

**SUBDIVISION  
REGULATIONS**

**SWEETWATER, TN  
AMENDED AND CODIFIED  
JULY 2009**

**SUBDIVISION REGULATIONS  
OF  
SWEETWATER, TN  
AND ITS PLANNING REGION**

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## ARTICLE I

### PURPOSE, AUTHORITY, AND JURISDICTION

#### A. Purpose

Land subdivision is an important process in community development. The manner in which property is divided into lots and provided with public services and access affects both the persons who purchase such lots for homes and businesses and the general community. Therefore, the purpose of these regulations is to establish minimum standards of design in order to insure that the subdivision of land into lots is accomplished in a manner consistent with community development policies.

#### B. Authority

These subdivision regulations are adopted and may be amended under authority granted by Sections 13-4-301 through 13-4-309, Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in this act as prerequisite to the adoption of such regulations. A certified copy of the Major Road Plan for the City of Sweetwater is on file in the office of the Register of Deeds of Monroe County, Tennessee.

#### C. Jurisdiction

These regulations shall govern the division of all property meeting the definition of “subdivision” which lies within the corporate limits of Sweetwater, Tennessee. In accordance with 13-4-301, Tennessee Code Annotated, the following divisions of property are considered to be subdivisions and therefore must meet the provisions of these regulations: a division where one (1) or more of the resulting lots is less than five (5) acres in size; divisions where a new means of access or public water or public sewer is required, regardless of the size of any or all of the lots; further division of lots created by previous subdivision activity; and rearrangement of lot lines, easements, rights-of-way, and similar changes to previously recorded plats. Any owner of land within the city wishing to subdivide land shall submit to the planning commission a plat of the subdivision prepared in accordance with applicable provisions of Articles II, III, and IV of these regulations. Questions regarding whether or not proposed land division activities are subdivisions should be directed to the planning staff.

## ARTICLE II

### DEFINITIONS

1. **ABUTTING PROPERTY:** Any property that is immediately adjacent or contiguous to property that may be subject to any public hearing required to be held under these regulations or that is located immediately across any road or public right-of-way from the property subject to any hearing under these regulations.
2. **ACCESS:** A way of approaching or entering a property. In zoning and subdivision regulations, lots of record usually are required to have a direct access to a public street or highway or to a private street meeting public standards.
3. **ACCESSORY BUILDING OR USE:** A building or use which: (1) is subordinate to and serves a principal building or principal use; (2) is subordinate in area, extent, or purpose to the principal building or principal use served; (3) contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use; and (4) is located on the same zoning lot as the principal building or principal use.
4. **ALLEY:** Any public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a street.
5. **BLOCK:** A piece of land usually bounded on all sides by streets or other transportation routes such as railroad lines, or by physical barriers such as water bodies or public open space, and not traversed by a through street.
6. **BUILDING:** A structure, or more or less permanent construction, having a roof and intended to be used for sheltering people, animals, property, or business activity. Temporary structures such as tents are not buildings, but houses, mobile homes, garages, factories, barns, etc., are.
7. **BUILDING COVERAGE AREA:** The amount of land covered or permitted to be covered by a building, usually measured in terms of percentage of a lot.
8. **BUILDING INSPECTOR:** The person responsible for the administration of building, housing, zoning, and other land use and development regulations.

9. **BUILDING SETBACK LINE:** A boundary fixed at a specified distance from the front, rear, or sides of a lot or other parcel of land beyond which a building cannot be lawfully extended.
10. **BUILDING PERMIT:** Written authorization granted by the Building Inspector for the initiation of a development activity.
11. **CERTIFICATE OF OCCUPANCY:** Official certification that a premise conforms to provisions of the zoning ordinance (and building code) and may be used or occupied. Such a certificate is granted for new construction or for alteration or additions to existing structures. Unless such a certificate is issued, a structure cannot be occupied.
12. **COMMISSION:** The Sweetwater Regional Planning Commission.
13. **COMMON AREA:** Land area or building space owned and used by more than one owner.
14. **COMPREHENSIVE PLAN:** A document or series of documents prepared by a planning commission or department setting forth policies for the future of a community.
15. **CORNER LOT:** A lot located at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.
16. **COVENANT:** A private legal restriction on the use of land contained in the deed to the property or otherwise formally recorded.
17. **COVERAGE:** See building coverage.
18. **DEDICATION:** Under subdivision regulations, the transfer of property from private to public ownership. Subdivision regulations require developers to build streets and utility lines to specifications and then dedicate them to the public.
19. **DEDICATION, FEE IN LIEU OF:** Payments in cash which are authorized in subdivision regulations when requirements for mandatory dedication of land cannot be met because physical conditions of the site or other reasons.
20. **DEED RESTRICTION:** See covenant.
21. **DENSITY:** The average number of families, persons, housing units per unit of land; usually density is expressed per acre.

