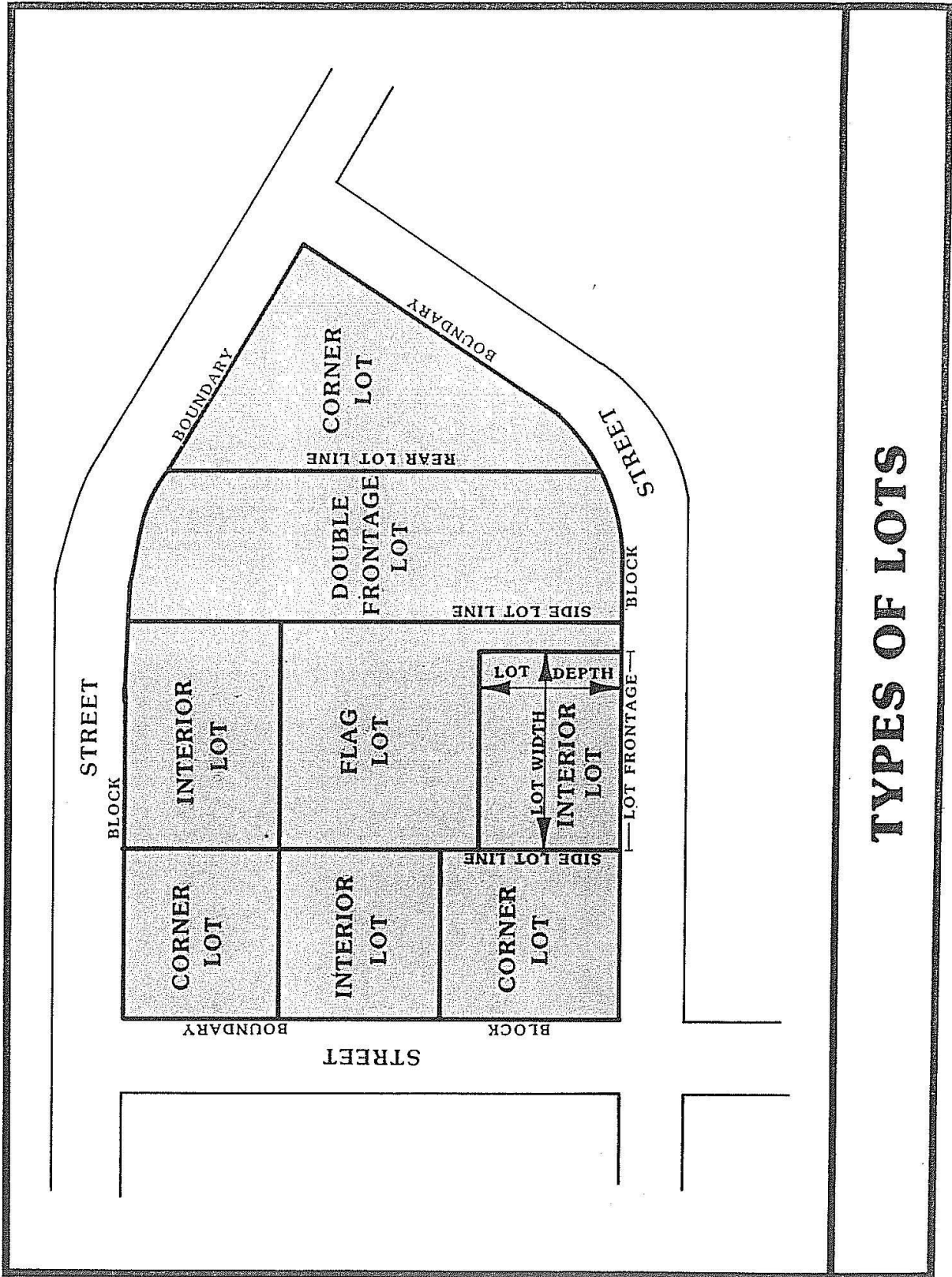
A Flag Lot is a lot which, except for a narrow private access lane, does not front on or abut a publicly-maintained street or road. These lots are to provide a building site in the interior or a tract of land behind lots which have full frontage on a publicly maintained street or road.

- a. Within the portion of the flag lot which excludes the access strip, the building setbacks for front, side and rear yards shall still apply and be measured from the boundaries of the parcel excluding the access strip.

- b. No more than two access strips shall be located side-by-side.
- c. Flag stems shall not exceed six hundred (600) feet.
- d. Width:
 - 1. For flag lots of two (2) acres or less, the access strip shall be not less than twenty-five (25) feet in width.
 - 2. For flag lots of more than two (2) acres, but not more than five (5) acres, the access strip shall be not less than forty (40) feet in width.
 - 3. For flag lots of over five (5) acres, the access strip shall be a minimum of fifty (50) feet in width.



SETBACKS AND YARDS



TYPES OF LOTS

CHAPTER 5

DESIGN REQUIREMENTS FOR STREETS AND OTHER RIGHTS-OF-WAY

SECTION 5.00. CONFORMANCE TO MAJOR ROAD PLAN.

All streets and features of the *Major Road Plan of Decatur, Tennessee*, shall be platted by the subdivider in the location and to the dimensions indicated on the *Major Road Plan*.

SECTION 5.01. CONTINUATION OF EXISTING STREETS.

Existing streets shall be continued at the same or greater width--unless they become cul-de-sacs--but in no case less than the required width.

SECTION 5.02. STREET CONNECTIONS.

Where proposed streets intersect existing streets, the developer must make the connection at his expense and meet all street design requirements set forth in these regulations. Where proposed streets connect with a town, county, or state highway, the developer shall obtain authorization from the town or state highway department granting approval of the design of the proposed road connection.

SECTION 5.03. STREET ELEVATIONS.

The planning commission may require profiles and elevations of streets in areas subject to flood. Fill may be used for streets provided such fill does not increase flood heights. Drainage openings shall be designed to not restrict the flow of water and increase flood heights. The minimum street elevation should be no lower than the 100-year flood elevation.

SECTION 5.04. STREET NAMES.

The street names shall require the approval of the planning commission. Streets that are in obvious alignment with existing streets shall be given the name of the existing street.

SECTION 5.05. RESTRICTION OF ACCESS.

When a tract fronts on an arterial or highway, the planning commission may require such lots to be provided with frontage on a marginal access street or may require reverse frontage lots.

SECTION 5.06. ALLEYS.

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

SECTION 5.07. PRIVATE STREETS AND RESERVE STRIPS.

There shall be no private streets platted in any subdivision. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the town under conditions approved by the planning commission.

SECTION 5.08. EASEMENTS.

Easements having a minimum width of ten (10) feet shall be provided where deemed necessary for utility lines and underground mains and cables. Easements of the same

or greater width shall be required along the lines of, or across, lots where necessary for the extension of existing or planned utilities.

Where a subdivision is traversed by a watercourse, drainage-way, channel, or stream, there shall be provided a storm water or drainage easement of adequate width.

SECTION 5.09. STREET RIGHT-OF WAY WIDTHS.

The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

- a. Arterials..... 80 feet
or as may be required
- b. Collector Streets 50 feet
- c. Marginal Access Streets 40 feet
- d. Alleys 20 feet
- e. Cul-de-sacs..... 50 feet

Cul-de-sacs or dead-end streets shall not be greater in length than one thousand two hundred (1,200) 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.

- f. Temporary Cul-de-sacs 50 feet

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.

SECTION 5.10. ADDITIONAL WIDTH ON EXISTING STREETS.

Subdivisions that abut existing streets shall dedicate additional right-of-way to meet the minimum street requirements as follows:

- a. The entire right-of-way shall be dedicated where any part of the subdivision is on both sides of the existing street.
- b. Where the subdivision is located on one side of an existing street, the amount of dedicated right-of-way shall be dedicated:
 - (1) If the land across the roadway from the proposed subdivision has not been subdivided or developed, the subdivider is only required to dedicate one-half of the required right-of-way, measured from the centerline of the existing roadway.
 - (2) If the land across the roadway has been subdivided or developed, the subdivider is required to provide enough additional right-of-way on his side of the roadway to bring

the total right-of-way to the required width in no case shall the right-of-way be less than forty (40) feet.

