

RESOLUTION NO. 03-27-08

**A RESOLUTION TO ADOPT REVISED SUBDIVISION REGULATIONS FOR
RHEA COUNTY, TENNESSEE**

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-402, the Rhea County Regional Planning Commission has adopted subdivision regulations for the purpose of promoting the health, safety, convenience, order, prosperity, and general welfare of the citizens of Rhea County; and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-403, the Rhea County Regional Planning Commission desires to amend the adopted Subdivision Regulations; and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-403(c), a public hearing was held before this body, subject to the required 30-day notice in a newspaper of general circulation in the county;

NOW THEREFORE, BE IT ORDAINED by the Rhea County Regional Planning Commission that the Subdivision Regulations for Rhea County be amended as described herein:

SECTION 1

The following shall replace all previously adopted subdivision regulations and their subsequent amendments for Rhea County, Tennessee:

RHEA COUNTY SUBDIVISION REGULATIONS

2008



RHEA COUNTY SUBDIVISION REGULATIONS

**THESE REGULATIONS SUPERSEDE ALL PRIOR
RHEA COUNTY SUBDIVISION REGULATIONS**

Prepared By

Rhea County Regional Planning Commission

**Adopted March 27, 2008
(As Amended through October 27, 2011)
(As Amended through October 25, 2012)
(As Amended through July 25, 2013)
(As Amended through March 23, 2017)
(As Amended through August 24, 2017)
(As Amended through May 24, 2018)
(As Amended through May 28, 2020)
(As Amended through August 22, 2023)
(As Amended through April 4, 2024)
(As Amended through July 23, 2024)**

**These regulations are complete and in force at the time of publication
and are subject to amendment and change without notice.**

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

ARTICLE I

PURPOSE, AUTHORITY AND JURISDICTION

A. Purpose

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

B. Authority

These subdivision regulations are adopted under the authority granted by Section 13-3-101 through 13-3-412, Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in these acts as prerequisite to the adoption of such regulations.

C. Jurisdiction

These regulations shall govern all subdivision of land within the planning region of Rhea County, Tennessee, as now or hereafter established.

ARTICLE II

DEFINITION OF CERTAIN TERMS USED HEREIN

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

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

Block. A tract of land bounded by roads, or by a combination of roads.

Building Envelope (Added 10-25-2012). An area within property boundaries of established lots where a building or structure may be placed, erected, or stored whether temporarily or permanently.

Building Setback (Added 10-25-2012). A line 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 the purpose of these regulations the term, "building" shall be defined as a structure enclosed within exterior walls, built, erected and framed of a combination of materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property. The term, "structures", shall include but is not limited to closed/unenclosed porches, decks, porticos, entry landings, sheds, out-buildings, portable buildings (anchored or not), carports, accessory buildings, pools, hot-tubs, gazebos, and other similar structures; however, it shall not include fences or retaining walls.

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.

Easement. The right of one owner of land to make lawful and beneficial use of the land of another created by an express or implied agreement.

Flood Hazard Area. Areas along all streams in the county which must be left unobstructed in order to preserve the flood carrying capacity of the stream and its floodplain without appreciably increasing the height of the floodwaters. This includes all such areas identified by the Federal Flood Insurance Rate Map (FIRM) for Rhea County.

Health Authority. The director of the Rhea County Health Department having jurisdiction over the community health, or his duly authorized representative.

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

Major Subdivision. All divisions of a tract or parcel of land into six (6) or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development; and includes all division of land into two (2) or more lots involving new roads or a change in existing roads; or divisions of land involving the extension of water, sewer or gas lines and includes resubdivisions and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided. The following are not included within this definition:

- a. testamentary division of property;
- b. partnership division of property between two (2) or more owners of an undivided interest by court order.

The creation of a tract or parcel of less than five (5) acres shall be deemed a subdivision and subject to the provisions of this chapter whether or not it fronts on an existing street or road, except where land is partitioned among the owners by the court.

Minor Subdivision. All divisions of a tract into five (5) or less lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development, and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided. The creation of a tract or parcel of less than five (5) acres shall be deemed a minor subdivision. Minor subdivisions do not include those that require the installation of utilities (water and/or sewer) or roads, whether public or private.

Performance Guarantee. A certified check or letter of credit accepted by the Planning Commission on a recommendation by the Rhea County Highway Superintendent and posted to the Rhea County Trustee, which is used as a guarantee in lieu of improvements for proposed roads in an amount not less than 125% of the estimated costs of completing the remaining incomplete road infrastructure and drainage. (Added 7/23/2024 Res #06.2024.01)

Plat, Plan, Plot or Replat. A map, drawing or chart upon which the subdivider's plan of the subdivision is presented and which he submits for approval and intends to record in final form.

Planning Commission. The Rhea County Regional Planning Commission.

Private Development. A major development, wherein ownership of roads, utilities, or any combination thereof will be retained by the developer or his designee. Responsibility for maintenance of the roads, utilities, or combination must be clearly delineated, submitted with the final plat, and a copy recorded with the approved final plat in the Office of the Rhea County Registrar.

Private Road. Transportation access to lots on a private easement, solely for the use of lot owners and their guests and not utilized by the general public. Standards for private roads are set forth in Article IV, Section A, Number 4 under the guidelines of Tennessee Code Annotated § 13-3-411. For the purpose of these regulations all private roads shall be designated as private on the subdivision plat.

Road. (Amended 4/22/10) A way for vehicular traffic, whether designated as an avenue, arterial, collector, boulevard, road, highway, lane, alley or other way, and for the purpose of these regulations "roads" are divided into the following categories.

1. Rural Principal Arterials

The rural principal arterial system consists of a connected rural network of continuous routes having the following characteristics:

- a. Serve corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel.
- b. Serve all, or virtually all, urban areas of 50,000 and over population and a large majority of those with population of 25,000 and over.
- c. Provide an integrated network without stub connections except where unusual geographic or traffic flow conditions dictate otherwise (e.g., international boundary connections and connections to coastal cities).

In the more densely populated States, this system of highway may not include all heavily traveled routes which are multi-lane facilities. It is likely, however, that in the majority of States the principal arterial system will include all existing rural freeways.

2. Rural Minor Arterials

The rural minor arterial road system should, in conjunction with the principal arterial system, form a rural network having the following characteristics:

- a. Link cities and larger towns (and other traffic generators, such as major resort areas, that are capable of attracting travel over similarly long distances) and form an integrated network providing interstate and inter-county service.
- b. Be spaced at such intervals, consistent with population density, so that all developed areas of the State are within a reasonable distance of an arterial highway.
- c. Provide an integrated network without stub connections except where unusual geographic or traffic flow conditions dictate otherwise (e.g., international boundary connections and connections to coastal cities).

3. Collectors

The rural collector routes generally serve travel of primarily intra-county rather than statewide importance and constitute those routes on which (regardless of traffic volume) predominant travel distances are shorter than on arterial routes. Consequently, more moderate speeds may be typical, on the average.

In order to define more clearly the characteristics of rural collectors, this system should be sub-classified according to the following criteria:

a. Rural Major Collectors

These routes should: (1) Provide service to any county seat not on an arterial route, to the larger towns not directly served by the higher systems, and to other traffic generators of equivalent intra-county importance, such as consolidated schools, shipping points, county parks, important mining and agricultural areas, etc. ; (2) link

these places with nearby larger towns or cities, or with routes of higher classification; and (3) serve the more important intra-county travel corridors.

b. Rural Minor Collectors

These routes should: (1) Be spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road; (2) provide service to the remaining smaller communities; and (3) link the locally important traffic generators with their rural hinterland.

4. County Roads

County Roads are included in the rural local road system. Local roads should have the following characteristics: (1) Serve primarily to provide access to adjacent land; and (2) provide service to travel over relatively short distances as compared to collectors or other higher systems. Local roads will, of course, constitute the rural mileage not classified as part of the principal arterial, minor arterial, or collector systems.

6. Cul-de-sac

Permanent dead-end roads designed so that they cannot be extended in the future.

Roadway. That portion of a road that is paved or ordinarily used for vehicular traffic.

Right-of-Way (R.O.W.). The complete land which is dedicated for use as a road and includes roadway and those portions on either side customarily used for planting strips, drainage or utility installation.

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 resubdivision.

"Subdivision" includes the two types of development or division listed below:

1. All such divisions where one or more of the resulting tracts is less than five acres in size.

2. All such divisions where a new road or public utility installation (water or sewer) is required, regardless of the size of any or all of the parcels.

The following type of "division" is not a subdivision:

Divisions where the resulting tracts are all five (5) acres or more, all have frontage on an existing publicly-maintained road, and where none require the extension of public water or sewer lines.

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

ARTICLE III

PROCEDURE FOR PLAT APPROVAL

MAJOR AND MINOR SUBDIVISIONS

In order to prevent unnecessary and costly revisions to any plat the developer should consult with the planning commission and its technical staff for advice and assistance before the preparation of the preliminary sketch plat and the formal application for approval. This will enable the developer to become familiar with the Major Thoroughfare Plan, with these regulations and other official plans or improvements which may affect the area.

Two separate steps constitute the procedure for review and approval of a subdivision plat. The initial step is the preparation of and submission to the planning commission of a preliminary plat of the proposed subdivision to the planning commission for a final plat together with required certificates. This final plat becomes the instrument to be recorded in the office of the County Register when duly signed by the secretary of the planning commission.

MAJOR SUBDIVISIONS

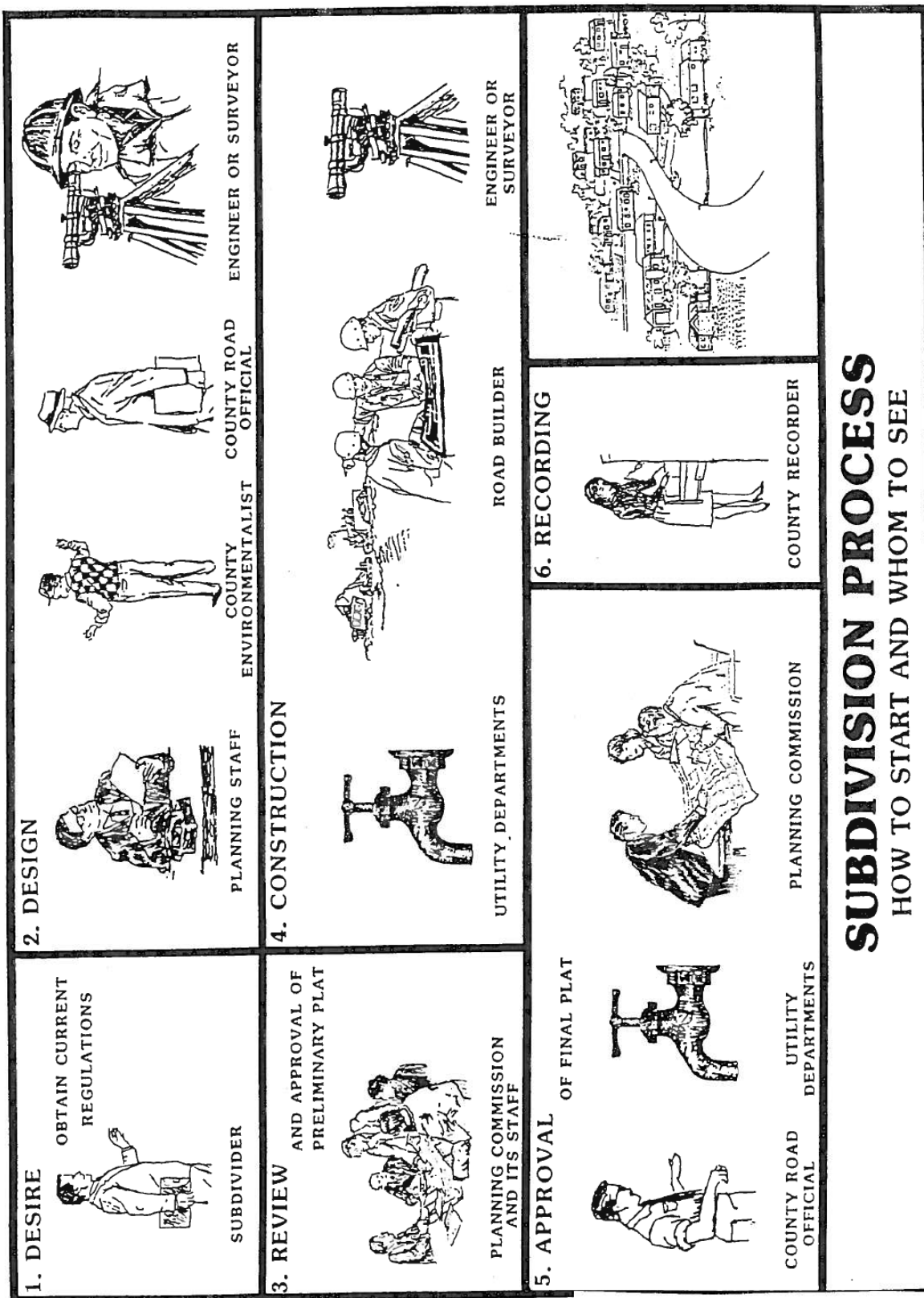
A. GENERAL

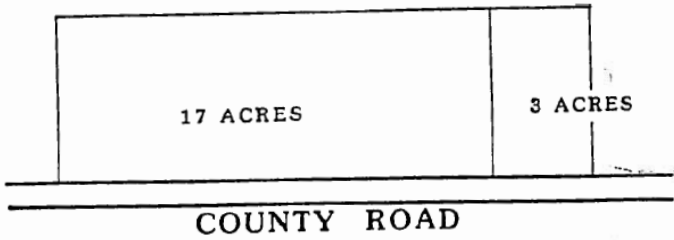
1. Any owner of land lying within the area of jurisdiction of the planning commission wishing to divide such land into two or more lots, sites, or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to subdivide for this purpose, shall submit a plan of such proposed subdivision to the Rhea County Planning Commission for approval and shall obtain such approval prior to the filing of the subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land and shall be presented in the manner as specified in the following section of this article. No plat of a subdivision of land within the Rhea County Planning Region shall be filed or recorded by the register of the county without the approval of the planning commission as specified herein.
2. Prior to any construction activity, the developer shall submit design drawings to the Rhea County Road Supervisor for review (additional copy to County Planner, for records). The design drawings shall include design and drainage information and must be designed by a Licensed Engineer. This information will be presented at a pre-construction conference that shall include the Road Supervisor, developer, engineer and staff planning.

The pre-construction conference shall take place before a preliminary plat is submitted for review by the

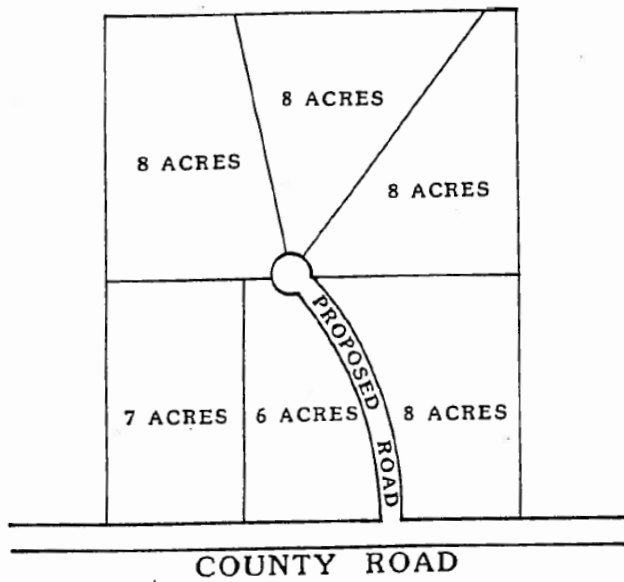
Planning Commission. The Road Supervisor's tentative approval will be required before the Planning Commission will give tentative approval to a preliminary plat. Tentative approval of a preliminary plat by the Road Supervisor or the Planning Commission does not guarantee that a final plat will be approved as presented.