22. **DEVELOPER:** An individual, partnership, corporation, or other legal entity or agent thereof, which undertakes the activities covered by these regulations. The term “developer” includes “subdivider,” “builder,” etc., even though persons and their interests may vary at different project stages.
23. **DEVELOPMENT CONTROLS:** Subdivision regulations, building codes, electrical codes, plumbing codes, zoning regulations, etc., adopted by the local governing body and/or the commission in implementing the comprehensive plans.
24. **DEVELOPMENT IMPACT FEES:** This is a fee or tax imposed on developers to pay for the costs to the community of providing services to a new development.
25. **DISCARDED VEHICLE YARDS:** See **JUNK YARDS AND WRECKED OR DISCARDED VEHICLE YARDS.**
26. **DISTRICT:** See zoning district.
27. **DWELLING:** A building or portion thereof designed or used exclusively for residential occupancy.
28. **EASEMENT:** A acquired right to use, interest, or privilege, (short of ownership) on lands owned by another, but only for a limited and specified purpose.
29. **EMINENT DOMAIN:** The legal right of government to acquire or “take” private property for public use or public purpose upon paying just compensation to the owner.
30. **ENERGY STRUCTURES:** Attached and detached structures used as on-site energy conservation measures.
31. **ERECT:** To assemble, build construct, and install, place, raise, suspend, affix, paint, or in any way bring into being.
32. **ESCROW:** A deed, money, or property put in the keeping of a disinterested third party pending performance of obligations specified in an escrow agreement.
33. **EXCAVATION:** Digging, scraping, grading or other acts, which remove or uncover, earth surfaces.
34. **EXTERNALITIES (SECONDARY IMPACTS; SIDE EFFECTS; SPILLOVERS; REPERCUSSION EFFECTS):** The consequences of an action on other than the direct targets or beneficiaries. Externalities may be desirable, undesirable, or some of both; they may be intended or unintended; they may be political, social, environmental, physical, or fiscal.
35. **FEE IN LIEU OF DEDICATION:** See dedication, fee in lieu of.



36. **FILL (FILLING):** The depositing on land, whether submerged or not, of sand, gravel, earth, or other material.
37. **FINDING:** A determination or conclusion based on the evidence presented and prepared by a hearing body in support of its decision.
38. **FLOOD:** An overflow of lands not normally covered by water that result in significant adverse effects in the vicinity.
39. **FLOODPLAIN:** A land area adjoining a river, stream, watercourse, ocean, bay or lake, which is likely to be flooded.
40. **FLOOD HAZARD AREA, SPECIAL:** The maximum area of the floodplain that, on the average, is likely to be flooded once every 100 years (i.e. e. that has a one percent chance of being flooded every year).
41. **FLOODWAY:** The natural channel and the portion of the floodplain along the channel that must be retained solely for the passage of floodwaters to prevent an undue increase in flood heights upstream.
42. **FLOODWAY FRINGE:** Areas adjacent to a floodway.
43. **FLOOD, 100 YEAR:** A flood having an average frequency of occurrence of one in 100 years, although the flood may occur every year.
44. **FLOOR AREA, GROSS:** The total area of all floors of a building as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, attached garages, porches, and balconies.
45. **FLOOR AREA RATION:** The ratio of floor area permitted on a zoning lot to the size of the lot.
46. **FRONT LOT LINE:** The line separating a lot from the street.
47. **FRONTAGE:** The front part of a building or lot; also, the extent of the front, for example, the footage running along the road; also, the land in front of a building and the street.
48. **GRADE:** The rate of ascent or descent in the land's surface or road surface.
49. **GRADING:** The act of altering the earth's contours.
50. **GROUND COVERAGE:** See Building Coverage.