- c. In cases where the rights-of-way in excess of fifty (50) feet are required, additional widths shall be reserved, and when used, just compensation therefore shall be paid by the condemning authority.

SECTION 5.11. MINIMUM PAVEMENT WIDTHS.

The required pavement widths will vary with the character of the building development and the amount of traffic encountered.

Minimum surface widths shall be as follows:*

- a. Arterial Streets 24 feet
- b. Collector Streets 22 feet
- c. Marginal Access Streets 20 feet
- d. Minor Residential Streets..... 20 feet
- e. Dead-end Streets..... 20 feet

****Each subdivision plat will be reviewed on a case-by-case basis. The planning commission reserves the right to increase the minimum surface width if through its plat review the planning commission finds the type of development proposed warrants a larger minimum surface width.***

SECTION 5.12. STREET GRADES.

Streets shall be planned to conform to existing topographic conditions. Grade may exceed twelve (12) percent for a distance up to four hundred (400) feet, but may not exceed fourteen (14) percent. Minimum street grade shall be 0.5 percent.

Street grades approaching intersections shall not exceed four percent (4%) for a distance of not less than thirty-five feet (35'), measured from the edge of the pavement on the intersecting street.

SECTION 5.13. HORIZONTAL CURVES.

Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, the street shall have a centerline radius of not less than the following.

- a. Arterials..... 300 feet
- b. Collectors..... 200 feet
- c. Marginal Access Streets 100 feet

SECTION 5.14. VERTICAL CURVES.

Vertical street profiles of all streets to be constructed in the subdivision shall be submitted. The vertical street profiles shall show the street name, station numbers, the existing ground lines, the proposed centerline grade, percent grades, vertical curve, K Factor, street intersections, drainage structure tops and inverts, all drawn to a scale of

not less than one inch equals one hundred feet (1" = 100') horizontal, and one inch equals ten feet (1" = 10') vertical.

SECTION 5.15. INTERSECTIONS.

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

Curb radii at street intersections shall not be less than twenty (20) feet, and where the angle of a street intersection is less than seventy-five (75) degrees, the planning commission may require a greater curb radius.

SECTION 5.16. TANGENTS.

Between reverse curves, there shall be a tangent having a length of not less than one hundred (100) feet when used with minimum radius.

SECTION 5.17. STREET JOGS.

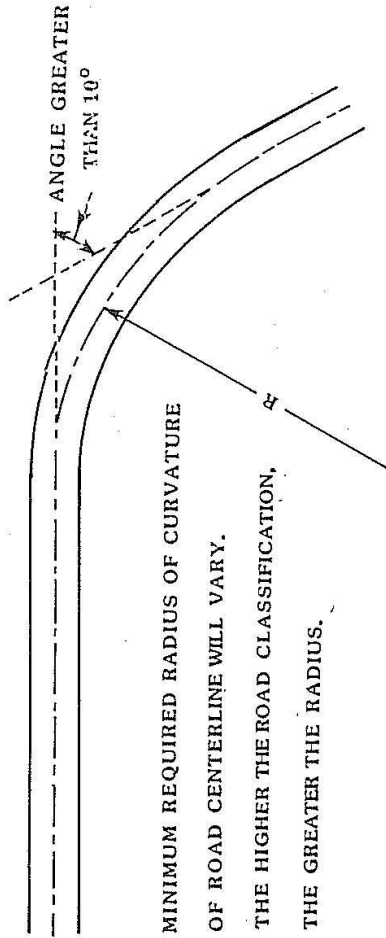
Street jogs with centerline offsets of less than one hundred fifty (150) feet shall not be allowed.

SECTION 5.18. STREET PATTERN

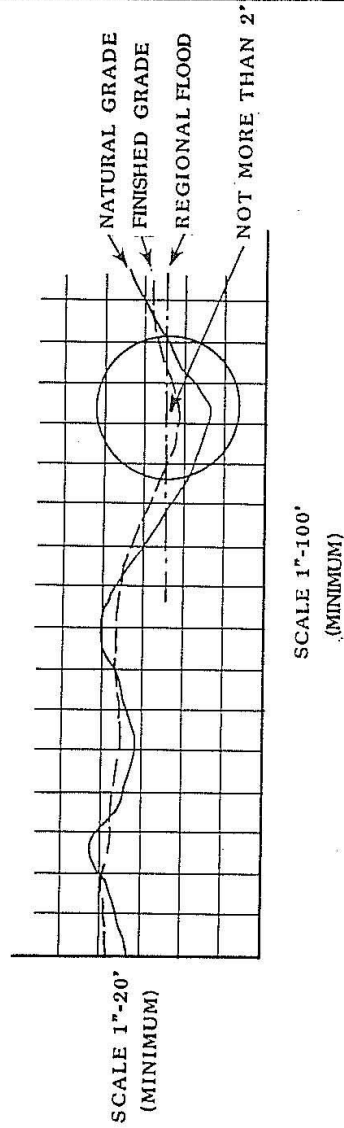
All subdivisions shall provide for convenient access and circulation. No lot in each unit or phase of a subdivision shall be more than one thousand three hundred feet (1,300') from a potential school bus route that does not require school buses to back-up. This shall be accomplished by one or more of the following methods:

- (a) looped street patterns
- (b) turn arounds designed for school buses at "midpoints" in long cul-de-sacs, or
- (c) cul-de-sac turn arounds designed for school buses.

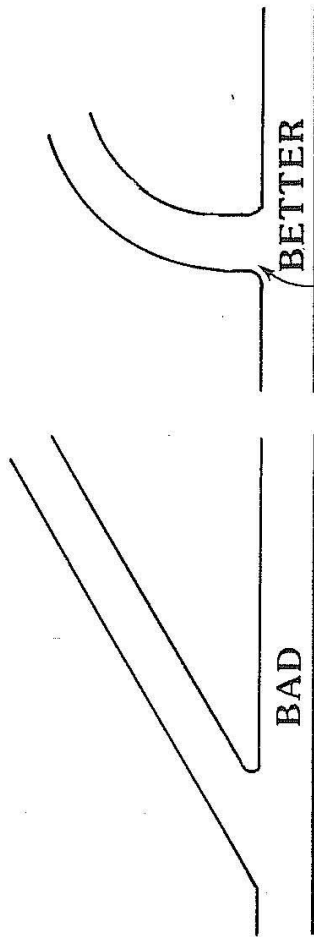
***** State law requires that school buses must come within one-quarter (1/4) mile, or one thousand three hundred twenty feet (1,320') of the residence of every school child. Therefore, if a school bus cannot make a "loop" in its run through a subdivision, it must turn around somewhere. The "somewhere" must not be more than one thousand three hundred feet (1,300') from any resident. The turn-around can be at the end of the cul-de-sac, or at some point not more than one thousand three hundred feet (1,300') from the end.***



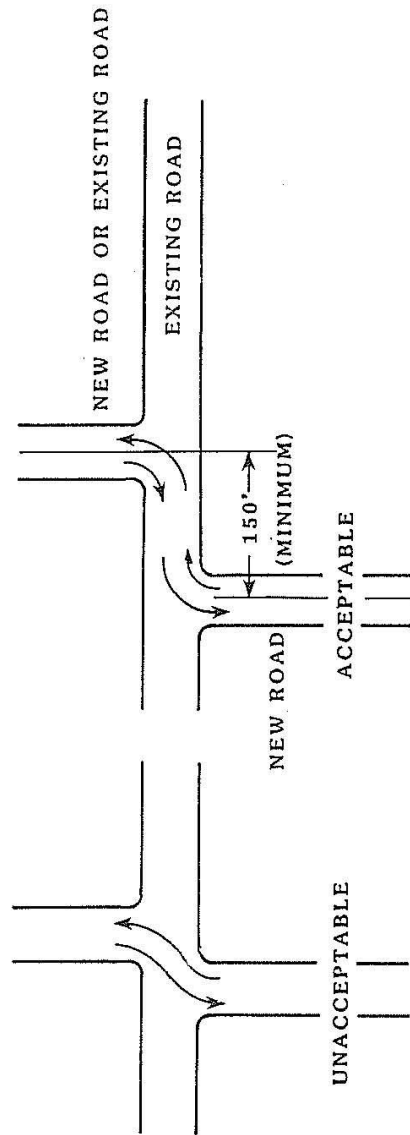
MINIMUM REQUIRED RADIUS OF CURVATURE OF ROAD CENTERLINE WILL VARY. THE HIGHER THE ROAD CLASSIFICATION, THE GREATER THE RADIUS.