3. In order to obtain review and approval of a proposed subdivision by the planning commission, the developer shall submit to the planning commission a preliminary plat as provided in Section B of this article. This shall be done before making any improvements or installing any utilities. Upon the tentative approval of this preliminary plat the subdivider may proceed with the preparation of the final plat and other documents required in connection with the plat as specified. Tentative approval given to a preliminary plat is valid for one-year. After a year has expired, the property owner shall submit another preliminary plat before proceeding with a final plat. Another pre-construction conference with the Rhea County Road Supervisor will be required.

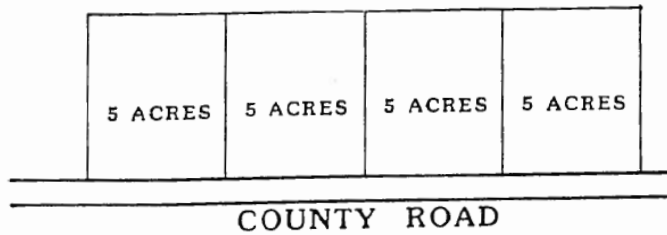




THIS IS A SUBDIVISION
BECAUSE ONE LOT IS LESS
THAN FIVE (5) ACRES.



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 ?

B. PRELIMINARY PLAT

1. At least ten (10) business days prior to the next scheduled meeting of the Rhea County Regional Planning Commission, the subdivider shall submit one (1) copy of the preliminary plat in order to be included on the next meeting's agenda. Plats should be submitted to the Rhea County Executive's Office no later than twelve noon on plat review day (10 business days prior to the regularly scheduled Planning Commission meeting). In no case will a plat be reviewed or receive action that is submitted on the day of the scheduled meeting or once the meeting has begun. For all items including plats set to appear on the agenda, three (3) copies shall be brought to the Planning Commission meeting in final form (including all appropriate certificates with signatures). The surveyor or a representative of the property appearing on the agenda must be present at the Planning Commission Meeting or the plat will be denied for a lack of representation. The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred (100) feet. Provided, where the total acreage included on a preliminary plat is 10 acres or more, the developer may submit a preliminary plat at a scale of 1 inch = 200 feet. This exception applies only to the preliminary plat.

2. The preliminary plat which shall meet the minimum standards of design and the general requirements for the construction of public improvements as set forth in Article IV shall contain the following information:
 - a. The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plat.

 - b. Date, approximate north point, and graphic scale.

 - c. The location of existing and platted property lines, roads, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility pipes, fire hydrants, and any public utility easements, unusual topographical contours, the present zoning classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.

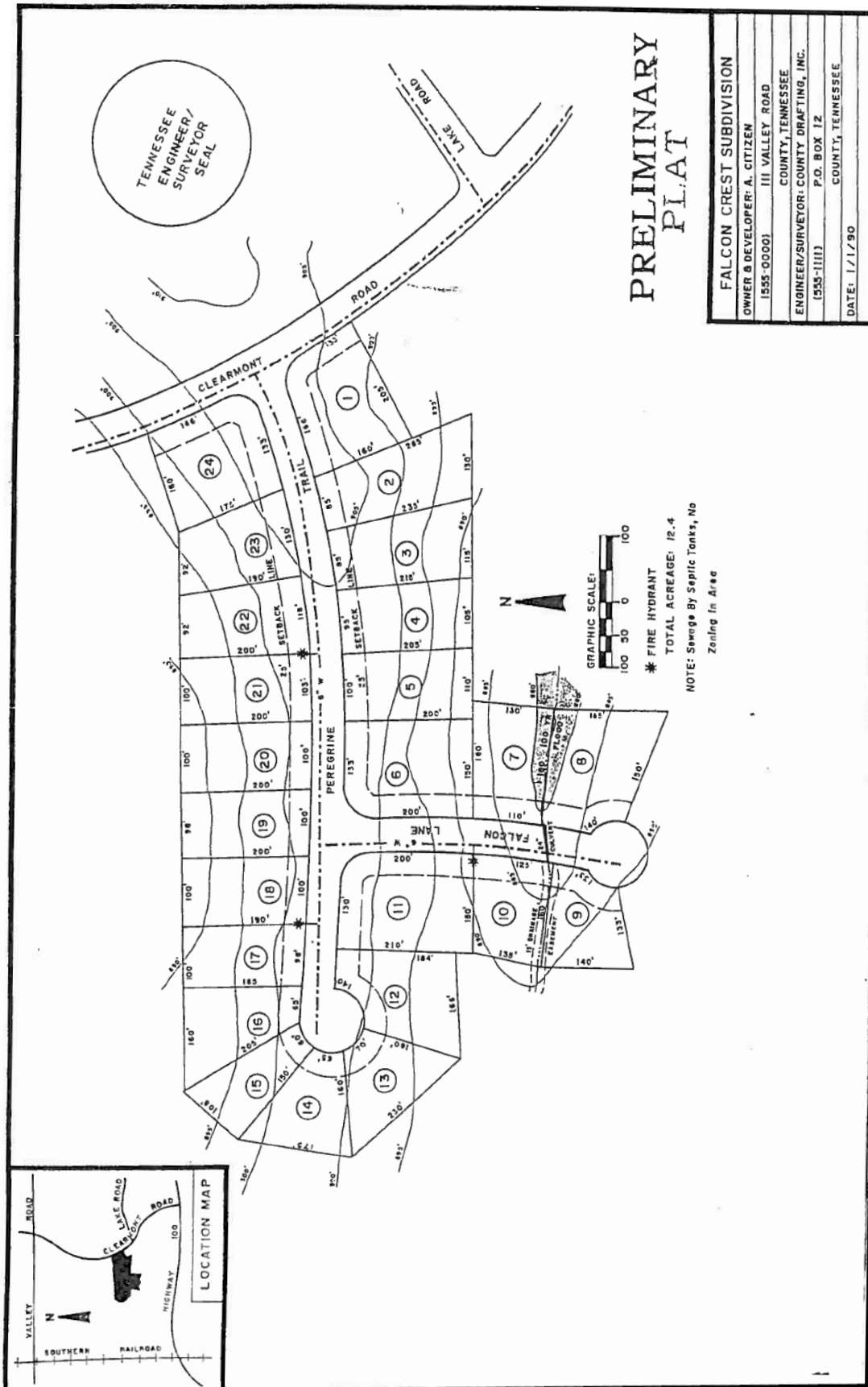
 - d. Plans of proposed utility layouts (sewer, water, and fire hydrants when required) showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed or pre-existing individual water supply and/or

sewage disposal system must be approved by the county health department.

- e. The names, locations, widths, and other dimensions of the proposed roads, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines, and utilities.
 - f. Contours based upon mean sea level calculations of not more than five (5) feet vertical intervals on those sites with less than one hundred (100) feet changes of elevation. On sites with elevation changes of more than one hundred (100) feet, vertical contours of twenty (20) feet are permitted.
 - g. The acreage of the land to be subdivided. Remaining acreage should be noted when the subdivision consists of a lot that is more than 5 acres and which is not being shown on the plat.
 - h. Location map showing relationship of subdivision site to area.
 - i. Current Flood Insurance Rate Map Panel Number and Date on which the platted property can be found. If any portion of the land being subdivided is subject to flood as defined by Federal Emergency Management Flood Insurance Rate Maps, the limit of such flood shall be shown.
 - j. A Certificate of Tentative Approval to be signed by the Rhea County Road Supervisor and the secretary of the Planning Commission upon the approval of the preliminary plat.
3. Within sixty (60) days after submission of the preliminary plat, the planning commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications, will be indicated.
4. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat.
5. One copy of the preliminary plat will be retained in the planning commission files, the other will be returned to the subdivider with any notations at the time of approval

or disapproval, and the specific changes, if any, required.

6. The approval of the preliminary plat shall lapse if no final plat based thereon is submitted within one year from the date of such approval, unless an extension of time is applied for and granted by the planning commission.



C. FINAL PLAT

Prior to the approval of a final plat, an agreement shall be reached between the subdivider or his agent and the county government with regard to the installation of any road improvements or utility construction called for in the subdivision plat.

Prior to any construction activity, the developer shall submit design drawings to the Rhea County Road Supervisor for review (additional copy to County Planner, for records). The design drawings shall include design and drainage information and must be designed by a Licensed Engineer. This information will be presented at a pre-construction conference that shall include the Road Supervisor, developer, engineer and staff planning.

Additionally, all of the requirements found in Article V, with the exception of roads, shall be complete prior to requesting final approval of the subdivision plat. A certified check or letter of credit, if first accepted by the Rhea County Planning Commission, may be provided to the Rhea County Trustee in an amount equal to or greater than 125% of the estimated cost to finish the incomplete road and be valid for a certain period of time of specified by the Rhea County Planning Commission. (Amended 7/23/24 Res# 06.2024.01)

1. The final plat shall conform substantially to the preliminary plat as approved. If desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these regulations.
2. In order to allow the Planning Commission, technical staff, and utilities personnel time to review and prepare recommendations to the Planning Commission, one (1) copy of the final plat shall be submitted at least ten (10) business days prior to the next scheduled meeting of the Rhea County Regional Planning Commission. Plats should be submitted to the Rhea County Executive's Office no later than twelve noon on plat review day (10 business days prior to the regularly scheduled Planning Commission meeting). In no case will a plat be reviewed or receive action that is submitted on the day of the scheduled meeting or once the meeting has begun. For all items including plats set to appear on the agenda, four (4) copies (black and white prints or blue line prints) shall be brought to the Planning Commission meeting in final form (including all appropriate certificates with signatures). The surveyor or a representative of the property appearing on the agenda must be present at the Planning Commission Meeting or the plat will be denied for a lack of representation.

The plats should be submitted along with road profiles or other plans that may be required by the Planning Commission. In addition, the developer shall also submit copies of all Federal and State permits required for construction of the development as shown on the approved preliminary plat, including Section 404 permits of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

3. The final plat shall be presented to the planning commission at its next meeting by the secretary or acting secretary of the planning commission for consideration for approval or disapproval.
4. The plat shall be drawn to the scale of one inch equals one hundred (100) feet on sheets seventeen (17) by twenty-two (22) inches or smaller. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.
5. When the final plat has been approved by the planning commission, one copy will be returned to the subdivider, with the approval of the planning commission certified thereon, for filing with the County Register as the official plat of record.
6. The planning commission shall approve or disapprove this final plat within sixty (60) days after its submission. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the planning commission.
7. Approval of the final plat by the planning commission shall not constitute the acceptance by the public of the dedication of any roads or other public way or ground.
8. If action on a final plat is not taken by the planning commission within sixty (60) days of the date of submittal, the final plat shall be considered approved and a certificate of approval shall be issued on demand.
-
9. The final plat shall show:
 - a. The lines of all roads, lot lines, building setback lines, lots numbered in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every road line, lot line, boundary line, block line, and building line

- whether curved or straight, and including north point. This shall include the radius, central angle and tangent distance for the center line of curved roads and curved property lines that are not the boundary of curved roads.
- c. All dimension to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining subdivisions and roads and the location and ownership of adjoining unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and north point.
 - g. Location sketch map showing site in relation to area.
 - h. All boundary traverses including lot and block traverses shall close to an accuracy of at least one (1) part in five thousand (5,000).
 - i. The most recent recorded deed book number and page number for each deed constituting part of the property being platted.
 - j. Current Flood Insurance Rate Map Panel Number and Date on which the platted property can be found. If any portion of the land being subdivided is subject to flood as defined by Federal Emergency Management Flood Insurance Rate Map, the limit of such flood shall be shown.
 - k. Contour lines shall not be shown on the final plat.
 - l. The distance at the street line from a corner of the subdivided property to the nearest public cross-road or cross-street, rounded to the nearest foot, **OR** the tax map and parcel number of the subdivided property or properties.
 - m. Approximate location of waterline and fire hydrants once installed.
10. The following certification shall be presented with the final plat with said certificates being worded as those found within the appendix of this document.

- a. Certification showing that the applicant is the land owner and dedicates roads, rights-of-way and any sites for public use.
- b. Certification by surveyor in regard to the accuracy of survey and plat and placement of monuments.
- c. Certification by the county health officers when individual sewage disposal or water systems are required. When a subdivision of property involves pre-existing systems, a letter of recertification of such systems shall be obtained if deemed necessary by the Planning Commission, the approximate location of the septic system and field line shall be shown on the final plat, and an existing septic system certificate shall be added to the final plat. **(Amended 5/28/09)**
- d. Certification by the county road supervisor or other designated person that the subdivider has complied with one of the following alternatives:
 1. Installation of all improvements in accordance with the requirements of the subdivision regulations, or
 2. Posting of bond in sufficient amount to assure such completion of all required improvements.
- e. If applicable, certification by the owner for private roads stating that Rhea County is absolved of any responsibility for maintenance and/or upkeep of such roads, ditches, culverts, and the like.
- f. Certification by the representative of the E-911 Board that the plat complies with E-911 requirements.
- g. Certification by the authority having jurisdiction that each lot shown is served by public water system extensions designed and installed in accordance to applicable local and state regulations. (As applicable)
- h. Certification of approval to be signed by the secretary of the planning commission.

11. **Signatures**

All certifications, except certification of approval to be signed by the secretary of the planning commission,

shall be signed prior to consideration of final approval by the planning commission.

12. Recording of Final Plat

Upon approval of a final plat, the developer shall have the final plat recorded in the Office of the Rhea County Register in order for approval of said plat to be effective.

D. MINOR SUBDIVISION

1. Whenever a proposed subdivision contains five (5) or less lots and does not require the construction or installation of new roads, utilities or other improvements. This section allows for an alternative procedure for plat approval. When a lot of record is divided into only two (2) to five (5) lots requiring no new roads, and meeting the definition of a "Minor Subdivision," the subdivider may, if he desires, submit only a final plat. Provided the plat submitted complies with all the requirements of a final plat. If any corrections or modifications are needed, the planning commission shall disapprove the plat and require that it be corrected and resubmitted for approval.
2. The final plat for a two-lot minor subdivision shall show the boundaries of both lots where the total acreage subdivided is 4.99 acres or less. If the size of the two-lot subdivision is 5 acres or more, only the boundaries of the new lot need be shown; provided, the location map on the plat shall show a portion of the Rhea County Tax Map, with the parcel being subdivided highlighted.