51. **GROWTH MANAGEMENT (GROWTH CONTROL; LAND-USE DEVELOPMENT MANAGEMENT):** The use by a community of a wide range of techniques in combination to permit it to determine its own amount, type, and rate of growth and to channel it into designated areas.
52. **IMPROVEMENTS:** Physical changes made to raw land, and structures placed on or under the land surface, in order to make the land more useable. Typical improvements in these regulations would be grading, street paving, curbs, gutters, drainage ditches, storm and sanitary sewers, utility lines of all types, street name signs, etc.
53. **INSTITUTIONAL:** Institutional is the use of a building, structure, land, or any portion thereof for the purpose of providing medical treatment or care and sleeping facilities for persons who are mostly incapable of self-preservation because of security measures not under the control of the occupants.
54. **LAND SURVEYOR:** A land surveyor duly registered in the State of Tennessee.
55. **LANDSCAPING:** Changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce an aesthetic effect appropriate for the use to which the land is put. It may include reshaping the land by moving the earth, as well as preserving the original vegetation or adding vegetation.
56. **LAND USE CONTROLS:** A term generally referring to the use of police power techniques to control and guide land use and development.
57. **LOT:** A portion of land surface contained within the property lines of a specific area, including land within easements, and building setback lines of said area, but excluding any land within street rights-of way.
1. **Corner lot.** A parcel of land at the junction of two or more interesting streets.
  2. **Double Frontage.** A lot having two or more of its non-adjoining property lines abutting upon a street or streets.
  3. **Lot Width.** The distance measured along the building setback line, between the two side lot lines.
58. **LOT COVERAGE:** See Building Coverage.
59. **LOT DEPTH:** The mean horizontal distance between the front lot line and the rear lot line, or the distance between the midpoint of the front lot line and the midpoint of the rear lot line.
60. **LOT FRONTAGE:** See Frontage.

61. **LOT LINES (BOUNDARIES):** There are three types, front lot line, rear lot lines and side lot lines.
62. **LOT OF RECORD:** A lot which is part of a recorded subdivision or a parcel of land which has been recorded, usually at a county recorder's office containing property tax records. (See also Substandard Lot of Record).
63. **LOT WIDTH:** The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth; or the same distance measured at a point midway between the front lot line and the rear lot line; or at the rear line of the required front yard (building line), especially on irregularly shaped lots.
64. **METES AND BOUNDS:** A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, the corner of intersecting streets, or, in rural areas, a tree or other permanent feature. It is the most precise of the three most common forms of urban land description (the others are by street number of house and by blocks and lots in tract subdivision).
65. **MINIMUM RESIDENTIAL FLOOR AREA (HOUSE SIZE) REQUIREMENT:** A requirement that the total floor area of a dwelling unit be of a minimum number of square feet.
66. **MOBILE HOME:** Any of a variety of structures, transportable in one or more sections, which is built on a permanent chassis, designed to be used with or without a permanent foundation when connected to required utilities.
67. **MUNICIPAL CODE:** A compilation of the laws, ordinances, and regulations adopted by the municipal legislature.
68. **NONCONFORMITIES:** Lots, structures, uses of land and structures, and characteristics of uses, which are prohibited under the terms of the zoning ordinance but were lawful at the date of the ordinances' enactment. They are permitted to continue, or they are given time to become conforming. The continuation of such non-conformities is based on the principal that laws cannot be applied retroactively unless there is a compelling reason such as imminent danger to health to do so.
69. **OPEN SPACE:** An area, which is saved from developed construction.
70. **OVERLAY ZONES:** A set of zoning requirements that is described in the ordinance text, is mapped, and is imposed in addition to those of the underlying district. Developments within the overlay zone must conform to the requirements of both zones or the more restrictive of the two.