HORIZONTAL CURVE STREET PROFILE



90° FOR 2 CAR LENGTHS



INTERSECTIONS

STREET JOGS

CHAPTER 6

PRELIMINARY PLATTING REQUIREMENTS

SECTION 6.00. PREAPPLICATION REVIEW.

The subdivider is urged to consult early with the chairman of the Decatur Municipal Planning Commission and its staff and with the Decatur Utilities Department, or if the proposed development will be on an individual lot sewer system (septic tanks), the Meigs County Health Department. The subdivider may submit sketch plans and data showing existing conditions within the site and its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for the preapplication review and no formal application shall be required.

At this stage, the subdivider should consult with any lending institutions participating in the financing of his proposed development. The subdivider should contact the Federal Housing Administration (FHA) or the Farmers Home Administration (FmHA) regarding mortgage insurance on houses that may be built in the proposed subdivision. It is important that the subdivider submit a sketch plat to the county health department prior to the meeting when he will ask the planning commission for preliminary approval.

SECTION 6.01. PRELIMINARY PLAT APPROVAL.

The following procedures are required in order to obtain approval of a preliminary plat.

SECTION 6.01.01. Application for Preliminary Plat Approval.

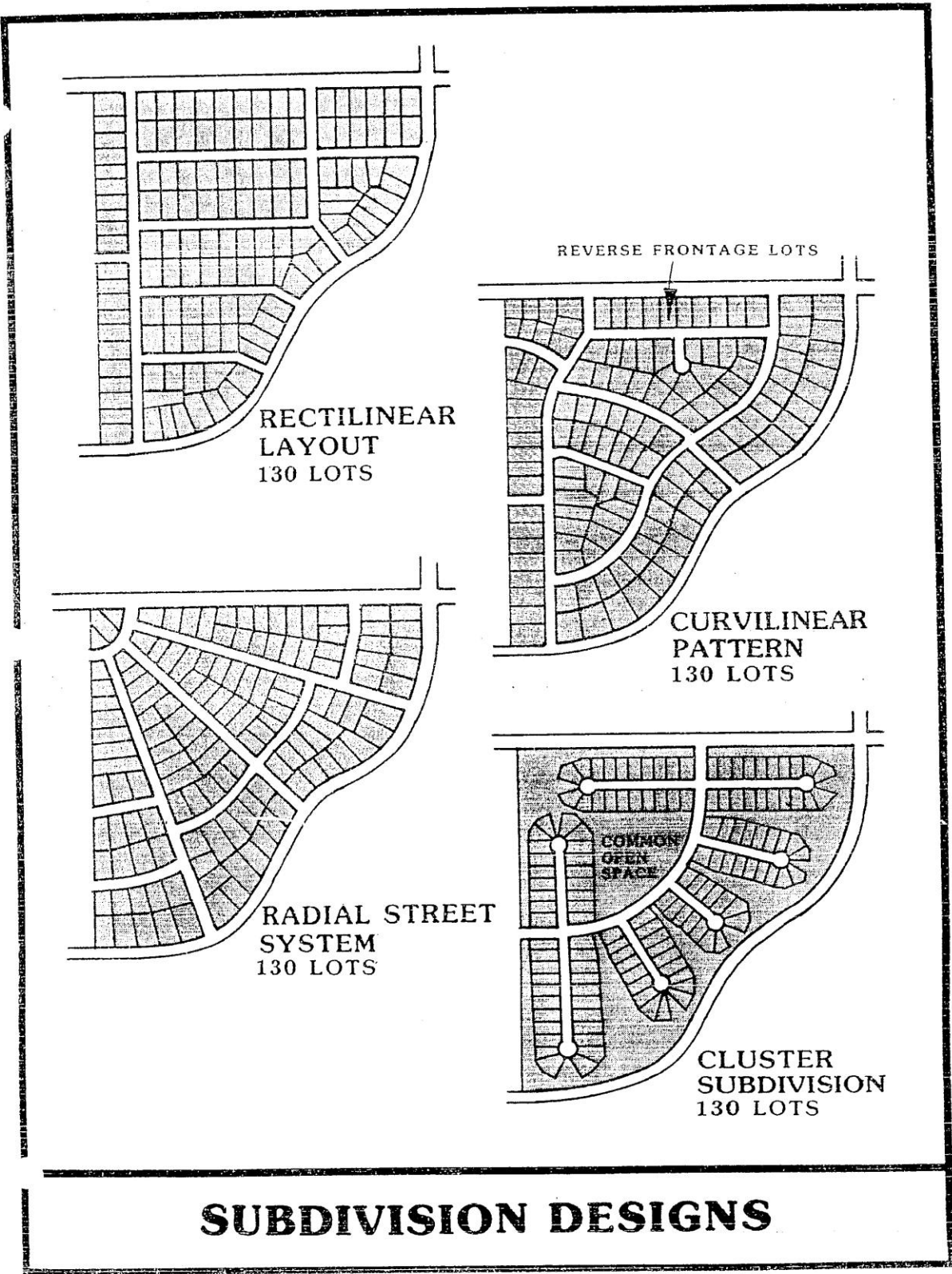
The subdivider shall inform the chairman of the planning commission and planning staff of a request for preliminary plat approval. This contact should be made at least fifteen days prior to the meeting to allow a reasonable amount of time for the planning commission and the planning staff to review the information provided on the plat. **In no case shall the planning commission review a preliminary plat which notification is given on the date of the regularly scheduled meeting.**

The subdivider shall distribute one copy of the preliminary plat to each of the following individuals or agencies for their review and records: 1) planning commission; 2) planning staff; 3) public utility department; 4) county health department; and 5) the Decatur Director of Public Works.

SECTION 6.01.02. Review of Preliminary Plat.

The planning commission shall check the plat for conformance to these regulations. The planning commission shall give approval or disapproval of the preliminary plat. A notation of the action shall be made in the minutes of the meeting. The minutes shall contain the reasons for disapproval or the conditions for approval. One (1) copy shall be returned to the subdivider or his agent and one (1) copy added to the records of the planning commission.

The planning commission shall act on the preliminary plat within thirty (30) days after the plat is presented at a planning commission meeting.



SUBDIVISION DESIGNS

SECTION 6.02. PRELIMINARY PLAT SPECIFICATION.

The following specifications are required on the preliminary plat.

SECTION 6.02.01. Scale.

The preliminary plat shall be legibly drawn at a scale not smaller than one hundred (100) feet equals one (1) inch.

SECTION 6.02.02. Sheet Size.

Sheet size shall be eighteen (18) by twenty-four (24) inches, or twenty-four (24) by thirty-six (36) inches from trim lines, with a two (2) inch binding edge on the long side. 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.

SECTION 6.02.03. Ground Elevations.

Contours shall be shown at vertical intervals of not more than five (5) feet, except when waived by the planning commission. The method for obtaining contour lines shall be stated on the plat. (Contours are not required on the final plat.)

SECTION 6.02.04. Information to be Provided on the Preliminary Plat.

The preliminary plat shall contain the following information.

- a. Name of subdivision.
- b. Name, address and phone number of owner of record, subdivider, and surveyor.
- c. North point, graphic or bar scale, and date plat was designed.
- d. Vicinity map showing location and acreage of subdivision.
- e. Exact boundary lines of the tract by bearings and distances.
- f. Names of all adjoining property owners and/or subdivisions.
- g. 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.
- h. Proposed design including streets and alleys with proposed street names, lot lines with dimensions, easements, land to be reserved or dedicated for public uses.
- i. Consecutive lot numbers.
- j. Plans of all proposed utility layouts and easements showing connections to the existing or any proposed utility systems.
- k. Minimum building setback lines (See Sec. 4.08).
- l. The present zoning classification on the land to be subdivided and on the adjoining land.
- m. Contour lines at least for every five (5) foot change in elevation. State method use to obtain contours.