E. FINAL PLAT REQUIREMENTS FOR MINOR SUBDIVISIONS

1. The subdivider shall submit a plat of the proposed minor subdivision prepared by an approved land surveyor. Two (2) copies of the plat shall be submitted for review at least ten (10) business days prior to the next regular meeting of the Rhea County Regional Planning Commission. One (1) copy of the plat shall be submitted to the Rhea County Executive's Office. One (1) electronic copy of the plat shall be submitted to planning staff at the Southeast Tennessee Development District for review. In no case will a plat be reviewed or receive action that is submitted on the day of the scheduled meeting or once the meeting has begun. For all items including plats set to appear on the agenda, four (4) copies shall be brought to the Planning Commission meeting in final form (including all appropriate certificates with signatures). NOTE: The four (4) copies of the plat required here would provide: one (1) original plat to be recorded with the County Register; one (1) copy of the

plat for TDEC; one (1) copy of the plat for the records of the Planning Commission; and one (1) copy of the plat for return to the subdivider. The surveyor or a representative of the property appearing on the agenda must be present at the Planning Commission Meeting or the plat will be denied for a lack of representation.
(Amended 4-26-2018)

2. The plat shall be drawn to the scale of one inch (1) equals one hundred (100) feet. When the plat has been approved by the Planning Commission, one (1) copy will be returned to the subdivider, with the approval of the planning commission certified thereon, for filing with the County Register as the official plat of record.
3. The planning commission shall approve or disapprove this final plat within sixty (60) days after its submission. Failure of the planning commission to act on this final plat within these sixty (60) days shall be deemed approval of it. If the plat is disapproved, the grounds for disapproval shall be stated within the official minutes of the planning commission.
4. The final plat for minor subdivisions shall show:
 - a. The lines of all roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house number, reservations for easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every road line, lot line, boundary line, block line, and building line whether curved or straight, and including true north point. This shall include the radius, central angle and tangent distance for the center line of curved roads and curved property lines that are not the boundary of curved roads.
 - c. All dimension to the nearest tenth (10th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining subdivisions and roads and the location and ownership of adjoining unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and magnetic north point.

- g. Location sketch map showing site in relation to area.
 - h. The most recent recorded deed book number and page number for each deed constituting part of the property being platted.
 - i. Contour lines shall not be shown on the plat.
 - j. Current Flood Insurance Rate Map Panel Number and Date on which the platted property can be found. If any portion of the land being subdivided is subject to flood as defined by Federal Emergency Management Flood Insurance Rate Map, the limit of such flood shall be shown.
 - k. The distance at the street line from a corner of the subdivided property to the nearest public cross-road or cross-street, rounded to the nearest foot, **OR** the tax map and parcel number of the subdivided property or properties.
5. The following certification shall be presented with the final plat:
- a. Certification showing that the applicant is the land owner and dedicates rights-of-way and any sites for public use.
 - b. Certification by surveyor regarding accuracy of the survey, plat and placement of monuments.
 - c. Certification by the county health officers when individual sewage disposal or water systems are required. When a subdivision of property involves pre-existing systems, a letter of recertification of such systems shall be obtained if deemed necessary by the Planning Commission, the approximate location of the septic system and field line shall be shown on the final plat, and an existing septic system certificate shall be added to the final plat. **(Amended 5/28/09)**
 - d. Certification of approval for water system by utility board / district, if public water supply is available. **(Amended 8/24/17)**
 - e. Certification by the Rhea County E-911 Board.
 - f. Certification of approval to be signed by the secretary of the planning commission.

- g. Certification by surveyor that all private covenants and deed restrictions for the property shown on the plat have been submitted with the plat in an attached document or as a statement included directly on the plat.
(Amended 3/23/17)

6. Recording of Final Plat

Upon approval of a final plat, the developer shall have the final plat recorded in the Office of the Rhea County Register in order for approval of said plat to be effective.

ARTICLE IV GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

A. GENERAL CONSIDERATIONS

The Rhea County Regional Planning Commission has adopted a plan which includes, at least, a major road plan, certified copies of which are filed in the office of the Rhea County Register of Deeds. All subdivisions of land within the Rhea County Limits must conform to the requirements of this major road plan.

1. Community Assets

In all subdivisions due regard shall be shown for all natural features such as large trees, water courses, historical spots, and similar community assets which, if preserved, will add attractiveness and value to the property.

2. Suitability of the Land

The planning commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed. Land which is subject to flooding 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 any designated floodway.

3. 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.

4. Access (Amended 10-27-11)

Access to every lot in a subdivision shall be provided over a public road, designated private road, or designated access easement for which standards have been established under the guidelines of Tennessee Code Annotated § 13-3-411. All private roads or access easements shall conform to the following standards for permanent vehicular easements adopted by the Rhea County Commission:

- a. Permanent vehicular easements under this resolution are defined as any permanent easements

for vehicular access which serves one or more lots not fronting on a publicly maintained road.

- b. Permanent vehicular easements that are greater than 250 feet in length or that serve two or more lots shall be considered private roads. Private easements that are less than 250 feet in length and serving one lot shall be deemed to be private driveways and not subject to this resolution.
- c. Private roads shall be open to public safety, emergency vehicles, and public and private utility vehicles.
- d. The name of the private road(s) must be approved by the 911 Director or his/her designated representative through the Rhea County Emergency Communications District Offices to prevent duplicate road names.
- e. Private roads shall meet the following minimum design standards:
 - i. R.O.W. WIDTH, A minimum easement right-of-way (R.O.W.) width of 50 feet shall be provided for private roads serving three or more lots. In all other cases a minimum easement right-of-way (R.O.W.) of 25 feet shall be provided.

5. Large-Scale Development

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

B. PUBLIC ROAD DESIGN STANDARDS

In most cases, access to the lots established by a subdivision is provided by the creation of new roads. In the interest of public safety, all new roads in subdivisions must meet certain minimum standards set out in the following sections.

1. Conformance to Adopted Transportation Plan

All roads and other features of the Transportation Plan of Rhea County, Tennessee, shall be platted by the subdivider in the location and to the dimensions

indicated on the Transportation Plan adopted by the planning commission.

2. Continuation of Existing Roads

Existing roads shall be continued at the same or greater width, but in no case less than the required width.

3. Road Connections

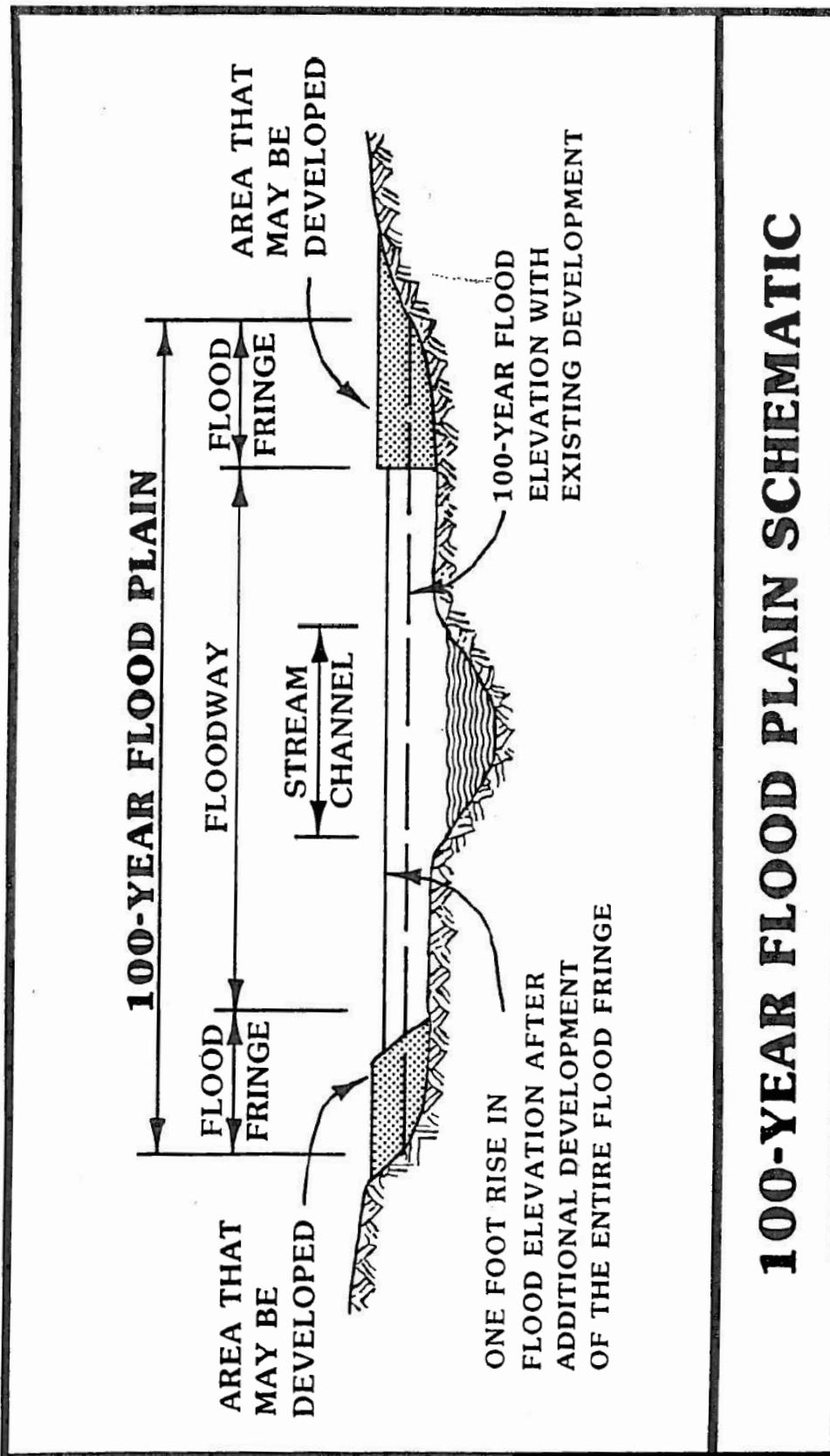
Where proposed roads are to adjoin existing roads, the developer must make the connection at his expense and meet all road design requirements set forth in these regulations.

4. Road Elevations

The planning commission may require, where necessary, profiles and evaluations of roads in areas subject to flood. Fill may be used for roads provided such fill does not unduly increase flood heights. Drainage openings shall be so designed as to not restrict the flow of water and unduly increase flood heights.

5. Road Names

The road names shall require the approval of the planning commission. Roads that are obviously in alignment with roads already existing and named shall be given the name of the existing road. Names of new roads shall not duplicate or closely approximate those of existing roads. All road names shall be reviewed by the representative of the E-911 Board.



6. 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 road or may require reverse frontage lots.

7. 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.

8. Reserved Strips

There shall be no reserve strips controlling access to roads, except where the control of such strips is definitively placed with the county under conditions approved by the planning commission.

9. Easements

Where a subdivision is traversed by a water course, drainageway, channel, or stream, there shall be provided a stormwater or drainage right-of-way of adequate width. The planning commission may require an access road alongside the watercourse.

10. Classifications of Roads (Amended 4/22/10)

Roads are classified according to the amount and type of traffic anticipated.

- a. Rural Principal Arterials
- b. Rural Minor Arterials
- c. Rural Major Collectors
- d. Rural Minor Collectors
- e. County Roads

County roads shall not be longer than one-thousand (1,000) feet, or in the case of cul-de-sacs, not longer than five-hundred (500) feet.

(See Article II, DEFINITIONS OF CERTAIN TERMS USED HEREIN, for more detail)

In deciding which roads shall be built to collector road standards, the Rhea County Regional Planning Commission and its staff shall, based on the following guidelines, determine which proposed roads or portions thereof shall be designated collector roads and built with a wider pavement width.

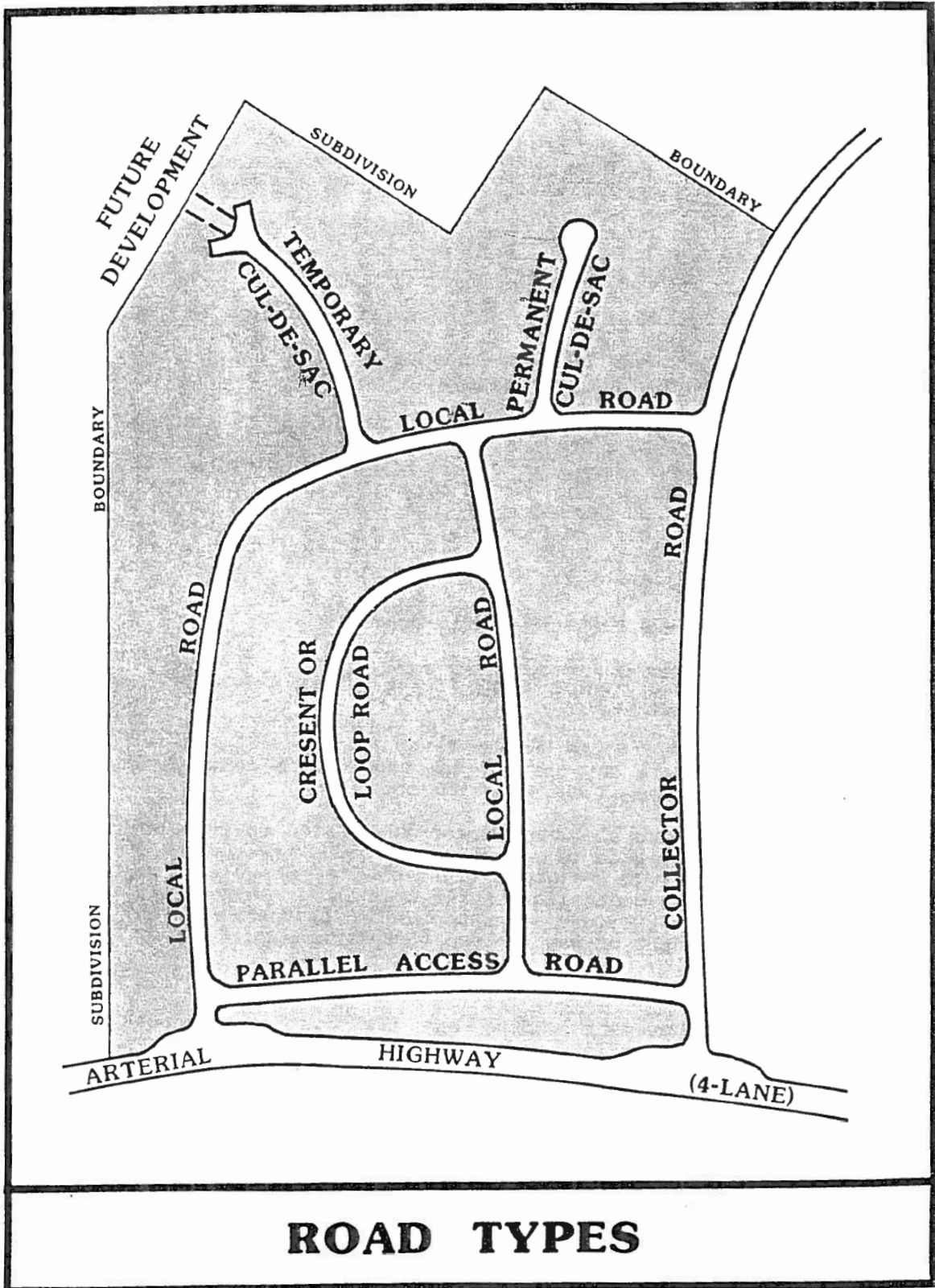
GUIDELINES FOR COLLECTOR ROADS

1. Large number of lots served,
2. Large total acreage served,
3. proposed through roads shown or proposed for future development,
4. Potential for roads being extended into additional phases of subdivision (temporary cul-de-sacs, etc.),
5. Large total road network or configuration, and
6. When several short roads branch from one main road.

11. Road Right-of-Way Widths (Amended 4/22/10)

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

- a. Rural Principal Arterial..... 100 feet
or as required
by the commission
- b. Rural Minor Arterial..... 80 feet
- c. Rural Major Collector..... 60 feet
- d. Rural Minor Collector..... 50 feet
- e. County Roads..... 50 feet



12. Cul-de-sacs (Amended 4/22/10)

Cul-de-sacs are dead end roads, permanent or temporary, to be used only when loops or interconnecting roads would prove impractical.