71. **PARCEL:** A lot or contiguous group of lots in single ownership or under single control, and usually considered a unit for purposes of development. (See also plot; site).
72. **PAYMENT IN LIEU:** See Dedication, Fees-In-Lieu Of.
73. **PERSON:** Includes the word owner, agent of an owner, firm, association, partnership, trust, company, corporation, as well as, an individual.
74. **PLAN:** The proposal of the subdivider in dividing and improving a parcel of land.
75. **PLANNING COMMISSION:** The public agency in a community usually empowered to prepare a comprehensive plan and to evaluate proposed changes in land use, either by public or private developers, for conformance with the plan.
76. **PLAT:** A map or drawing depicting the division of land into lots, blocks, parcels, tracts, sites, or other divisions.
77. **PLATTING JURISDICTION:** The geographical and legal scope of a government's authority to regulate the platting and recording of a subdivision.
78. **PRINCIPAL USE:** The main use of land or structures as distinguished from a secondary or accessory use. A house is a principal use in a residential area; a garage or pool is an accessory use. Zoning ordinances will often establish a general rule that only one principal structure or use will be permitted on each lot.
79. **PROTEST:** In general, this refers to the right of residents or property owners to appear at a hearing on a zoning change and state their objections.
80. **PUBLIC HEARING:** An advertised public meeting intended to provide opportunities for citizen input and comment on proposed public action.
81. **REAR LOT LINES:** Ordinarily that line of a lot which is opposite and farthest from the front lot line. In triangular or other odd-shaped lots, the rear lot lines may need to be defined by the planning commission or other public body with jurisdiction.
82. **RECREATIONAL VEHICLE:** Any of a variety of vehicles, which may be self-propelled or towed, designed specifically for recreational activities including temporary dwellings.
83. **RESIDENTIAL:** Residential is the use of a building, structure, or land or portions thereof, for living and sleeping accommodations and is not classed an Institutional use.

84. **RIGHT-OF-WAY:** A dedication of land to be used generally for streets, alleys, or other public uses, wherein the owner gives up his rights to the property as long as it is being used for the dedicated purpose. Right-of-way also is a land measurement term, meaning the distance between lot property lines which generally contain not only the street pavement, but also the sidewalks, grass area, and underground, and above ground utilities.
85. **ROAD:** Includes roads, streets, highways, avenues, boulevards, parkways, lanes, or other ways or any parts thereof.
86. **ROADWAY:** The portion of the street right-of-way which contains the street pavement, curb, gutter, and is used primarily for vehicular movement and drainage. In these regulations, where curbs are installed, the pavement width is measured from back-face of the curb; without curbs, it is the measurement of the wearing surface alone.
87. **SETBACK:** The area or distance required between a structure or other improvement or use of land and the property lines of the lot.
88. **SHARED USE:** See Mixed Occupancy.
89. **SIDE LOT LINE:** Any lot line which meets the end of a front lot line, normally at an angle equal to or greater than 30 degrees.
90. **SINGLE-FAMILY DWELLING:** A dwelling structure designed for use by one family or other household unit.
91. **SITE:** A plot of land intended or suitable for development; also the ground or area on which a building or town has been built. (See also Parcel, Plot; Site Plan).
92. **SITE PLAN:** A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, building site, reserved open space, buildings, major landscape features, both natural and man-made, and depending on requirements, the locations of proposed utility lines.
93. **STREET STANDARDS:** While often used loosely to refer to all requirements in a zoning ordinance, the term usually is used to mean site design regulations such as lot area, height limits, frontage, landscaping, yards, and floor area ration; as distinguished from use restrictions.
94. **STATEMENT OF INTENT (STATEMENT OF PURPOSE):** A statement of policy or objectives, often incorporated in a zoning ordinance, which outlines the broad purpose of the ordinance and its relationship to the comprehensive plan; frequently, a statement preceding regulations for individual districts, which helps to characterize the districts, and their legislative purpose.