- n. Existing street centerline profiles.
- o. Proposed street cross-sections profiles.
- p. If any portion of the land being subdivided is subject to flood, the following criteria shall be met:
 - (1) The floodplain limits shall be shown.
 - (2) Public utilities and facilities shall be constructed so as to minimize flood damage.
 - (3) Adequate drainage shall be provided.
 - (4) The developer of a subdivision greater than fifty (50) lots or five (5) acres shall develop base flood elevation data for the subdivision.

SECTION 6.03. CERTIFICATE OF PRELIMINARY PLAT APPROVAL.

The following certificate shall be attached to the preliminary plat and shall have all required signatures prior to the commencement of improvements to the subdivision.

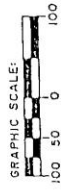
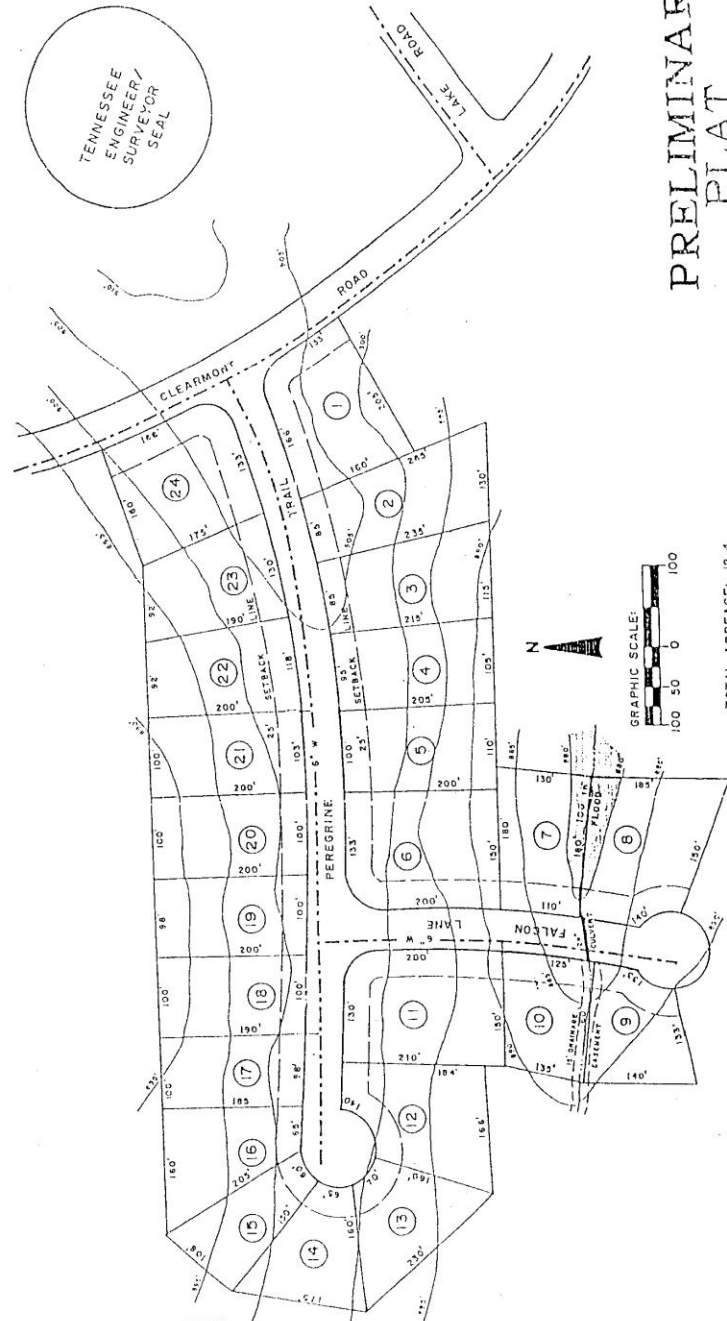
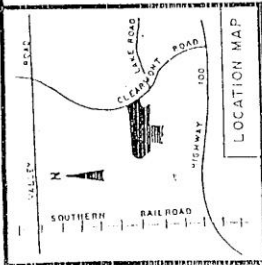
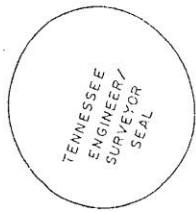
CERTIFICATE OF APPROVAL OF PRELIMINARY PLAT

Pursuant to the **Subdivision Regulations of Decatur, Tennessee**, all of the requirements of preliminary approval have been fulfilled. Therefore, the "Preliminary Plat of _____ Subdivision" has been approved by the Decatur Municipal Planning Commission on _____, 19 _____, subject to the following modifications: _____

This approval does not constitute approval of a final plat. This **Certificate of Preliminary Approval** shall expire and be null and void on _____, 19 _____ (one year from date of approval).

Variances granted (if any): _____

Signed: _____
 Secretary, Decatur Municipal
 Planning Commission



TOTAL ACREAGE: 12.4
NOTE: Sewage By Septic Tanks, No Zoning In Area

PRELIMINARY PLAT

FALCON CREST SUBDIVISION
OWNER & DEVELOPER: A. CITIZEN
111 VALLEY ROAD (555-0000)
COUNTY, TENNESSEE
ENGINEER/SURVEYOR: COUNTY DRAFTING, INC.
(555-1111) P.O. BOX 12
CITY, TENNESSEE
DATE: 1/1/90

Subject to the Subdivision Regulations of Meigs County, all the requirements of the Uniform Subdivision Act have been followed. The State Preliminary Plat has been approved by the Meigs County Board of Commissioners. This approval is subject to the approval of the State Board of Equalization and the State Board of Health. The State Board of Equalization and the State Board of Health shall ensure and be held void on appeal.

Secretary, Meigs County
Regulatory Planning Commission

CHAPTER 7

IMPROVEMENTS PREREQUISITE TO FINAL PLAT APPROVAL

SECTION 7.00. IMPROVEMENTS.

Prior to the approval of a final plat, the subdivider shall be required to install the improvements set forth in sections 07.01. through 07.14. of these regulations.

SECTION 7.01. MONUMENTS.

- a. All corners shall be established with a metal or concrete objects. Metal corners (monuments) shall be no less than 1/2 inch in diameter, concrete corners shall be no less than 4 inches in diameter, both shall be no less than 18 inches in length. Monuments shall be placed so the top is flush with the finish grade.
- b. Concrete markers shall have a permanent mark for the survey point and shall have the surveyor's name or company name attached or stamped. All new monuments shall have a cap or tag of non-corrosive material with surveyor's registration number or company name stamped (Ref. Sec. 0820-3-.07 (1) *Rules of Tennessee State Board of Examiners for Land Surveyors*).

SECTION 7.02. STREET CONSTRUCTION GENERAL, INSPECTIONS.

Before road construction begins, the developer shall contact the Decatur Director of Public Works to discuss pre-construction project specifics. The director of public works, or his/her representative shall make inspections, before, during and after: 1) grading, 2) laying the road base, and 3) paving. The director of public works shall be furnished with copies of all weight tickets for materials used in the road base and pavement. The inspector shall specifically check for width and depth of the grade, base and pavement, as well as crown of the road.

SECTION 7.03. GRADING.

All streets, and alleys shall be graded to the required cross section. Where streets are constructed under or adjacent to existing electric transmission lines, the fifteen (15) foot easement from any transmission line structure and all grading for the road shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric transmission lines, the clearance from the road to the nearest conductor shall meet the requirements of the National Safety Code.

- a. **Preparation.** The entire right-of-way areas shall be first cleared of all stumps, roots, brush, and other objectionable materials.
- b. **Cuts.** All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the sub-grade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the sub-grade. This provision applies to the roadway and not necessarily to the entire right-of-way width.
- c. **Fill.** All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed.

Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted by a sheep's foot roller. Utility trenches and other places not accessible to a roller shall be mechanically tamped.

- d. **Specifications.** Cut and fill slopes shall be no steeper than one (1) foot vertical for every two (2) feet horizontal unless extra measures are taken to assure that the slope is stabilized to prevent soil erosion.

SECTION 7.04. INSTALLATION OF UTILITIES.

After grading is completed and approved and before any base is applied, all utilities shall be installed completely and approved throughout the subdivision.

For a subdivision identified in a flood hazard area, the utilities must be constructed to minimize flood damage.