- a. Cul-de-sac turnaround designs shall be any one of the designs known as Circle, T Back-around, or Y Back-around.
- b. Cul-de-sacs may be classified county road or collector, according to length, and shall be of the length necessary to serve the individual development.
- c. Temporary Cul-de-sacs shall be required where, in the opinion of the planning commission, it is desirable to provide for road access to adjoining property. Where deemed necessary by the planning commission, adequate rights-of-way shall be dedicated to connect with any temporary dead end roads adjoining the subdivision.

13. Reseved for Future Use (Section Removed 5/28/2020)

14. Road Pavement Widths (Amended 4/22/10)

Road pavement widths are the distances across the pavement surface and shall be as follows:

- 1. Rural Principal Arterial..... 48 feet
or as required by the
planning commission
- 2. Rural Minor Arterial..... 32 feet
- 3. Rural Major Collector..... 24 feet
- 4. Rural Minor Collector..... 22 feet
- 5. County Roads..... 18 feet

NOTE: The pavement widths are measured from curb to curb. These widths are considered the minimum necessary to accommodate modern traffic. Road parking must, of

course, be considered in the pavement widths. Where road parking is permitted or is anticipated, allowances may be made.

15. Road Grades

Maximum and minimum road grades shall be fourteen (14) percent and five-tenths of one percent (0.5) respectively.

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

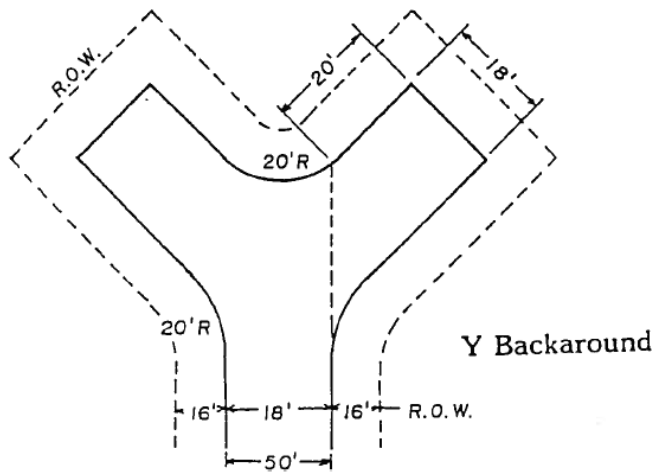
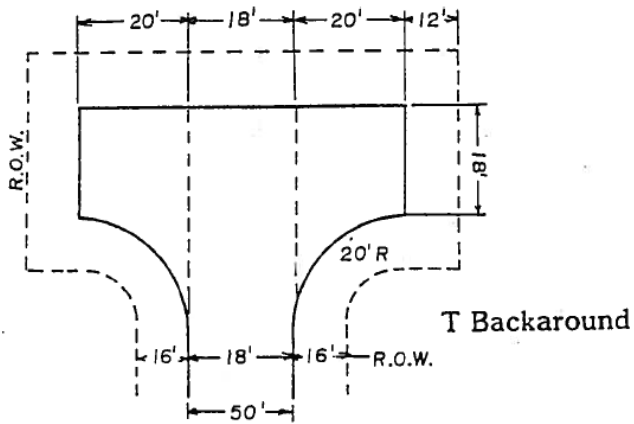
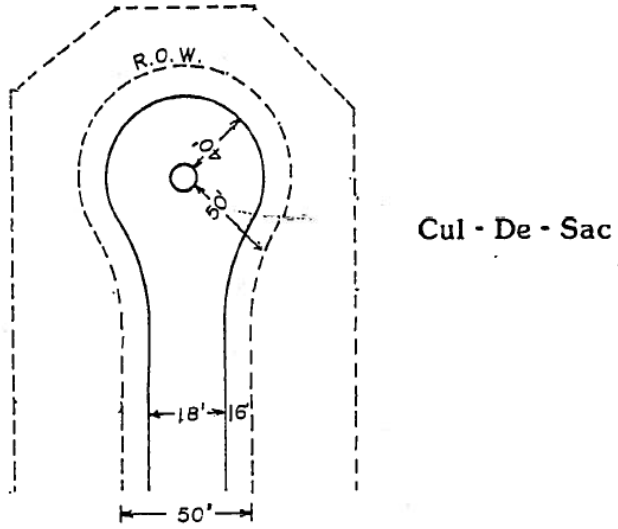
16. Horizontal Curves (Amended 4/22/10)

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

- a. Rural Principal Arterials.....300 feet
- b. Rural Minor Arterials.....300 feet
- c. Rural Major Collectors.....200 feet
- d. Rural Minor Collectors.....200 feet
- e. County Roads.....100 feet

17. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the pavement, to an object four (4) inches high on the pavement. Where, in the opinion of the planning commission, topography warrants it, profiles of all roads 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.



18. Intersections

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

Curb radii at 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 the sidewalk at a road corner to less than normal width, the property line at such road corner shall be rounded or otherwise set back sufficiently to permit such construction.

19. Tangents

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

20. Road Jogs

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

21. Sight Distance Requirements

Minimum corner sight distances shall be required as follows:

SUGGESTED CORNER SIGHT DISTANCE AT INTERSECTIONS	
Design Speed MPH	Minimum Corner Intersection Sight Distance in Feet*
60	600
50	500
40	400
30	300

*Corner sight distance measured from a point on the minor road at least 15 feet from the edge of the major road pavement and measured from a height of eye of 3.75 feet on the minor road to a height of object of 4.5 feet on the major road.

22. Permits

For any subdivision intersecting a State highway, a permit allowing said intersection shall be obtained from the Tennessee Department of Transportation. This permit is required by the Planning Commission prior to the approval of the final plat for which it is required.

C. BLOCK AND LOT DESIGN STANDARDS

1. Block Lengths and Widths

Block lengths and widths shall be as follows:

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

2. Flood-free Building Site

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.

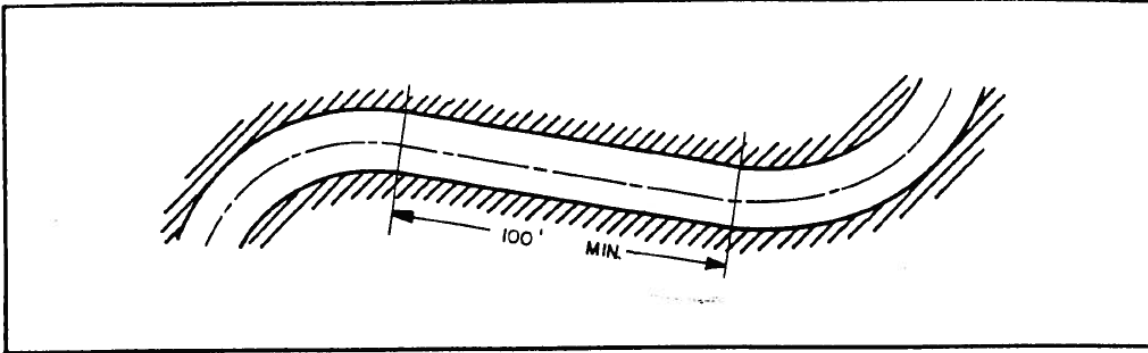
3. Lot Sizes (Amended 4/4/2024 Res #04.2024.01)

Lots or tracts of land shall be a minimum of twenty-thousand (20,000) square feet or greater as required by the Tennessee Department of Environment & Conservation (TDEC) and/or the Rhea County Health Department. All subdivided lots must be able to pass a percolation test for an individual septic system or be directly adjacent to and able to connect onto a public sewage disposal system or an approved and managed decentralized wastewater treatment system. When wells are used for potable water, TDEC and/or the Rhea County Health Department shall determine the minimum lot size to accommodate both a septic system and fresh-water well. When public water and a public sewage system or approved decentralized wastewater treatment system are available, then lots may be a minimum of seven-thousand-five-hundred (7,500) square feet or greater. Lots or tracts of land shall not be less than seventy-five (75) feet wide at the front building setback line at the end of cul-de-sacs and one hundred (100) feet wide on all other lots; however, when lots are able to connect onto a public sewage system or approved decentralized

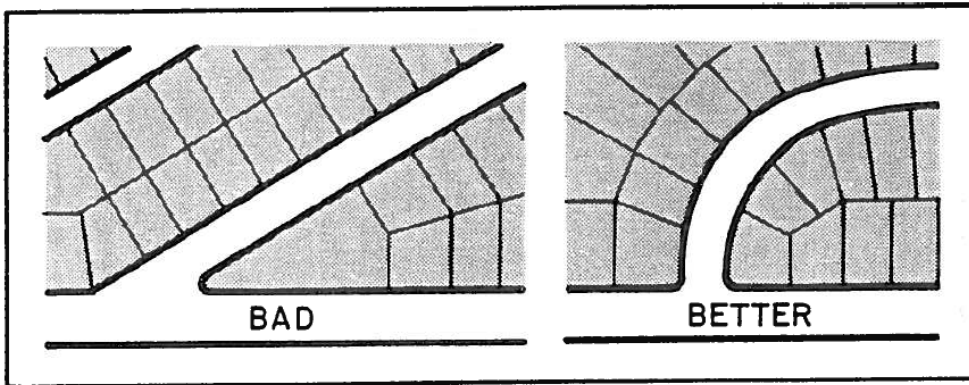
wastewater treatment system, the lot width may be lowered to fifty (50) feet wide at the front building setback line if approved by the Planning Commission.

Other lot size requirements follow:

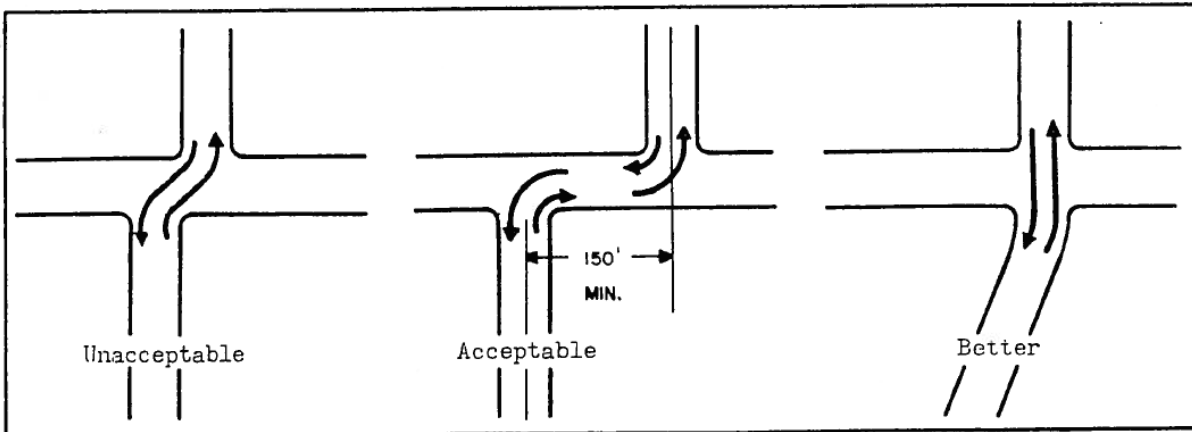
- a. Lots or tracts of land shall have a depth of not less than one-hundred (100) feet and not greater than three (3) times the width of the lot at the front building line, unless unusual circumstances make these limitations impractical.
- b. The minimum distance between the septic tank field line(s) and fresh-water well shall be at least one-hundred (100) feet. Each lot should be able to contain the entire septic system tank and field lines within the boundary of said lot. The county health officer shall also prescribe minimum lot sizes to conform to health standards, which may be greater than the standards contained herein.
- c. Corner lots shall have adequate width to meet building setback requirements for both abutting roads.
- d. Commercial and industrial lots shall be adequate in size to provide service areas and off-road parking suitable for the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- e. Land shall not be platted for commercial or industrial purposes unless the subdivider can demonstrate to the planning commission that each lot provides the following:
 1. A site that does not unduly interfere with through traffic.
 2. An integrated parking area.
 3. An insulation against any adverse effect on any present or future adjacent residences.
 4. A parcel size sufficient in area to allow future expansion.



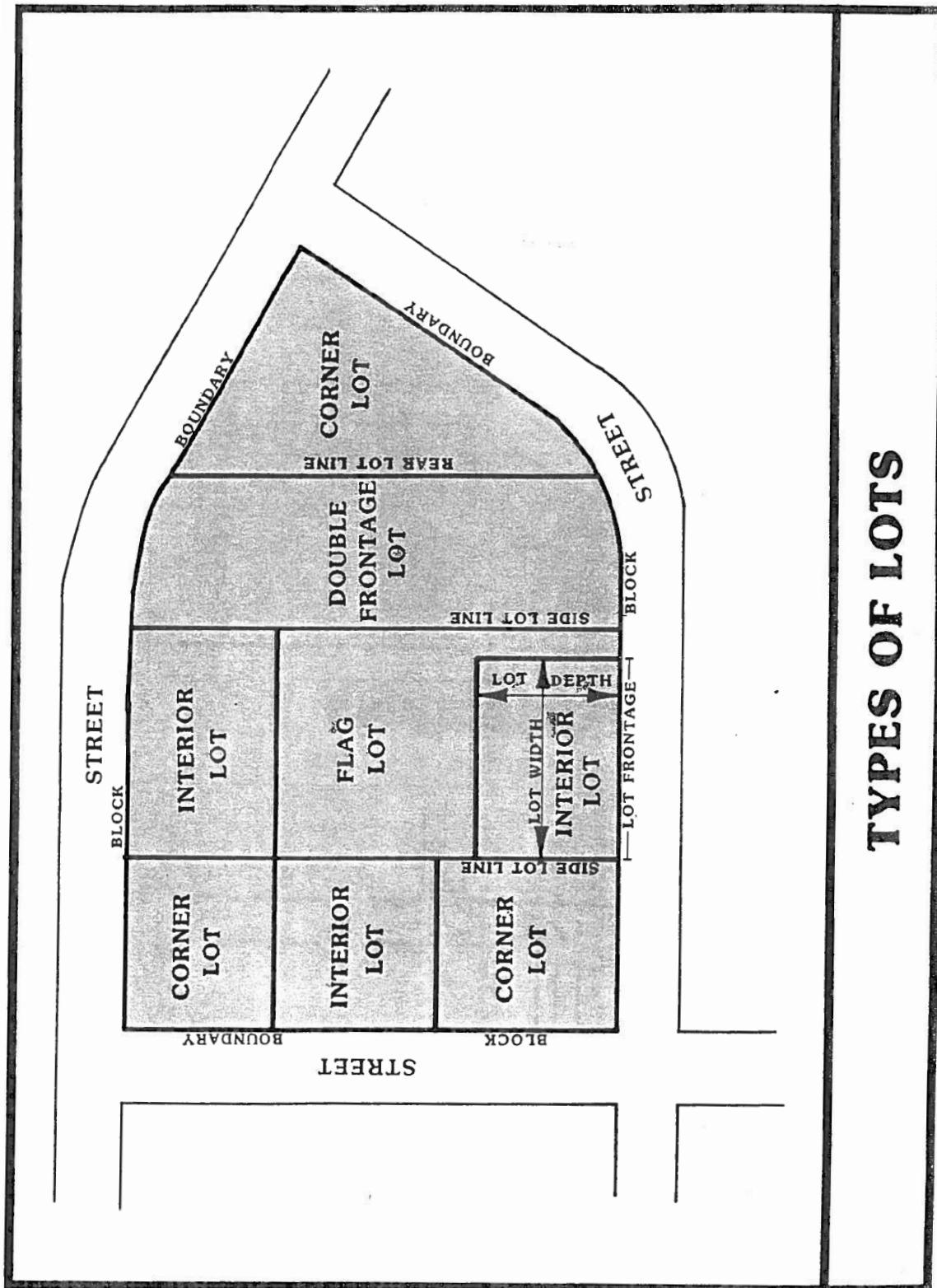
TANGENTS



INTERSECTIONS



ROAD JOGS



4. **Lot Lines**

All lot lines shall be perpendicular or radial to road lines, unless impractical because of topographical or other features.