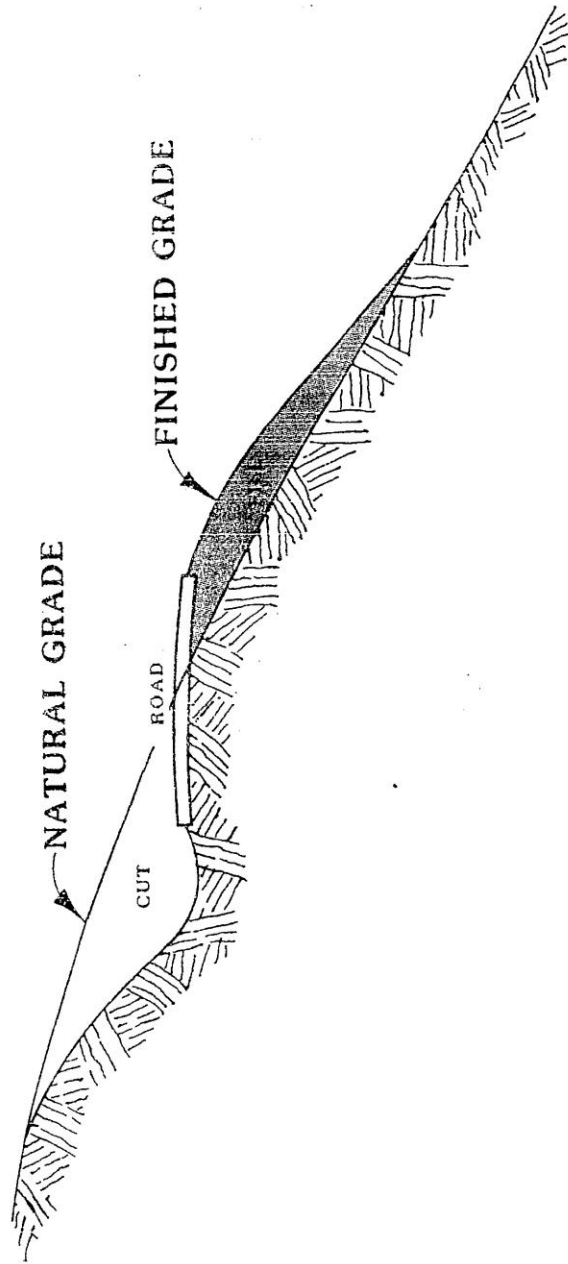
SECTION 7.05. STREET OR ROAD BASE.

After preparation of the sub-grade, the roadbed shall be surfaced with material of no lower classification than crushed rock, stone, or gravel. The size of the crushed rock or stone shall be that generally known as "crusher run stone" from two and one-half (2 1/2) inches in diameter or less including dust. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not be dumped in piles. After spreading, the stone shall be rolled until thoroughly compacted. The compacted thickness of the stone roadway shall be no less than six (6) inches. When the base is in place and compacted, the developer must notify the Decatur Building Inspector and allow time (not less than two working days) to inspect the base before proceeding with the installation of the surface course. The director of public works shall give written approval of the street base.

SECTION 7.06. PAVEMENT.

All streets shall be paved using asphaltic Plant Mix-"Hot" or concrete pavement. It shall be at the developer's option to decide which surface treatment method to provide. These streets shall be constructed as follows.

- a. Asphaltic Surface Plant Mix-"Hot".
 1. Road Base
 - a. The roadbed shall be inspected by the Decatur Director of Public Works prior to the installation of any base material to assure proper compaction.
 - b. A crushed stone base of 303-01 (pug mix) aggregate shall be applied at the rate of 110 pounds per square yard per inch of thickness. The minimum compacted thickness shall be six (6) inches.
 - c. Weight tickets shall be furnished to the Decatur Director of Public Works to determine the gravel used. The crushed stone shall be dumped and windrowed uniformly along the center of the roadway



CUT AND FILL CROSS SECTION

compacted in such a manner as to construct a
in the center of said roadway.

- d. Said base shall be inspected by the Decatur Director of Public Works prior to any additional surface treatment to assure proper compaction and roadway crown.

2. Prime Treatment

- a. After the base course has been thoroughly compacted and worked, it shall be broomed to remove any excess loose material and dampened if necessary.
- b. The type and grade of prime material shall depend on the condition of the base course and shall be approved prior to application by the Decatur Director of Public Works.
- c. The rate of application shall be .50 to .75 gallons per square yard. Immediately after the prime material has been applied, mineral aggregate (size 6 or 7) shall be spread at the rate of 12 to 15 pounds per square yard. Then a twelve ton wheel roller shall roll the aggregate into the prime material.
- d. There shall be a curing period before the surface treatment is done with the length of this curing period to be no less than 24 hours or as determined by the Decatur Director of Public Works.

3. Surface Treatment

- a. Coat applications shall be in compliance with the standards set forth in Section 411 "Asphaltic Concrete Surface (Hot Mix)" of the Tennessee Department of Transportation's Standard Specifications for Road and Bridge Construction (March 1981), or subsequent editions, in regard to materials, equipment, and construction requirements.
- b. The asphalt and mineral aggregate shall conform to said specifications Section 407 "Bituminous Plant Mix Pavements (General)." The bituminous material shall be of grade known as "Grade C or CW."
- c. The plant mix shall be 200 pounds per square yard. Weight tickets shall be furnished to the Decatur Director of Public Works.

4. Curb and Shoulders

- a. All new street, except alleys and rural streets, as designated by the planning commission, shall have curb and gutter. Backfill on curbs shall slope as shown in "Typical Tangent Section, Type 2," and shall be higher than the curb to ensure drainage of surface water to the storm drainage system. Curb cuts and other design features will comply with ADA regulations.
- b. In those specific cases where the planning commission waives curb and gutter, shoulders shall be required. Said shoulders shall be of the same aggregate size as the base aggregate material, and shall be compacted to the level of the final grade surface of the finish coat.
- c. Shoulder widths shall be as follows:
 - 1. Arterial Roads 5 feet
 - 2. Collector Roads 3 feet
 - 3. Residential Roads 2 feet

b. Concrete Pavement

- 1. Base. A minimum base of three (3) inches of compacted stone shall be placed over a sub-grade.
- 2. 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 percent (5%) air-entrainment. The concrete supplier shall furnish copies of the design mix to the developer and it shall be approved by the county road superintendent prior to any concrete being placed. The maximum allowable slump is four (4) inches. Samples of the concrete being used shall be taken for testing by a certified lab.
- 3. 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.
- 4. 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.

CURB DESIGN ALTERNATIVES

5. Finish. The concrete finish shall be a medium broom finish to a gritty final surface.
6. 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.
7. Curbs and Shoulders. Curb and shoulder requirements shall be the same as set forth for double bituminous and asphalt (Plant Mix-Hot or Cold).

SECTION 7.07. STORM DRAINAGE.

General

The design of the storm water drainage system for the subdivision shall include the entire watershed affecting the subdivision, and shall be extended to a watercourse or ditch which is adequate to receive the drainage of surface water.

The developer may choose to accommodate any additional runoff or increased rate of runoff caused by the development by limiting the rate of runoff with ponding or other methods approved by the planning commission or by specified improvements to downstream off-site drainage ways, easements, or structures.

Responsibility for Construction

The developer of the subdivision shall be responsible for the construction of all improvements to the drainage system shown on the plat. The plat shall also address pond maintenance and liability if this method of limiting runoff is used.

Design and Construction

The "Rational Method" shall be used for determining the amount of runoff from a drainage area. The method used to determine tile (pipe) sizes shall be approved by the planning commission. A "ten-year storm" shall be used with the above. (See Illustration 1). Calculations for drainage pipes in excess of fifteen inches (15") to be installed by the developer shall be submitted with the preliminary plat. When deemed necessary, the planning commission may also require drainage calculations for any fifteen inch (15") pipe. These calculations shall use the form found in Illustration 2.

In no case shall a cross drain be less than fifteen inches (15") in inside diameter. Pipe shall be laid with the spigot end pointing downstream and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than eighteen inches (18") below the roadbed.

In the event that rock is encountered in the trench, the rock shall be removed at least four inches (4") below the grade of the bottom of the pipe and replaced with crushed rock or other suitable material approved by the planning commission.