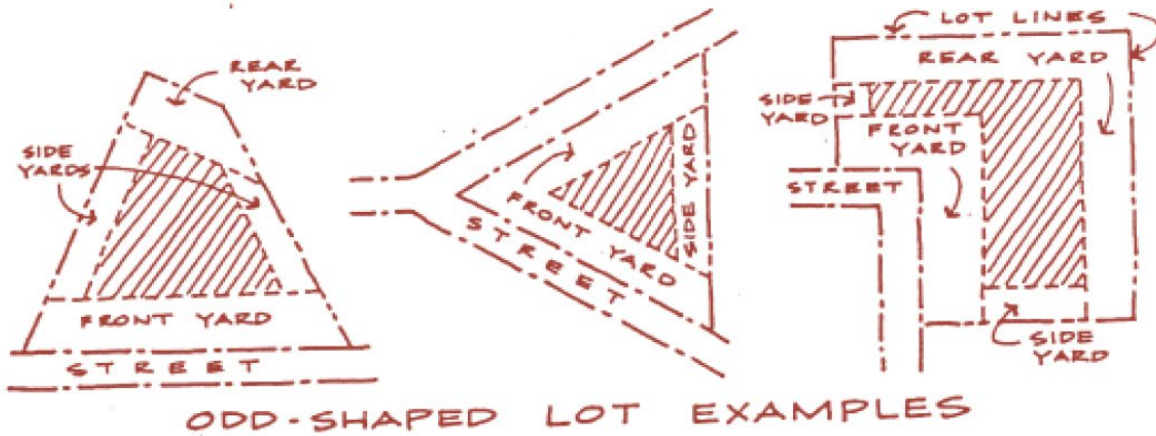
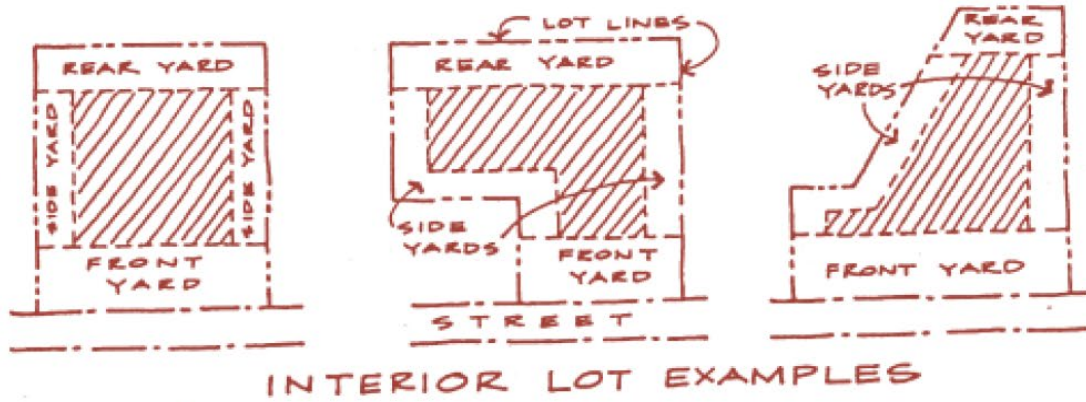
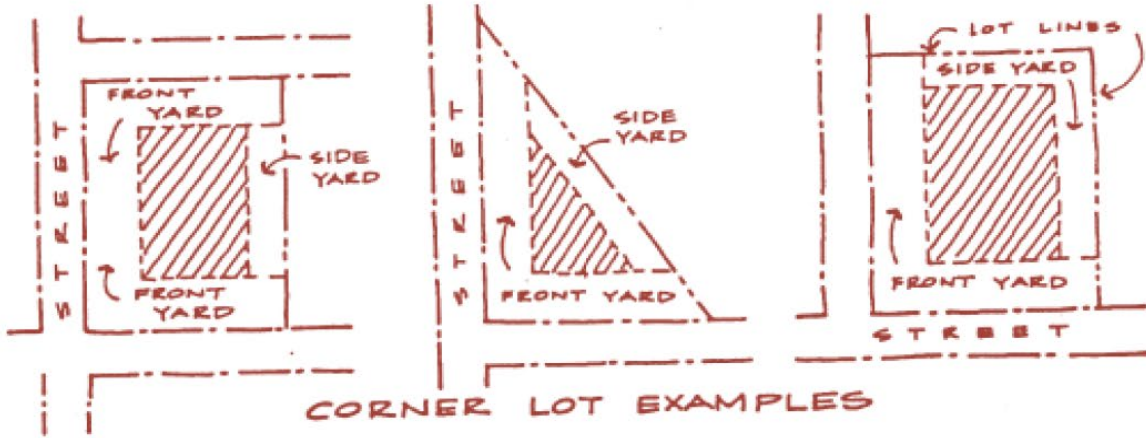
5. **Building Setback Lines (Amended 10-25-2012)**

Building setbacks ensure that there is a certain degree of privacy between neighbors, allow adequate room for emergency and utility vehicles that may need access onto the property, it allows cars to park in front of a house without hanging over into the street, it improves visibility from the street, and it brings an aesthetic uniformity to neighborhoods. The area outside of the building envelope provides space for recreation, landscaping, light and air circulation, and it offers a degree of separation from adjoining properties. Building setbacks apply to all buildings and structures, including additions onto existing buildings, and no deviation from these requirements shall be permitted without the approval of the Rhea County Regional Planning Commission.

Front yard setbacks shall be a minimum of **twenty-five (25) feet from the front property line, except along named state highways in which case the front yard setback shall be thirty-five (35) feet.** Other minimum setback lines shall be as follows:

- a. From the side property line..... 10 feet
- b. From the rear property line..... 15 feet
- c. From the side property line which
abuts a minor road (corner lot).... 25 feet
or along state named highways..... 35 feet

FIGURE 1



REQUIRED YARDS



Building Envelope (Two Dimensional)

6. Lots Abutting Roads.

Each lot shall abut for at least fifty (50) feet upon a dedicated public road or designated private road for which standards have been established under the guidelines of Tennessee Code Annotated §13-3-411. Minimum road frontage for flag lots, as described in Article IV, Section C, Number 8, shall be determined by the required width of the access strip (flag stem) for various lot sizes.

7. Double and Reverse Frontage Lots

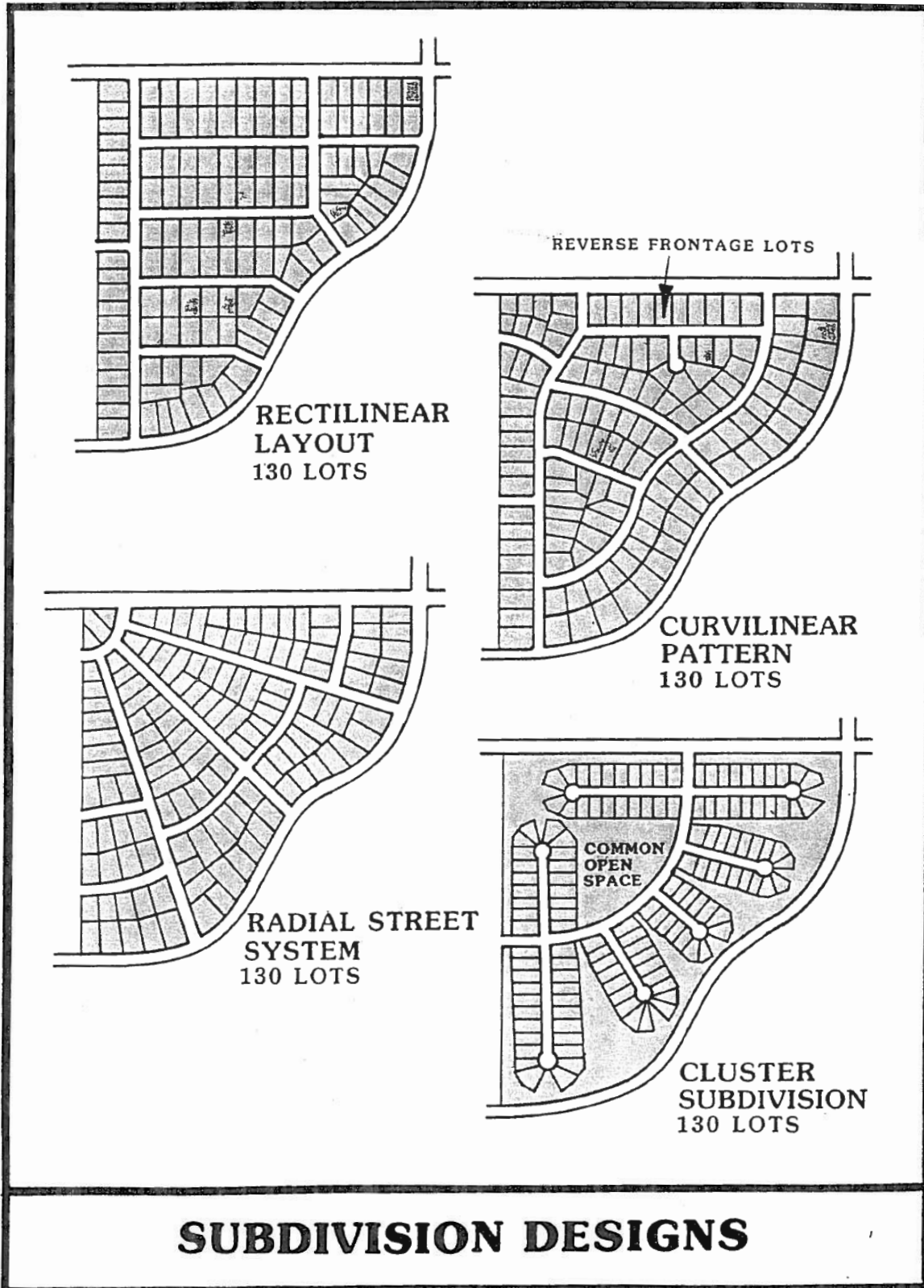
Double frontage and reverse frontage lots should be avoided, except where essential to provide separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. Reverse frontage lots shall have a depth of not less than one hundred fifty (150)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

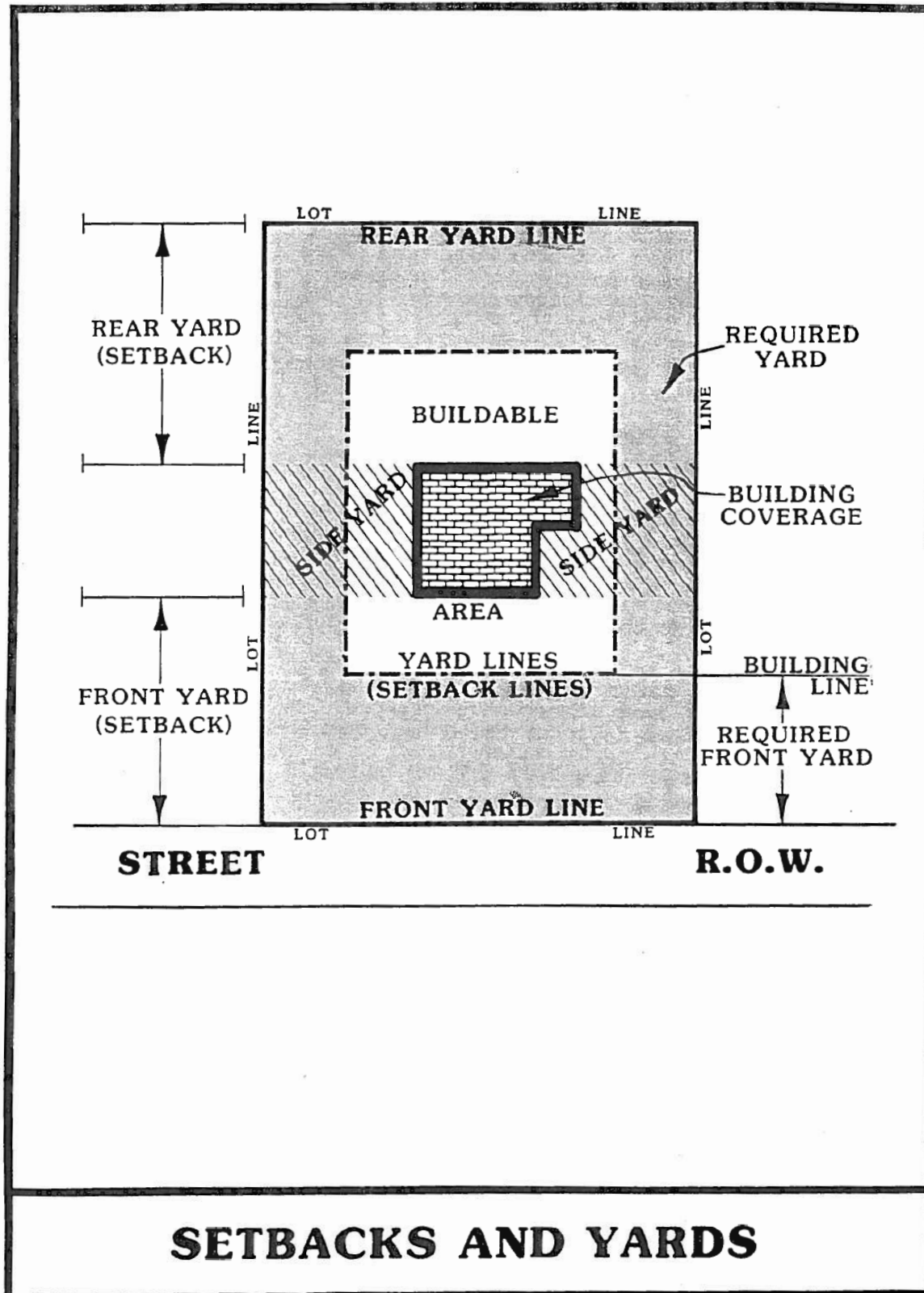
8. Flag Lots

In the Rhea County Planning Region, flag lots shall be allowed only if they meet the following requirements:

- a. For flag lots of forty thousand (40,000) square feet or less, the access strip shall be a maximum of two hundred (200) feet in length and a minimum of twenty-five (25) feet in width;
- b. For flag lots of more than forty thousand (40,000) square feet, the access strip shall be a maximum of five hundred (500) feet in length and a minimum of fifty (50) feet in width. (This wider access strip will allow room for a public street when and if the flag lot is ever resubdivided.)
- c. The overall subdivision shall be designed so that the point where the access strip of the flag lot abuts the public street shall be safe for vehicular ingress and egress as far as visibility and grade are concerned since, unlike the purchaser of a conventional lot, the owner of a flag lot will have no other choice as to driveway location. (The safety of this intersection is even more important if the flag lot is ever made into a subdivision housing a number of families.)

- d. Whenever a fifty foot wide access strip is required, the developer shall locate it on land which affords a grade which would meet the specifications of Article IV, Subsection C, Number 8 so that if the flag lot is subdivided the planning commission will be able to approve the grade of the new public road built on the right-of-way necessary to construct a street to the specifications of Section Number 8. *(This requirement is needed so that the county does not, at a future date, have a dangerous road which is difficult to maintain and to serve with public vehicles such as school buses.)*
- e. Within the portion of the flag lot which doesn't include the access strip the various building setbacks for front, side, and rear shall still apply and be measured from the boundaries of the portion excluding the access strip.
- f. Minimum lot sizes shall be calculated, excluding the access strip.
- g. No more than two access strips for flag lots of 40,000 square feet or less (flag lot stems) shall be located side by side. Access strips for flag lots of more than 40,000 square feet shall not be located within 300 feet of another access strip or the intersection of roads.





ARTICLE V

DEVELOPMENT REQUIREMENTS PRIOR TO FINAL APPROVAL

Before any construction activity is to take place, the developer shall submit design drawings to the Rhea County Road Supervisor for review (additional copy to County Planner, for records). The design drawings shall include design and drainage information and must be designed by a Licensed Engineer. This information will be presented at a pre-construction conference that shall include the Road Supervisor, developer, engineer and staff planning.

Prior to the approval of a final plat, the subdivider shall be required to have installed at his expense the following improvements:

A. GENERAL REQUIREMENTS

1. Monuments

All corners shall be established with a metal or concrete object. Metal corners (monuments) shall be no less than $\frac{1}{2}$ 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.

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 on non-corrosive material with surveyor's registration number or company name stamped. (Ref. Sec. 0820-3-07 (1) (h) *Rules of Tennessee State Board of Examiners for Land Surveyors*).

B. ROAD IMPROVEMENTS

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.

1. Road Grading

a. Width and Location. All streets, roads, and alleys shall be graded by the subdivider to the required cross section. 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 conductors shall meet the requirements of the National Electric Safety Code.

- b. **Preparation.** Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush, and other objectionable materials and all vegetation not approved for preservation.
- c. **Cuts.** All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet, or greater if required by the County Road Supervisor, to reach a firm substrata below subgrade. Rock, when encountered, shall be removed to the subgrade: all topsoil shall be removed except where deemed not feasible by the planning commission. 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 95 percent Standard Proctor.
- d. **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 95 percent Standard Proctor.

Any trench cut across an existing or proposed roadbed shall be backfilled with gravel and then thoroughly tamped.

- e. **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 County Road Supervisor who shall require additional erosion control measures.

- f. **Compaction Tests.** Compaction tests by a certified laboratory shall be required by the County Road Supervisor for all roads unless in the opinion of the County Road Supervisor the tests are unnecessary for compliance with soil stability requirements. The location and number of tests shall be at the discretion of the County Road Supervisor.

2. 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.

3. Hot-Mix Pavement.

Hot-mix roads (also known as "asphaltic concrete" shall be constructed to the following specifications:

- a. **Base.** The base shall consist of crushed stone (not crusher run stone) Grade D, Class A, (pug mix) compacted to a minimum of six (6) inches and constructed as specified in the latest edition of the Tennessee Department of Transportation's Standard Specifications for Road and Bridge Construction.

In the event a spreader box is not available, the crushed stone shall be dumped and windrowed uniformly along the center of the roadway compacted in such a manner as to construct a crown in center of said roadway.

- b. **Prime Treatment.** Upon completion and after inspection of the base course, a prime treatment (the type and grade to be determined by the County Road Supervisor) shall be applied at a rate of .50 to .75 gallons per square yard and followed by a mineral aggregate (size 6 or 7) spread at a minimum rate of 12 pounds per square yard.

- c. **Surface.** Hot-mix material (asphaltic concrete) shall be applied in the amount of 220 pounds per square yard (the resulting thickness will be approximately two (2) inches) as specified for Type E in the latest edition of TDOT's Standard Specifications for Road and Bridge Construction.

Weight tickets shall be made available for inspection/copying on request of the County Road Supervisor.

4. Curbs and Gutters, or Road Shoulders. (Amended 4/22/10)

Within Rhea County, the subdivider shall provide one of the illustrated types of concrete or asphalt curbs and gutters, or gravel shoulders on each side of the paved surface. Where curbs and gutters 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. Where gravel shoulders are installed, the shoulders shall be constructed as shown in Typical Tangent Section, Type 1. Shoulders widths shall be as follows:

- a. **Rural Principal Arterials..... 5 feet**
- b. **Rural Minor Arterials..... 5 feet**
- c. **Rural Major Collectors..... 3 feet**
- d. **Rural Minor Collectors..... 3 feet**
- e. **County Roads..... 2 feet**

5. Street Signs (Amended 7-25-2013)

a. Public Roads
Street signs of a type approved by the Planning Commission and the Rhea County Road Supervisor shall be installed by the Rhea County Road Department at the intersection of all streets within new subdivisions, and at the entrance(s) into the subdivision from an existing public road. The signs shall conform to the Manual on Uniform Traffic Control Devices (MUTCD). All other signs will also be installed by the Rhea County Road Supervisor on County Roads.

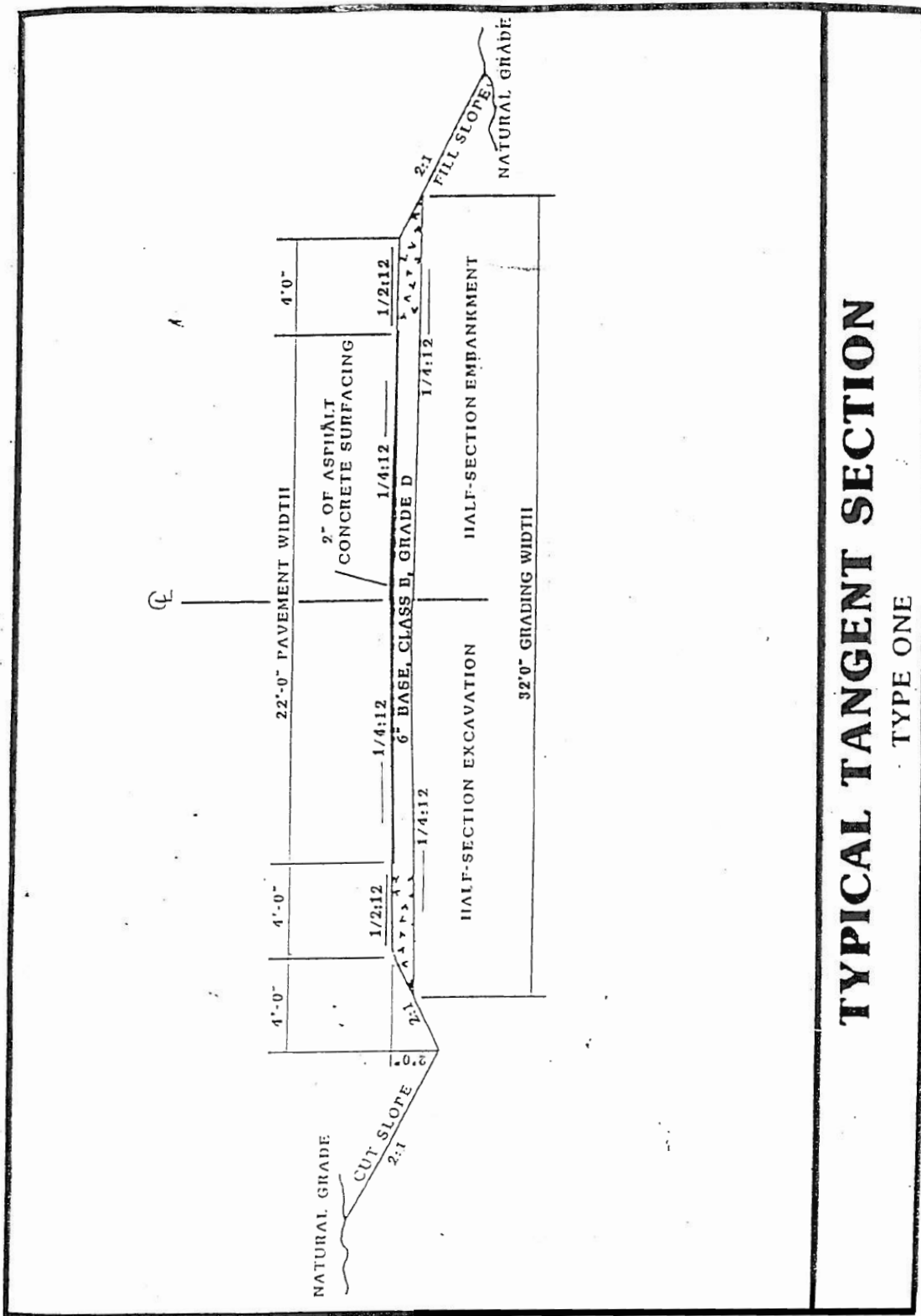
b. Private Roads

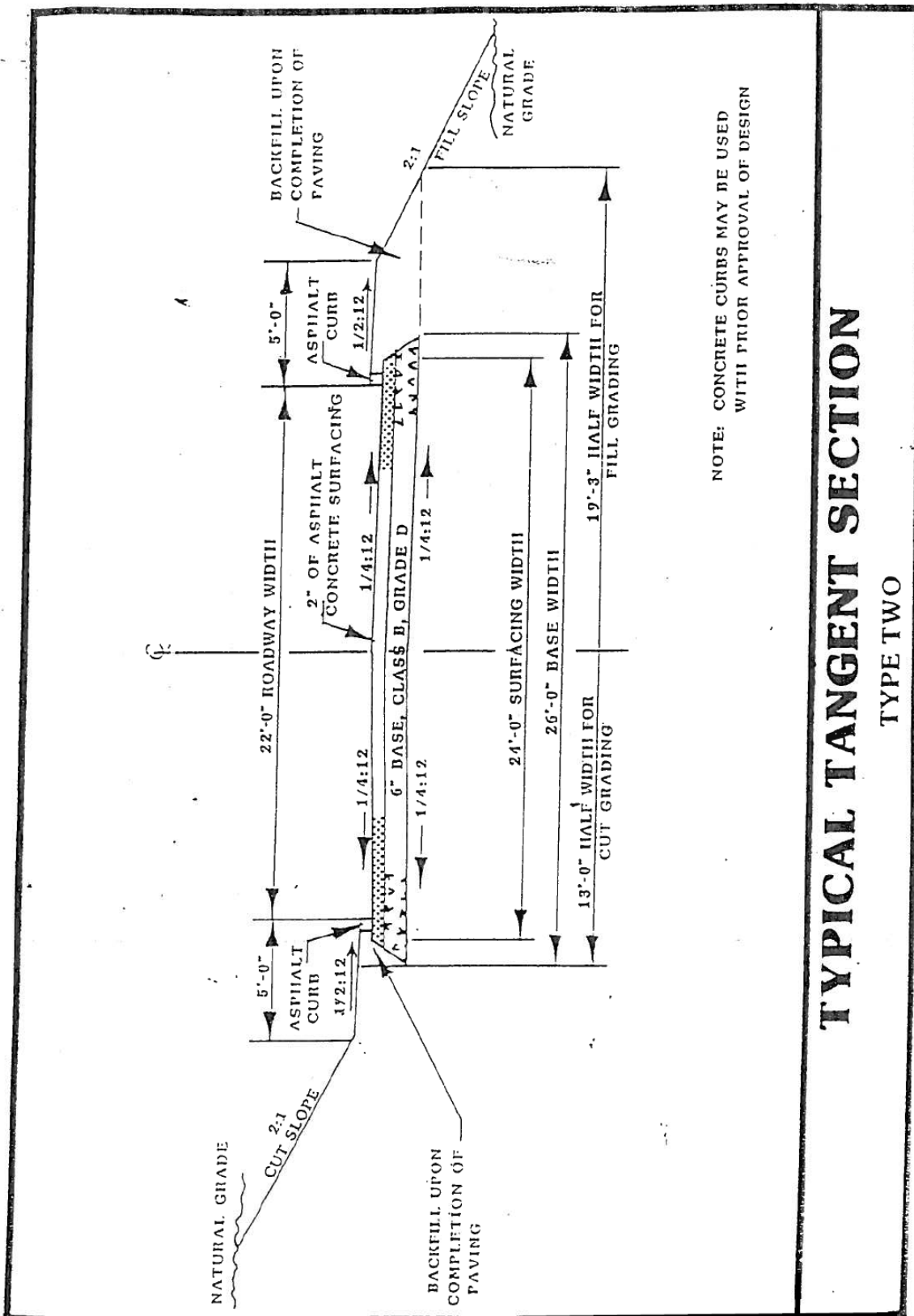
Street signs, including but not limited to road names and stop signs, shall be installed at the intersection of all streets within major subdivisions or anywhere new private streets are being constructed. Street naming signs shall have a blue background with six (6) inch white reflective lettering. The developer shall install these signs at no expense to the government of Rhea County. Prior to receiving approval of a final plat for a major subdivision, the developer shall sign a certificate on the final plat stating that the street signs have been installed as required by these regulations and in conformance with the Manual on Uniform Traffic Control Devices (MUTCD).

6. Required Inspections During Road Construction.

While road construction is taking place, inspections shall be made by the County Road Supervisor during or after each of the following steps as shown below, and before a step or process is covered over by the next course or procedure. The County Road Supervisor 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 County Road Supervisor.

Core drillings may be made for hot-mix roads by the subdivider, as directed by the County Road Supervisor, after hot-mix application, and they shall be inspected against acceptable standards. Where in the opinion of the County Road Supervisor, the sample does not seem satisfactory, the developer shall pay for compactions tests or other lab tests to determine the pavement's character and strength.





C. STORM DRAINAGE IMPROVEMENTS

An adequate drainage system, including necessary open ditches, pipe culverts, catchbasins, and bridges 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 slopes. The drainage structure sizes are to be determined by either the Manning Formula or Talbot Formula, but in no case shall a cross drain be less than 15 inches in diameter. The County Road Supervisor shall be consulted before any drains are installed to ensure they will conform to the proper size.

Cross drains 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 made by grouting tile of 24 inch diameter or larger half way up the pipe on the inside and half way down on the outside.

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.

If a drainage pipe is under three (3) feet in diameter, located in the ditch line and more than 50 feet long, concrete or solid masonry catchbasins with a six (6) inch minimum wall thickness shall be required at intervals of 50 feet, except a greater run may be approved by the road supervisor. The design of these catchbasins shall be approved by the road supervisor.

D. UTILITY IMPROVEMENTS

1. Installation of Utilities

After grading is completed and approved and before any base is applied, all of the required underground work - water mains, sewer lines, gas mains, etc., and all service connections shall be installed completely and approved throughout the subdivision.

2. Water Supply System

Water mains properly connected and approved by the Tennessee Department of Health and Environment with the community water supply system or with an alternate on-site supply approved by the county health officer shall

be constructed in such a manner as to serve adequately for both domestic use and fire protection for all lots shown on the subdivision plat.

Plats determined by the County Health Department to be unsuitable for fresh water wells shall provide a public water system before the plat can be approved by the Planning Commission.

Public water systems shall be extended to all new subdivisions when an existing waterline is within 1,000 feet or provided that any portion of the property being subdivided abuts an existing water line, or abuts a right-of-way or easement containing an existing waterline. Where public water systems are to be used, six (6) inch water mains shall be required, except along cross roads of one thousand (1,000) feet or less and in permanent cul-de-sacs. The location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation, shall be approved by the appropriate Public Utility Board or Utility District, and shall conform to accepted standards of good practice for water systems.

3. Fire Protection

Fire hydrants shall be required for all major subdivisions when a public water system is available (existing or installed). The number and location of fire hydrants shall be determined by the planning commission after consultation with the local fire department. In no case shall any fire hydrant be more than five hundred (500) feet from any building site or more than one-thousand (1,000) feet from another fire hydrant. This will maintain a good fire insurance rating and safety level. Hydrants without fire flow capability shall be tagged so that pumper trucks will not connect directly to the hydrant and collapse the water line; however, the water from the hydrant can still be used to fill reservoir(s).