Where drainage structures with stormwater flows in excess of the capacity of a forty-two inch (42") diameter concrete pipe or equivalent, as determined by the "Rational Method", are to be placed, these facilities shall be designed and the plat stamped by a registered engineer licensed to practice in the State of Tennessee.

An H-20 highway loading shall be the minimum structural requirement.

Drawing Requirements

Show the size, location, outline, and direction of water flow at all high and low points of all existing and proposed drainage easements in and adjacent to the subdivision. Show the number of acres drained and the flow in cubic-feet-per-second, CFPS, into the subdivision at the high point of the drainage easement.

If drainage areas and/or easements are to be relocated, show the new location; label "relocated"; and state the treatment of the new drainage area and/or easement. If drainage areas in the subdivision are to be filled, label "to be filled", and show and label existing and proposed finished contours within the area to be filled and within the area to be cut.

Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in and adjacent to the subdivision. Show water flow in cubic feet per second, CFPS, for all pipes (tiles) to be installed by the developer.

Show direction of water flow at all high and low points on all existing and proposed roads in and adjacent to the subdivision.

Show location and label any proposed drainage improvements such as catch basins with top and invert elevations, headwalls, rock and mortar or concrete drainage ditches, etc.

Show the location and label any proposed off-site drainage improvements which are made necessary by the construction of the proposed subdivision.

Show location and elevation of detention pond or other method used to limit the rate of runoff. Place a note on the plans to address the responsibility of the maintenance and liability of the method used.

Storm Drainage in Streets

All streets shall be provided with an adequate storm drainage system, which shall serve as a part of the total storm drainage system. This system shall be designed to carry roadway, adjacent land, and building storm water drainage. The system shall include any necessary open or covered ditches, pipes, culverts, intersectional drains, drop inlets, catch basins, bridges, headwalls, etc., to permit the proper drainage of all surface water.

ILLUSTRATION 1

**ILLUSTRATION 2
DRAINAGE CALCULATION TABLE**

This system shall be used for storm drainage only. Where there are long grades on the street, catch basins and relief pipes shall be provided at intervals not to exceed five hundred feet (500'). The design of drainage facilities shall be in accordance with accepted engineering practices.

Off-Street Storm Drainage Systems

When the drainage system is outside of the road right-of-way, the subdivider shall provide and prepare a drainage easement according to acceptable engineering practices.

The size and location of all off-street watercourses and/or ditches running through the subdivision shall be enclosed, or left open, in accordance with considerations for public safety and accepted engineering practices.

The developer shall protect all drainage ways from erosion and sedimentation. Swales shall be seeded or sodded. All open channels or ditches shall be lined with rock and mortar, concrete, or other materials approved by the planning commission when the grade of the channel or ditch is less than one percent (1%) or more than six percent (6%), or when deemed necessary by the planning commission.

Materials and Specifications

Material specifications for all drainage projects shall be in compliance with the specifications of the governmental engineer.

SECTION 7.08. WATER SERVICE.

Water mains and appurtenances, properly connected to the Decatur Utilities Department and approved by that Department and the Tennessee Department of Environment and Conservation, Division of Water Supply, shall be constructed in each subdivision. The water service provided must be adequate both for the domestic use and fire protection of all lots. The minimum size for most water mains shall be six (6) inches. The developer shall install fire hydrants so that no lot shall be more than five hundred (500) feet from a fire hydrant, and with fire hydrants not more than one thousand (1,000) feet apart. No fire hydrant shall be fed by less than a six (6) inch main and shall have its own shut-off valve. The Decatur Utilities Department may require additional fire hydrants. Construction of waterlines, appurtenances and specifications of all materials shall be subject to the inspection and approval of the Decatur Utilities Department.

SECTION 7.09. SEWAGE DISPOSAL.

When a proposed subdivision is located within five hundred (500) feet of an existing public sanitary sewer main, sanitary sewers shall be installed to serve all the lots within the subdivision. The specifications of all materials and the manner in which all lines and appurtenances are laid shall meet the inspection and approval of the Decatur Utilities Department to plans approved by the Tennessee Department of Environment and Conservation.

Where a subdivision is located beyond the service limits of a public sewage disposal system, the lots shall be served by individual sewage disposal systems. Lot sizes shall

be adequate for the installation of the proposed individual systems. All such systems shall have the approval, in writing, of the Meigs County Health Department.

SECTION 7.10. SIDEWALKS

Sidewalks shall be required on all new public streets, excluding alleys and rural streets. Sidewalks shall not be required on the bulb (turn-around) portion of a cul-de-sac. Sidewalks shall not be located not less than one (1) feet from the property line to prevent interference or encroachment by fencing, walls, hedges or other plantings or structures placed on the property line. In single-family residential areas concrete sidewalks shall be four (4) feet wide and four (4) inches thick. In multi-family or group housing developments sidewalks shall be five (5) feet wide and four (4) inches thick. In commercial areas, sidewalks shall be a minimum of six (6) feet wide, or conform to the width of adjoining sidewalks, and four (4) inches thick. Sidewalks integral with the curb are not preferred.

SECTION 7.11. ROAD SIGNS

Design and placement of traffic control signs within a subdivision shall comply with TDOT regulations and conform to the Manual of Uniform Traffic Control Devices as amended. Street signs and mountings shall be of the type specified by the Town of Decatur and approved by the Planning Commission. Street signs shall be installed at the intersection of all streets within the subdivision and intersections with existing streets by streets within the subdivision.

SECTION 7.12. ENVIRONMENTAL PERMITTING

N.P.D.E.S.

For their own information, developers should note that Federal regulations require an N.P.D.E.S. (National Pollutant Discharge Elimination System) permit for subdivision developments anywhere in the United States that involves at least five (5) acres of land. This permit is obtained from the State of Tennessee and is enforced by the state. There is no local enforcement of this permit.

SECTION 7.13. EROSION AND SEDIMENTATION CONTROL

Developers shall use appropriate erosion and sedimentation control measures to ensure that erosion, or adverse conditions caused by erosion or sedimentation, is eliminated or held to a minimum. When deemed necessary, the planning commission may require that a detailed erosion and sedimentation control plan be submitted with the plat. All control measures will be approved in the field by the planning commission representative and maintained by the developer.

Control Measures

The following control measures should be used as a minimum on all subdivisions:

The smallest practical area of land should be exposed at any one time during development. Mulching or other protective measures should be used to protect exposed areas.

Areas that will be exposed for more than three (3) months shall be seeded and mulched or landscaped.

Temporary furrows, terraces, sediment or debris basins should be installed to prevent washing and erosion during construction.

In areas where soil may wash onto the roadway or into a drainage ditch or basin, the developer will be required to install a silt fence or hay bales, or both.

Final vegetation should be installed as soon as practical in the development after the land is exposed.

A gravel construction entrance shall be constructed prior to any site work. Sediment washed onto roadways or into drainage ditches or basins, and soil tracked onto roadways by construction equipment or daily ingress and egress onto the site shall be removed at the end of each working day.

SECTION 7.14. GUARANTEE IN LIEU OF COMPLETED IMPROVEMENTS.

No final subdivision plat shall be approved by the planning commission or accepted for recording 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.
- b. The planning commission has accepted a surety bond, letter of credit, or certified check in an amount equal to **one hundred fifty (150) percent** of the estimated cost of installation of required improvements, whereby improvements may be made and utilities installed without cost to the town or other responsible utility system in the event of default by the subdivider. Where the required improvements have not been completed, the city attorney shall certify that approved bond or security has been posted to ensure their completion.

The planning commission shall set the amount of the bond based upon the cost of improvements estimated by the county road department or utility official or other authority designated by the planning commission.

CHAPTER 8

FINAL PLATTING REQUIREMENTS

SECTION 8.00. APPLICATION FOR FINAL PLAT APPROVAL.

The subdivider may, within one year from the date of preliminary plat approval, request review and approval a final plat. This contact shall be made within fifteen (15) days of the next regularly scheduled meeting in order to allow a reasonable amount of time for the planning commission to review the information provided. **In no case shall the planning commission review a final plat in which notification is given within the required fifteen (15) day notice period of the regularly scheduled meeting.**

The subdivider shall distribute the final plat to each of the following individuals or agencies for their review and records: 1) one copy for the planning commission; 2) one copy to the planning staff; 3) one copy for the Decatur Utility Department, if applicable; 4) one copy for the Decatur Director of Public Works; 5) one copy for return to the subdivider with inscriptions of the planning commission; and 6) one copy for the Meigs County E-911 Office.

SECTION 8.01. REVIEW OF FINAL PLAT.

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

Thereafter, the planning commission shall approve or disapprove the final plat. A notation of the action of the planning commission shall be made on the six (6) copies of the final plat, including a statement of the reasons for disapproval, if the plat is disapproved. If action on a final plat is not taken by the planning commission within thirty (30) days of the date of submittal, the final plat shall be considered approved and certificate of approval shall be issued. However, the applicant may waive this requirement and consent to an extension of time.

SECTION 8.02. PROCEDURE FOR EXPEDITIOUS CERTIFICATION OF SUBDIVISIONS

(a). A developer or property owner who wishes to divide a tract or lot into six (6) or less lots, all of which will have the required access to a publicly-maintained street, and does not involve any new streets or extensions of public water or sewer, may prepare a combined preliminary and final plat which meets all of the platting requirements and submit it to the Decatur Municipal Planning Commission. Provided there is no request for, or need for a variance of any type, and does not involve any new street construction or additional utility installations, both preliminary and final plats can be approved at the same planning commission meeting provided all platting requirements, including soils tests, are met.

(b). A developer or property owner who wishes to divide a tract or lot into two (2) parcels, both of which has the required access to a publicly-maintained street, and neither of which requires a street extension or the extension of utilities, may prepare a combined preliminary and final plat which meets all of the platting requirements and submit it to the Decatur Recorder or zoning administrator. Provided there is no request for, or need for a variance of any type, this minor subdivision may be approved and signed by the secretary of the Decatur Municipal Planning Commission. 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 secretary the

developer may request to be on the AGENDA of the next DMPC meeting provided he meets the AGENDA deadline of fifteen (15) days. **(Amended 8/13/02)**

SECTION 8.03. RECORDING OF FINAL PLAT.

Upon approval of a final plat, the subdivider shall have the final plat recorded in the Office of the Meigs County Register of Deeds.

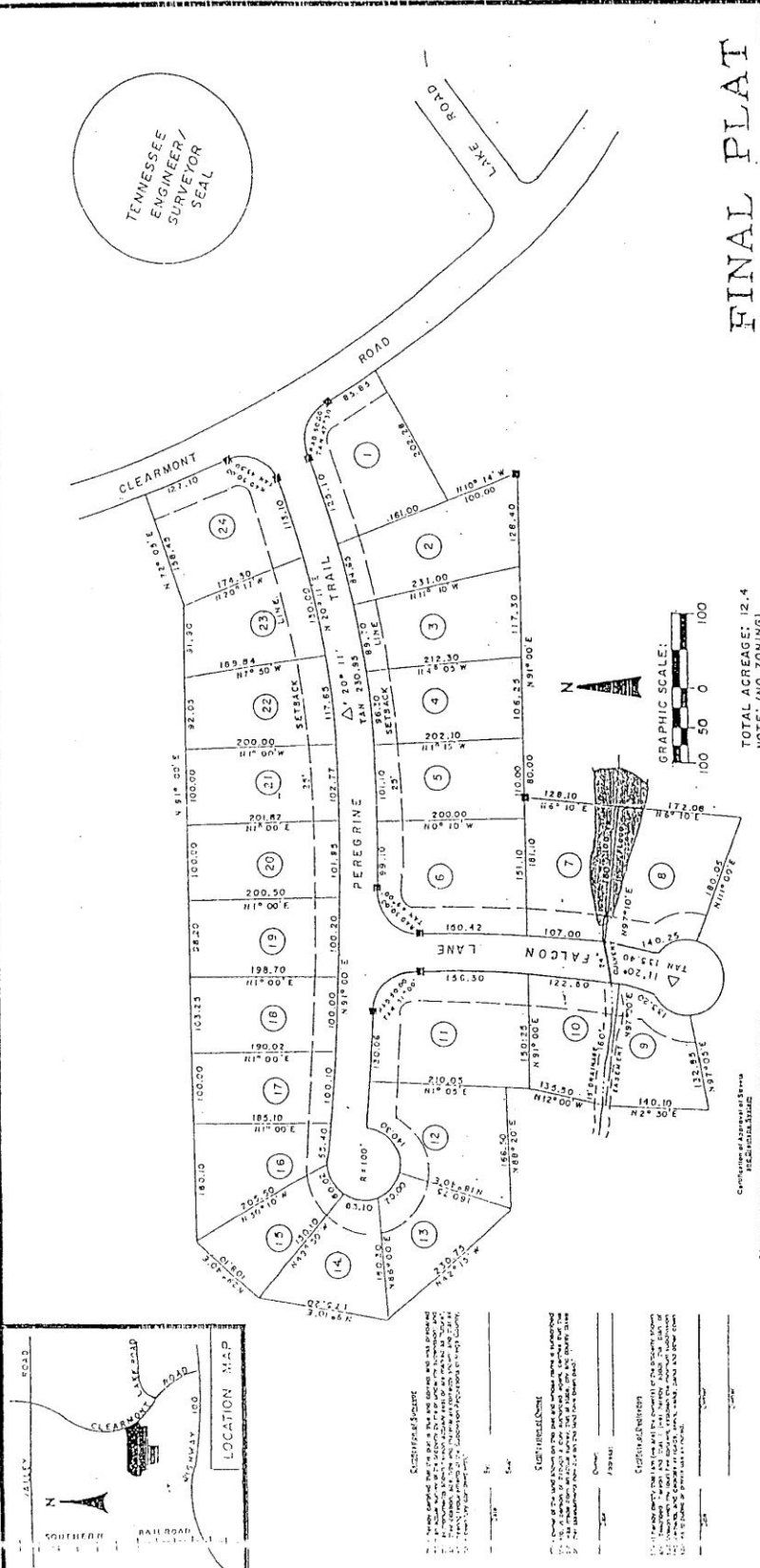
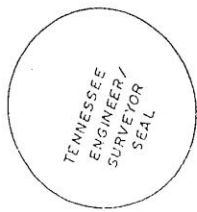
SECTION 8.04. FINAL PLAT.

The final plat is a legal instrument suitable for recording. It contains information needed to prepare deeds and also contains signed statements certifying that required improvements have been made. The final plat will contain the following information and certifications:

SECTION 8.05. FINAL PLAT SPECIFICATIONS.

The final plat shall conform to and meet the specifications of the preliminary plat, previously approved, with the following additions:

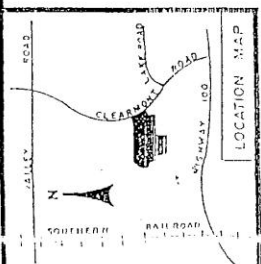
- a. Date, name, and location of subdivision, graphic scale, and true north point,
- b. Location and sketch map showing site in relation to area,
- c. The names and locations of adjoining subdivisions and streets, and the location and ownership of adjoining unsubdivided property,
- d. All dimensions to the nearest one-hundredth (100th) of a foot and angles to the nearest minute,
- e. The lines of all streets and roads, alley lines, lot lines, building setback lines, and lots numbered in numerical order,
- f. 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 town or state highways, the subdivider shall provide documentation of approval from town or state road officials that the driveway connection conforms to town or state regulations,
- g. Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public uses,
- h. Accurate location, material, and description of existing and proposed monuments and markers,
- i. If any portion of the land being subdivided is subject to flood, as defined in these regulations, the following criteria shall be met:
 - (1) The floodplain limits shall be shown.
 - (2) Public utilities and facilities shall be constructed so as to minimize flood damage.



FINAL PLAT

FALCON CREST SUBDIVISION	
OWNER/DEVELOPER:	A. CITIZEN
(555-0000)	111 VALLEY ROAD
ENGINEER/SURVEYOR:	COUNTY, TENNESSEE
(555-1111)	P.O. BOX 12
	COUNTY, TENNESSEE
DATE:	1/1/90

TOTAL ACREAGE: 12.4
NOTE: (NO ZONING)



Comments of Applicant:
I hereby certify that the subdivision shown on this plat has been made in accordance with the provisions of the Tennessee Subdivision Law, Chapter 129, Tennessee Code Annotated, and that the same is a true and correct copy of the original as shown to me by the applicant.