4. Sanitary Sewers

When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be designed and installed in such a manner to serve adequately all lots with connection to the public system and approved by the appropriate public health authority.

Where lots cannot be economically connected with a sewerage system, each lot shall be required to adhere to test requirements of the county health officer, contain adequate area for the installation of approved septic

tank and disposal fields, and be approved in writing by the county health officer.

Easements to provide the required area for septic tank and disposal lines on nearby properties shall only be permitted upon Planning Commission review and with the written approval of the county health officer. Septic lines must be hard piped on easements between noncontiguous properties.

E. GUARANTEE IN LIEU OF COMPLETED IMPROVEMENTS
(Amended 7/23/24 Res# 06.2024.01)

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 have been met:

1. All required improvements have been constructed in a satisfactory manner and approved by the planning commission, county road supervisor, and appropriate public health authorities.
2. In the case of roads, the planning commission has accepted a certified check or letter of credit in an amount equal to or greater than 125% of the estimated cost of installation of the required improvements for the roadway and required drainage, whereby improvements may be made without cost to the county in the event of default by the subdivider. These shall be made out to the Rhea County and posted to the Rhea County Trustee.
3. Under no circumstance shall a final plat for an additional phase be approved if a developer already has two (2) final plats with outstanding performance guarantees, unless the next phase is a minor subdivision that does not require the construction of roads or utilities.
4. If road construction is not complete at the time of final plat approval, the developer's engineer and county highway superintendent shall sign the plat stating that the road has been designed to county specifications, and an approved performance guarantee shall be posted to the Rhea County Trustee after having been accepted by the Planning Commission on a recommendation of the Rhea County Highway Superintendent. Once road construction is complete, the developer or his engineer shall send a letter to the highway superintendent stating that the road has been constructed to county specifications, and the highway superintendent shall inspect the final road to ensure it conforms to the county's road design requirements, including drainage.

5. The coverage period shall be two (2) years. Prior to the end of this two (2)-year period, the developer may request an extension. This request shall be made to the planning commission, which may extend the completion date upon finding that satisfactory progress has been made on the subdivision improvements over the previous two (2) years. Only one (1) extension shall be granted.

At the time of a request for an extension, the highway superintendent or other designated officials may calculate a revised coverage amount to reflect possible changes in the cost of materials. If this is the case, the developer shall submit a new performance guarantee equal to 125% of the revised cost estimate to the planning commission.

The period within which required improvements must be completed shall not in any event exceed two (2) years from the date of final plat approval, unless an extension has been granted by the planning commission.

6. In the event the improvements have not been completed within two (2) years, or by the set date if an extension has been granted, the planning commission may exercise its right to collect the entire amount of the performance guarantee in order for the improvements to be made and refund any amounts unexpended to the financial institution or the developer, as the case may be. Any deficit resulting from the completion of the improvements will be the responsibility of the developer, and Rhea County may institute an action against the developer for such deficit. In the event that an action is instituted, the developer will be responsible for all costs, including attorney's fees in collection of the deficit.

F. CONTINUATION OF LEGAL RESPONSIBILITY

1. In addition to the requirements listed above, the subdivider shall be responsible for the maintenance of roads and ditches for a period of one (1) year beginning at the time of application of final surface or of acceptance of the subdivision by the planning commission which ever occurs later. Responsibility for maintenance shall include such activity as to assure that the road surface, shoulders, and ditches are in accordance with the Rhea County Subdivision Regulations at the end of the one (1) year period.

ARTICLE VI

REQUIREMENTS FOR TOWNHOUSE AND PATIO HOME SUBDIVISIONS

(Amended 5-24-2018)

The development in Rhea County of townhouse and patio home units to be sold in fee simple, each with its own small lot, requires special regulations not provided elsewhere within the "Rhea County, Tennessee Subdivision Regulations."

A. REASONS FOR SPECIAL REGULATIONS

1. The narrow lots needed for townhouses and patio homes are not provided elsewhere in the "Rhea County, Tennessee Subdivision Regulations,"
2. The narrow lots to be allowed are not suitable for any other housing type. The townhouses or patio homes must be "in place" before Final Subdivision Plat Approval is granted. (Obviously, if such lots were sold to different owners while still "unbuilt," the owners would have great difficulty arranging a coordinated townhouse construction program.)

B. TOWNHOUSE AND PATIO HOME NEED.

Townhouse and patio home subdivisions are allowed in Rhea County in suitable locations to provide a greater variety of housing types for residents to choose. (Many people do not want the responsibility of maintaining a large lot, but still want the advantages of homeownership.)

C. DEFINITIONS (particular to this section):

Developed Area. The combined areas of the Major Lots, Road Rights of Way and Utility Easements

Major Lot. The group of minor lots covered by one complete building

Minor Lot. The land, including front, rear, and side (where applicable) setbacks upon which one individual dwelling unit is placed.

Patio Home. Single-family residential dwelling of one (1) or more floors, which does not have any common walls shared with adjacent dwelling units, but which is located to one side of a less than standard width lot. Often

these homes are built on a side property line with a usable area between structures that may contain a yard, landscaped garden, or other outdoor living area.

Townhouse. Townhouses in Rhea County are defined as all of the following, and townhouse subdivisions shall be approved only for housing units that meet this complete townhouse definition:

- a) a single-family residential dwelling of one, two, or three floors, having at least one bedroom, and having or appearing to have a common wall with an adjacent similar unit or units.
- b) single-family units which are built in sets of between two and nine units per major building.
- c) units having fire walls constructed in accordance with the provisions of the current edition of the International Standard Building Code, "Separation between Townhouses," and
- d) units having individual architectural characteristics to the extent feasible, such as different front wall setbacks, different roof heights, and different, but harmonious building materials and/or colors.

D. SUBDIVISION PLAT APPROVAL PROCEDURE.

To prevent the sale of individual "unbuilt" lots, no individual lots can be recorded until the following steps in the subdivision and development process shall have been followed by the townhouse or patio home developer:

Step 1: Prepare a Preliminary Subdivision Plat for the proposed townhouse or patio home development.

The Preliminary Plat (drawn to scale) shall provide the following information and show the following elements as they will be arranged on the site of the townhouse or patio home subdivision:

- a) name of townhouse subdivision,
- b) name, address, and phone number of owner of record and the applicant,
- c) date of drawing,
- d) scale of drawing (not smaller than one (1) inch

- e) north point,
- f) total land area in acres in each phase of the planned townhouse or patio home subdivision,
- g) locations and dimensions of all property lines including the major lots which will each contain a group of two to nine townhouse units and the small individual townhouse lots into which the major lots are divided,
- h) Contour lines of five (5) feet vertical intervals shall be required when changes in elevation are less than one-hundred (100) feet. On sites with elevation changes greater than one-hundred (100) feet, vertical contours of twenty (20) feet are permitted,
- i) proposed location of each townhouse group showing number of units in each building, (conceptual drawings i.e. perspectives, etc., are not required but will assist the RCRPC in understanding the proposal),
- j) building setback lines,
- k) proposed parking space locations,
- l) existing and proposed sewer and water lines and fire hydrants (see Section F.1),
- m) existing and proposed public road rights-of-way and pavement widths, (see Section F.2),
- n) existing and proposed utility easements or other needed easements,
- o) retaining walls, sidewalks, and other similar proposed features,
- p) landscaped areas or other special proposed areas, such as recreation facilities,
- q) natural or proposed water courses or water bodies and drainage structures, and
- r) limits of 100-year flood area (as defined by the Federal Emergency Management Flood Insurance Rate Maps), if any.

The preliminary Townhouse or Patio Home Subdivision Plat shall also meet the requirements for a Preliminary Subdivision Plat as required in Article III-B of the Rhea County Subdivision Regulations. In cases of conflict, the more restrictive requirement shall apply.

Step 2: Ten (10) business days prior to a scheduled Rhea County Regional Planning Commission (RCRPC) meeting, submit a copy of the proposed preliminary plat to the

planning commission. Staff will place the requested planning commission review of the preliminary plat on the official RCRPC agenda.

Step 3: Meet with the RCRPC and obtain their approval of the preliminary plat. The approval of the RCRPC will be based on whether or not the preliminary plat contains all of the elements listed in Article VI, Section D. Step 1, meets the design criteria set forth in Article VI, Sections E and F, and also meets the requirements of Article V except that the lot area and dimensional regulations in Section E. shall apply.

Step 4: Proceed to construct the required improvements (roads, drainage facilities, and utilities, as well as the townhouse or patio home units for the whole development or for one or more phases according to the approved preliminary plat.

The standards for subdivision roads, drainage, water supply, and sewerage extensions or septic systems contained in Article V, must be met for a townhouse or patio home subdivision just as for a conventional subdivision except for the allowances in Section E of this Article.

Step 5: Prepare a Final Subdivision Plat of the built-up phases showing how the major lots on the approved preliminary plat have been divided into minor lots for individual townhouses or patio homes.

NOTE: The Final Subdivision Plat shall show the individual lot lines exactly where the side walls of the townhouse units were actually built after any site adjustments were made. Also, the Final Plat shall show the following certificates/certifications:

- a) Certificate of Ownership and Dedication
- b) Certificate of Survey Accuracy
- c) Certification of the Approval of Roads
- d) Certification of E-911 Approval
- e) Certification of Approval for Water System
- f) Certification for Approval for Sewer System
- g) Certificate of Approval for Recording

Step 6: Ten (10) business days prior to a scheduled RCRPC meeting, present the Final Subdivision Plat of the built-up phases to the planning commission for careful

plat review, as well as a careful field check of the development; and place the requested Final Subdivision Plat review on the official RCRPC agenda.

Step 7: Be at the scheduled RCRPC meeting, with four (4) copies of the signed final plat (at least one copy must have original signatures - the others may be copies), or send a representative. If all of the appropriate requirements for the Final Subdivision Plat approval in Article V have been met or adequate bonds, approved by the county engineer, have been posted to cover incomplete roads, then the RCRPC shall grant final subdivision approval for the phases which have "finished" townhouse units on each lot. The term "Finished Townhouse" or "Finished Patio Home" shall mean complete as far as walls, flooring, roofing, windows, and utility systems, lacking only final painting, wallpapering, or other minor final work.

Step 8: A guarantee in lieu of completion for the roads in the form of a certified check may be held by the county for one-year to assure satisfactory completion of those roads intended to be taken over by the county. The amount of the check shall be sufficient to cover the cost of completing the roads and satisfactory to the Rhea County Road Supervisor.

Step 9: Record the final plat and proceed to sell the individual townhouse or patio home units.

E. AREA AND DIMENSIONAL REQUIREMENTS FOR TOWNHOUSE LOTS:

1. Minimum Minor Lot Area:

- a) Townhouse: 1,800 square feet
- b) Patio Home: 3,600 square feet

2. Minimum Minor Lot Width:

- a) Townhouse: 18 feet
- b) Patio Home: 36 feet

3. Minimum Lot Depth: 90 feet, provided front and rear setbacks are met

4. Minimum Building Front Setback:

25 feet from road right-of-way unless the design provides a suitable arrangement of rear parking, in which case lesser front yard setbacks may be allowed. All units shall front on local roads that will only serve the townhouse subdivision.

5. Minimum Building Rear Setback: 25 feet.

6. Minimum Building Side Setback:

a)Townhouse: End units shall have a minimum 10-foot setback from the side lot lines adjoining other townhouses or patio homes (20 feet total separation) or a 15 foot setback from the side lot line adjoining a non-townhouse or patio home lot. Side yards abutting a public or private road shall have a side yard setback of 35 feet from the road right-of-way.

b)Patio Home: A minimum side setback of six (6) feet shall be maintained from side lot lines adjoining patio home lots within the patio home subdivision. Patio homes shall be separated by not less than twelve (12) feet from side to side. A minimum side setback of fifteen (15) feet shall be maintained from side lot lines adjoining the exterior boundary of the patio home subdivision. A minimum side setback of twenty-five (25) feet shall be maintained from side lot lines adjoining the public right-of-way.

7. Maximum Building Height: 35 feet.

8. Maximum Developed Area: 70% of total site, the remainder being open space, privately maintained by the Homeowners Association and not by Rhea County.

F. OTHER REQUIREMENTS FOR TOWNHOUSE DEVELOPMENT

1. Water and Sewerage Systems: Public water, fire protection, and sewerage systems shall be required for all townhouse and patio home subdivisions. If the existing lines are not available, the developer shall run lines to his development. The specifications for line size, etc" for water and sewer shall be approved by the utility having jurisdiction. The small narrow lots preclude Individual wells and septic tanks

The RCRCP may waive the requirement for public sewerage when the developer has satisfactorily shown the RCRCP and the Rhea County Health Department that an alternative system of sewage collection and disposal will function correctly and safely, will be durable, and will not become a liability for the county.

- 2. Road Construction and Drainage:** All proposed roads, curbs, and drainage facilities shall be built in accordance with the construction standards for public subdivision roads contained in Article V of the Rhea County Subdivision Regulations with the following exceptions

 - a)** Road right-of-ways shall be a minimum of 50 feet wide.
 - b)** Pavement widths shall be a minimum of 32 feet wide (24 feet for 2 moving traffic lanes and 8 feet for parallel parking space). In the case of internal roads serving no more than 20 units, the pavement width shall be a minimum of 26 feet (18 feet for moving traffic lanes and 8 feet for parallel parking space).
 - c) Off-Road Parking:** Two (2) spaces accessible to the public road shall be provided for each townhouse or patio home unit. The spaces shall be a minimum size of 9 feet by 18 feet. Two spaces shall be located entirely on the townhouse or patio home lot rather than the public road right-of-way.
- 3. Flood Protection:** The building sites within the townhouse or patio home subdivision shall be located in flood-free areas of Rhea County or shall otherwise be shown to be above the level of the 100-Year Flood in accordance with the Federal Emergency Management Flood Insurance Rate Maps.
- 4. Reconstruction:** In the event that one or more townhouse or patio home units are destroyed by fire or other cause, no structures shall be placed on any vacant lot except another townhouse or patio home unit which must be built according to the intent of these townhouse and patio home subdivision regulations.

ARTICLE VII

LEGAL STATUS PROVISIONS

A. PLATTING AUTHORITY

From and after the passage of these regulations, the planning commission shall be the official platting authority, and no plat of a land subdivision shall be entitled to be recorded in the Office of the Rhea County Register unless it shall have the approval of the planning commission inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the planning commission, as required by these regulations, is declared to be a misdemeanor as prescribed under Tennessee law and punishable by law.

B. USE OF PLAT

The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a subdivision plat that has not been given final approval by the planning commission and recorded in the Office of the Rhea County Register is prohibited, and the description by metes and bounds in the instrument of transfer from such penalties.

C. ENFORCEMENT

No plat or plan of a subdivision located within the area of planning jurisdiction shall be filed or recorded by the Rhea County Register of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-3-402, Tennessee Code Annotated.

D. 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 Rhea County Regional Planning Commission unless the road giving access thereto has been dedicated or accepted as a public road in accordance with these regulations; unless such road has been accepted as a public road prior to the effective date of these regulations; or is a designated private road which existed prior to these regulations or a designated private road for which standards have been established under the guidelines of Tennessee Code Annotated § 13-3-411.

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

E. PENALTIES

No Rhea County Register or employee thereof shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-3-402, Tennessee Code Annotated.

Section 13-3-410, Tennessee Code Annotated, 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 Rhea 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 county, through its attorney or other official designated by its chief legislative body, may enjoin such transfer or sale or agreement by action or injunction.

F. 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.

G. CONFLICT WITH OTHER REGULATIONS

No final plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such ordinance. Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the higher, or more restrictive standard shall apply.

H. VARIANCES

Variances may be granted where the planning commission decides that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized

shall be stated in writing in the minutes of the planning commission with the reasoning on which the departure is justified as set forth.

I. AMENDMENTS

These regulations may be amended by the planning commission. However, before enacting an amendment, the planning commission shall hold a public hearing thereon, at least thirty (30) days notice of the time and place of which shall be published in a newspaper of general circulation in the county.

J. ADOPTION AND EFFECTIVE DATE

These regulations shall repeal the May 24, 1971 Rhea County Subdivision Regulations, the 1992 Rhea County Subdivision Regulations and all subsequent amendments, and shall replace, and take effect and be in force from and after the day of its adoption, the public welfare demanding it.

_____ DAY OF _____, 19_____
DATE ADOPTED BY THE
RHEA COUNTY REGIONAL PLANNING COMMISSION

CHAIRMAN
RHEA COUNTY REGIONAL PLANNING COMMISSION

_____ DAY OF _____, 19_____
DATE AMENDED BY THE
RHEA COUNTY REGIONAL PLANNING COMMISSION

CHAIRMAN
RHEA COUNTY REGIONAL PLANNING COMMISSION

A P P E N D I X

CERTIFICATE STANDARDS

A. CERTIFICATES OF APPROVAL

Each final plat submitted to the planning commission for approval shall contain the appropriate signed certificates worded as follows:

1. CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as evidenced in Book Number _____, page _____, County Register's Office, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and that offers of irrevocable dedication for all public ways, utilities, and other facilities have been filed.

_____, 20____, _____
DATE OWNER

TITLE
(If action for partnership or corporation)

2. CERTIFICATE OF SURVEY ACCURACY

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

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

3A. Certificate of Approval for Operating and Maintaining Community Sewerage Systems (Amended 6/25/09)

I hereby certify that _____ [Utility] assumes full responsibility for the operation and maintenance of the community sewerage system serving Lots _____ of the _____ [Subdivision or Development]. It is further certified that _____ [Utility] agrees to operate and maintain this system under the supervision and guidelines of the Tennessee Regulatory Authority and the Tennessee Department of Environment and Conservation. The Government of Rhea County will not be expected to accept any responsibility for the operation or maintenance of this system.

[Name of Public/Private Utility] Date

3B. Certificate of Approval for Community Sewerage System Design (Amended 6/25/09)

I hereby certify that a _____ [Type of Sewerage System] has been designed and installed in an acceptable manner under the supervision and guidelines of the Tennessee Regulatory Authority and the Tennessee Department of Environment and Conservation. I further certify that this system will adequately serve Lots _____ as the primary means of sewage disposal. All necessary permits have been obtained from the State of Tennessee, and the system will function correctly according to its intended design.

Licensed Engineer and License #] Date
Affix Seal Here

3C. CERTIFICATION OF APPROVAL OF COMMUNITY SEWER SYSTEM. (Amended 6/25/09)

I hereby certify that these lots are served by a sewer system designed to meet the requirements of the Tennessee Department of Environment and Conservation.

_____, 20____, _____
DATE LOCAL HEALTH AUTHORITY

4A. CERTIFICATION OF THE APPROVAL OF ROADS

I hereby certify that the (those) road(s) as shown in regards to grade, base, and surface, have been installed in an acceptable manner according to specifications and that the (those) road(s) have been inspected as required by the Subdivision Regulations of Rhea County, Tennessee.

_____, 20____, _____
DATE ROAD SUPERVISOR

OR

4B. CERTIFICATION OF THE APPROVAL OF ROADS

Amended 7/23/24 Res# 06.2024.01)

I hereby certify that the (these) road(s) have been or will be inspected as required by the Subdivision Regulations of Rhea County, Tennessee and that a certified check in the amount of \$ _____ has been posted with the County Trustee of Rhea County to assure completion of all required improvements in case of default.

_____, 20____, _____
DATE ROAD SUPERVISOR

**4C. CERTIFICATION FOR PRIVATE ROADS/EASEMENTS
(Amended 7-25-2013)**

It is hereby certified that the road labeled 'private' on this plat is a private road and is not dedicated to the Government of Rhea County. The Government of Rhea County will not be expected to maintain this road(s) and does not accept any responsibility for the maintenance of this private road by approval of this plat. [In the case of **Major Subdivisions** add the following] I further certify that street signs, including but not limited to road names and traffic control signs such as stop signs, have been installed at the intersection of every road within this subdivision and conform to the Manual on Uniform Traffic Control Devices (MUTCD).

_____, 20____, _____

DATE **DEVELOPER**
5. **CERTIFICATION OF E-911 APPROVAL (Amended 8/22/2023)**

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**

6. **CERTIFICATION OF APPROVAL FOR WATER SYSTEM (Amended 8/24/17)**

Where public water is available, one of the certifications shown below will be on the final plat for major and minor subdivisions:

A. CERTIFICATION OF WATER SERVICE

I certify that the lot(s) shown on this plat is/are served by an existing water main of (*water board, district or authority*). Service is available in accordance with the utility's line connection policies.

_____, 20____, _____
DATE **LOCAL WATER UTILITY**

B. CERTIFICATION OF WATER SYSTEM EXTENSION

The lot(s) shown on this plat will be served by public water system extensions designed and installed in accordance with all applicable local and state regulations. An adequate performance guarantee has been posted with (*water board, district or authority*) for such extensions.

_____, 20____, _____
DATE **LOCAL WATER UTILITY**

7. CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Rhea County Subdivision Regulations, with the exception of such variances, if any, as are noted in the minutes of the planning commission, and that it has been approved for recording in the Office of the County Register.

_____, 20____, _____
DATE SECRETARY, PLANNING COMMISSION

8. CERTIFICATE OF TENTATIVE APPROVAL

Pursuant to the Subdivision Regulations of Rhea County, all the requirements of tentative approval have been fulfilled.

Therefore, this "Preliminary Plat" has been approved by the Rhea County Planning Commission and a pre-construction conference was held with the Rhea County Road Supervisor on _____, 20____. This approval does not constitute approval of a Final Plat. This Certificate of Tentative Approval shall expire one-year from the date of approval given by the Rhea County Planning Commission and be null and void on (date) _____.

_____ Date Rhea County Road Supervisor

_____ Date Secretary, Rhea County Regional Planning Commission

9. PRIVATE COVENANT / DEED RESTRICTION CERTIFICATE

I hereby certify that all private covenants and deed restrictions for the property shown hereon have been submitted with this plat in an attached document or as a statement included directly on the plat.

_____, 20____, _____
Date Registered Land Surveyor Number_____

**Tennessee Department of Environment & Conservation
Certificates of Approval for Subsurface Sewage Disposal Systems
(Added 5/28/09)**

(A) Standard Stamp for ALL Subdivisions (2 or more lots).

"Approval is hereby granted for lots _____ defined as _____ in _____, County, Tennessee, as being suitable for subsurface sewage disposal (SSD) with the listed or attached restrictions. Prior to any construction of a structure, mobile or permanent, the plans for the exact house/structure location must be approved and a SSD permit issued by the Division of Ground Water Protection. Water taps, waterlines, underground utilities and driveways should be located at the side property lines unless otherwise noted. Cutting, filling or alterations of the soil conditions may void this approval."

Environmental Specialist

Date

(1) Lot _____ is suitable for subsurface sewage disposal. With proper structure, driveway and utility locations outside the usable soil area; lot can accommodate a structure consisting of _____ bedrooms.

(2) If the subdivision has a lot with an existing system then use this statement:

Lot _____ has not been evaluated pursuant to this plat review approval of this plat does not constitute approval of this lot or the existing system.

(3) This is the restriction for a lot approved with percolation tests:

Lot _____ is approved under the Authority of T.C.A. 68-221-403(C) for subsurface sewage disposal. With proper structure, driveway and utility locations outside the usable soil area; lot can accommodate a structure consisting of _____ bedrooms.

(4) This is the restriction for a lot approved for low-pressure pipe system or any alternative SSDs:

Lot _____ are suitable for a low-pressure pipe system. With proper structure, driveway and utility locations outside the useable soil area; lot can

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accommodate a structure consisting of _____
bedrooms.

(5) The restriction for shaded areas:

Lot _____ shaded areas are reserved for
field-line use only. Any disturbance in these areas
may void this approval.

(6) The restriction for DENIED lots:

Lots _____ are not approved for an SSDs at
this time.

(B) Standard Stamp for Single Lot Approvals:

Plat approval is hereby granted for this property, owned by
_____ in _____ County,
Tennessee, as being suitable for subsurface sewage disposal
with the listed or attached restrictions. Any cutting,
filling or alteration of these conditions may void this
approval.

Environmental Specialist

Date

(1) This lot is suitable for subsurface sewage
disposal. With proper structure, driveway and utility
locations outside the useable soil area; lot can
accommodate a structure consisting of _____
bedrooms.

RESOLUTION NUMBER 08-05-15

**A RESOLUTION TO ADOPT PERMANENT
VEHICULAR EASEMENT STANDARDS
FOR
RHEA COUNTY, TENNESSEE**

WHEREAS, *Tennessee Code Annotated*, Section 13-3-411 empowers county legislative bodies to adopt rules, regulations and specifications governing permanent vehicular easements to facilitate development; and

WHEREAS, these standards have been recommended by the Rhea County Planning Commission and Rhea County Road Commission for adoption as being for the health and welfare of the citizens of Rhea County:

NOW THEREFORE BE IT RESOLVED by the Rhea County Commission that the following standards for development of permanent vehicular easements shall be as follows:

1. Permanent vehicular easements under this resolution are defined as any permanent easements for vehicular access which serves one or more lots not fronting on a publicly maintained road
2. Permanent vehicular easements that are greater than 250 feet in length or that serve two or more lots shall be considered private roads. Private easements that are less than 250 feet in length and serving one lot shall be deemed to be private driveways and not subject to this resolution.
3. Private roads shall be open to public safety, emergency vehicles, and public and private utility vehicles
4. The name of the private road(s) must be approved by the 911 Director or his/her designated representative through the Rhea County Emergency Communications District Offices to prevent duplicate road names.
5. Private roads shall meet the following minimum design standards:
 - A. R.O.W. WIDTH, A minimum easement right-of-way (R.O.W.) width of 50 feet shall be provided for private roads serving three or more lots. In all other cases a minimum easement right-of-way (R.O.W.) of 25 feet shall be provided.

Passed, this 20 Day of May, 2008

Tracy Taylor
SPONSOR

Terry Brockler
CHAIRMAN, COUNTY COMMISSION

ATTEST:

Linda Shaver
COUNTY CLERK

Terry Brockler
COUNTY EXECUTIVE

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 ROAD PLAN AND OTHER PUBLIC IMPROVEMENTS WHICH MIGHT AFFECT THE AREA TO BE SUBDIVIDED.

HAVE PRELIMINARY PLAT PREPARED BY A REPUTABLE ENGINEER OR SURVEYOR.

DISCUSS PRELIMINARY PLAT WITH STAFF REPRESENTATIVE. THIS PRE-APPLICATION REVIEW MAY SAVE THE SUBDIVIDER TIME AND COSTLY REVISIONS AS WELL AS POSSIBLE SAVING THROUGH BETTER DESIGN.

SUBMIT REQUIRED COPIES OF THE PRELIMINARY PLAT TO THE PLANNING COMMISSION FOR APPROVAL IN ADVANCE OF ITS REGULAR MONTHLY MEETING.

WHEN PRELIMINARY APPROVAL HAS BEEN GRANTED

SEE COUNTY ENGINEER FOR ROAD AND UTILITY SPECIFICATIONS; CONTACT 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 HEALTH OFFICIALS CERTIFYING THAT IMPROVEMENTS HAVE BEEN MADE OR THAT A CERTIFIED CHECK HAS BEEN SUBMITTED TO THE RHEA COUNTY EXECUTIVE.

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. HE IS NOW READY TO SELL HIS LOTS.

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PRELIMINARY PLAT CHECKLIST

- ___ One (1) copy submitted at least 10 business days prior to meeting.
- ___ Drawn to a scale of not less than one (1) inch equals one-hundred (100) feet or one (1) inch equals two-hundred feet as noted in Article III, Section B, Number 1.
- ___ Name and location of subdivision.
- ___ Name and address of owner of record and designer of plat.
- ___ Date, approximate north point, and graphic scale.
- ___ Location of existing and platted property lines, roads, buildings, railroads, sewers, bridges, culverts, drain pipes, fire hydrants, and any public utility easements and unusual topographical contours.
- ___ Present zoning classification, if any, on land in subdivision and adjacent land.
- ___ Names of adjoining property owners and/or subdivisions.
- ___ Plans of proposed utility layouts in major subdivisions, showing connections to existing or proposed utility systems.
- ___ Names, locations, and dimensions of proposed roads, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines, and utilities.
- ___ Contours of not more than five (5) feet vertical intervals on sites with less than one hundred (100) feet changes of elevation and on sites with elevation changes of more than one hundred (100) feet - twenty (20) foot vertical intervals.
- ___ Acreage of land to be subdivided. List remaining acreage for lots that are more than 5 acres which are not shown on the drawing.
- ___ Location map showing relationship of subdivision to surrounding area.
- ___ Flood Insurance Rate Map Panel Number and Date. Show Flood limits (if applicable).
- ___ Certificate of Tentative Approval to be signed by the Road Supervisor and the Secretary of the Planning Commission.
- ___ 3 copies with any changes brought to Planning Commission Meeting by the owner or his/her representative.

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FINAL PLAT CHECKLIST

- ___ One (1) copy submitted at least 10 business days prior to meeting.
- ___ Drawn to a scale of one (1) inch equals one hundred (100) feet on sheets 17" X 22" (or an approved size to correspond to plat book dimensions).
- ___ Lines of all roads, lot lines, and building setbacks.
- ___ Lots numbered in numerical order, reservations, easements, and areas to be dedicated to public use.
- ___ Radius, central angle, tangent distance for the centerline of curved streets and property lines.
- ___ Dimensions to the nearest one hundredth of a foot and angles to the nearest minute.
- ___ Location and description of monuments.
- ___ Names and locations of adjoining subdivisions and roads.
- ___ Location and ownership of adjoining unsubdivided property.
- ___ Date, title, name, and location of subdivision.
- ___ Graphic scale and north point.
- ___ Location map showing site in relation to area.
- ___ Boundary traverses including lot and block traverses.
- ___ Most recent recorded deed book number and page number for each deed that is part of property being platted.
- ___ Tax map and parcel number of property being platted.
- ___ Flood limits (if applicable).
- ___ Certificate of ownership.
- ___ Certificate of dedication.
- ___ Certificate of accuracy from surveyor or engineer.
- ___ Certificate of approval of water and sewerage systems.
- ___ Certificate from county road supervisor or Certificate for Private Roads.

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- _____ Certificate of approval by E-911.
- _____ Certification of approval by planning commission secretary.
- _____ 4 copies with any changes and all original signatures brought to the Planning Commission meeting by the owner or his/her representative.

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NOW THEREFORE, BE IT RESOLVED that on this day, March 27, 2008, the Rhea County Regional Planning Commission hereby adopts the resolution amending the Rhea County Subdivision Regulations, the public welfare requiring it. Amendments shall become effective upon the approval of the Rhea County Regional Planning Commission.



Chairman
Rhea County Regional Planning Commission

3/27/08
Date

ATTEST: Leresa Congiolo

3/27/08
Date

PUBLIC HEARING DATE: 3/27/08