Comments of Surveyor:
I hereby certify that the subdivision shown on this plat has been made in accordance with the provisions of the Tennessee Subdivision Law, Chapter 129, Tennessee Code Annotated, and that the same is a true and correct copy of the original as shown to me by the applicant.

Comments of Approver of State:
I hereby certify that the subdivision shown on this plat has been made in accordance with the provisions of the Tennessee Subdivision Law, Chapter 129, Tennessee Code Annotated, and that the same is a true and correct copy of the original as shown to me by the applicant.

- (3) Adequate drainage shall be provided.
- (4) The developer of a subdivision greater than fifty (50) lots or five (5) acres shall develop base flood elevation data for the subdivision.
- j. 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 town upon completion of the project.

SECTION 8.06. CERTIFICATES OF APPROVAL.

The following certifications shall be required directly on the final plat.

All certifications with appropriate signatures shall be placed on the six (6) copies of the plat and any others that may be deemed necessary. No certification signatures should be placed on the reproducible copy.

Certificate of Ownership and Dedication.

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building setback lines, and hereby dedicate to the public use forever all the streets as shown on this plat.

DATE

OWNER

OWNER

Certificate of Registered Surveyor.

I certify that the property shown on this plat was surveyed by me and that the bearings and distances above are accurate as required.

DATE

SURVEYOR

Certificate of Approval of Sewage Disposal.

I hereby certify that each lot shown on this subdivision plat is adequate for individual septic tanks, or is adjacent to a properly installed extension of an approved public sewerage system, or that an adequate bond has been posted for such sewer extensions.

DATE

COUNTY HEALTH DEPARTMENT

DATE

PUBLIC SEWERAGE SYSTEM OFFICIAL

Certificate of Approval of Water System.

I hereby certify that each lot shown is either: 1) large enough and has adequate soils for both a private well and an individual septic system;

DATE

COUNTY HEALTH DEPARTMENT

OR

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

DATE

LOCAL WATER UTILITY

OR

3) that an adequate bond has been posted to cover such water system extensions.

DATE

PLANNING COMMISSION SECRETARY

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 bond has been posted.

DATE

BUILDING INSPECTOR

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 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 Decatur, 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 bond 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 Meigs County Register.

DATE

PLANNING COMMISSION SECRETARY

Certificate of E-911 Approval

I hereby certify that I have reviewed this plat and find that it conforms to Meigs County's E-911 Requirements.

DATE

MEIGS COUNTY E-911 REPRESENTATIVE

CHAPTER 9
VARIANCES, AMENDMENTS, AND APPEALS

SECTION 9.00. VARIANCES.

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

SECTION 9.01. AMENDMENTS.

These regulations may be amended from time to time by the planning commission, who shall hold a public hearing thereon, notice of the time and place of which shall be published in a newspaper of general circulation in the town.

SECTION 9.02. APPEALS.

Appeal is granted from the final action of the planning commission to the Chancery Court, but only for the wrongful withholding of approval by its arbitrary, capricious and/or discriminatory conduct or acts.

CHAPTER 10

LEGAL STATUS PROVISIONS

SECTION 10.00. SEPARABILITY.

Should any section or provisions 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 10.01. 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.

SECTION 10.02. ADOPTION AND EFFECTIVE DATE.

Before adoption of these subdivision regulations, a public hearing as required by Section 13-4-303, **Tennessee Code Annotated**, was afforded interested persons and was held on **December 13, 1994**. Notice of such hearing was announced in the **Daily Post Athenian**, being of general circulation within the area of planning jurisdiction, on _____.

These regulations shall be in full force and effect from and after their adoption and effective date.

ADOPTED: _____

EFFECTIVE: _____

CHAIRMAN

SECRETARY

APPENDIX

SUGGESTED STEPS FOR A DEVELOPER OF A SUBDIVISION

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

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

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

WHEN PRELIMINARY APPROVAL HAS BEEN GRANTED:

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

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

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

Prepare final plat.

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

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

ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

I. ARE SUBDIVISION REGULATIONS FAIR TO EVERYONE?

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

2. WHO IS AFFECTED BY THE REGULATIONS?

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

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

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

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

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

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

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

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

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

- f. Any building or structure erected in violation may be forced to be vacated or removed.
- g. The legislative body of a county or municipality may stop sales by injunction or other legal action.

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

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

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

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

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

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

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

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

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

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

12. WHERE CAN I GET TECHNICAL SITE PLANNING ASSISTANCE?

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

CHECKLIST FOR PRELIMINARY PLAT CONSIDERATION

NAME OF SUBDIVISION: _____

LOCATION: _____

OWNER OF RECORD: _____

Address _____ **Tel.** _____

SUBDIVIDER: _____

Address _____ **Tel.** _____

SURVEYOR: _____

Address _____ **Tel.** _____

CIVIL DISTRICT: _____ **ZONING DISTRICT:** _____

DATE SUBMITTED FOR PRELIMINARY APPROVAL: _____

CHECKLIST:

- ____ 4 copies submitted 15 days prior to meeting.
- ____ Name of Subdivision.
- ____ Drawn to scale of not less than one inch equals one-hundred feet.
- ____ Name address and phone number of owner of record, subdivider, and surveyor.
- ____ North point, graphic scale, and date.
- ____ Vicinity map showing location and acreage of subdivision.
- ____ Boundary lines by bearing and distances.
- ____ Names of adjoining property owners and/or subdivision(s).
- ____ Location of all existing physical features on land and nearby properties.
- ____ Names, locations, and dimensions of proposed streets, alleys, easements, parks and reservations, lot lines, etc.
- ____ Lot numbers.
- ____ Plans of proposed utility layouts showing connections to existing or proposed utility systems.
- ____ Minimum building front yard setback line.
- ____ Cross-section and centerline street profiles at suitable scales as may be required by street superintendent and/or planning commission.
- ____ Conforms to general requirements and minimum standards of design.
- ____ Preliminary approval for individual septic systems is granted by the Meigs County Health Department.
- ____ Present zoning of the property
- ____ Drainage plans submitted according to Chapter 7 Section 7.06.
- ____ Contour lines at five foot (5') intervals
- ____ Limit of 100-year flood and boundary and elevation of designated floodway

ADDITIONAL COMMENTS: _____

SIGNED: _____

TITLE: _____

CHECKLIST FOR FINAL PLAT CONSIDERATION

NAME OF SUBDIVISION: _____

LOCATION: _____

CIVIL DISTRICT: _____ **ZONING DISTRICT:** _____

OWNER OF RECORD/SUBDIVIDER: _____

Address _____ **Tel.** _____

DATE PRELIMINARY APPROVAL GRANTED: _____

DATE SUBMITTED FOR FINAL APPROVAL: _____

CHECKLIST:

- _____ Submitted within one year from date of preliminary approval.
- _____ 6 copies submitted 15 days prior to planning commission meeting.
- _____ Name of subdivision.
- _____ Drawn to a scale of not less than 1 inch equals 100 feet.
- _____ Name and address of owner of record, subdivider, and surveyor.
- _____ North point, graphic scale, and date.
- _____ Bearings of property lines, and sufficient engineering data to locate all lines including radii, angles, and tangent distances.
- _____ Reservations, easements, or other non-residential areas.
- _____ Dimensions to nearest 100th of a foot and angles to nearest minute.
- _____ Lot lines, alleys, and building setback lines.
- _____ Location and description of monuments.
- _____ Names and locations of adjacent properties.
- _____ Lines, names, and widths of all streets and roads.
- _____ Lots numbered in numerical order and blocks lettered alphabetically.
- _____ Location sketch map with floodable areas outlined.
- _____ Certificate of ownership and dedication.
- _____ Certificate of approval of water and sewerage systems and streets.
- _____ Certificate of engineer or surveyor.
- _____ Proposed deed restrictions.
- _____ Conforms to general requirements and minimum standards of design.
- _____ Required physical improvements have been made or bond posted in the amount of \$_____.

ADDITIONAL COMMENTS: _____

SIGNED: _____

TITLE: _____