95. **STREET:** A publicly accepted improved roadway.
96. **STRUCTURE:** Anything constructed or erected on the ground or which is attached to something located on the ground. Structures include buildings, radio and TV towers, sheds, and permanent signs. It excludes vehicles, sidewalks, and paving; although for zoning purposes mobile homes usually are considered structures.
97. **SUBDIVISION:** Within these regulations, the term “subdivision” shall mean the division of a tract or parcel of land into two (2) or more lots, sites, or divisions under five (5) acres per lot for the purpose, whether immediate or future, of sale or building development, and includes resubdivision, and, when appropriate to the context, relates to the process of subdivision or land to be subdivided. Any owner of land within this area wishing to subdivide land by reference to a plat shall according to the procedures outlined in Article III, by which the plat shall conform to the minimum requirements set forth in Article IV. Improvements shall be installed as required by Article V of these standards.
98. **SUBDIVISION REGULATIONS:** Local ordinances that regulate the conversion of raw land into building lots for residential or other purposes. The regulations establish requirements for streets, utilities, site design, and procedures for dedicating land for open space or other public purposes to the local government or for fees in lieu of dedication, and prescribe procedures for plan review and payment of fees.
99. **TACK COAT:** The application of bituminous material, consisting of Grade RTCD-5 or RTCB-6 Tar, Grade RC-70 or RC-250 Cut-Back Asphalt, SS-1, RS-2, or AE-3 Emulsified Asphalt, Asphalt Cement AC-20, and appropriate chemical additives, to a previously prepared street base or surface, to provide a bond for a superimposed course.
100. **TALBOT’S FORMULA:** A standardized method for determining the size of drains for channeling surface run-off.  $A = C^4 M^3$
- A = Area of conductor in square feet  
M = Acres to be drained  
C = Runoff Index  
Mountainous Terrain = 1.0  
Hill Terrain = .60 - .80  
Rolling Terrain = .40 - .50  
Flat Terrain = .20 - .30
101. **TRACT:** A continuous, large, open area, or unbroken land surface.
102. **USE:** The purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.

103. **VARIANCE, SUBDIVISION:** The granting of permission to a subdivision developer, by the planning commission to develop a subdivision which does not comply fully with the specifications of adopted subdivision requirements.
104. **YARD:** An open space on the same lot with a building or building group lying between the front, rear, or side wall of a building and the nearest lot line, unoccupied except for projections and the specific minor uses or structures allowed in such open space under the provisions of the zoning ordinance.
105. **YARD, CORNER SIDE:** A side yard, which faces a public street.
106. **YARD, FRONT:** A yard extending the full width of the lot on which a building is located and situated between the front lot line and line parallel thereto and passing through the nearest point of the building.
107. **YARD, INTERIOR SIDE:** A side yard located immediately adjacent to another zoning lot or to an alley separating such side yard from another zoning lot.
108. **YARD, REAR:** A yard extending the full width of the lot on which a building is located and situated between the rear lot line and a line parallel thereto and passing through the nearest point of the building.
109. **YARD, SIDE:** A yard on the lot as a building situated between the side lot line and a line parallel thereto and passing through the nearest point of a building, and extending from the front yard to the rear.

**ARTICLE III**  
**PROCEDURE FOR PLAT APPROVAL**

**A. General**

1. The procedure for review and approval of a subdivision plat consists of two (2) separate steps. The initial step is the preparation and submission of the proposed subdivision. The second step is the preparation and submission to the planning commission of a final plat together with required certificates to be recorded in the office of the Monroe County Register of Deeds when duly signed by the secretary of the planning commission.

The subdivider shall consult early and informally with the planning commission and its technical staff for advice and assistance before the preparation of the preliminary sketch plat and its formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Road Plan and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.

2. Any owner of land lying within the area of jurisdiction of the planning commission who wishes to subdivide such land into two (2) or more lots, site, or divisions for purpose, whether immediate or future, of sale or building development, or who wishes to resubdivide for this purpose, shall submit a plat of such proposed subdivision to the 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 as set forth in Article III of these standards and shall be presented in the manner specified in the following sections of this Article. No plat of a subdivision of land within the area of planning jurisdiction shall be filed or recorded by the county register without the approval of the planning commission as specified herein.
3. In order to secure review and approval by the planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a preliminary sketch plat as provided in Section B of this Article. On approval of said preliminary sketch plat he may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C of this Article and the improvements set forth in Article V.



## **B. Preliminary Plat Requirements.**

1. At least fourteen (14) calendar days prior to the meeting at which it is to be considered, (see checklist A) the subdivider shall submit to the planning commission six (6) copies of a preliminary plat of the proposed subdivision drawn to a scale of not less than one (1) inch equals one hundred (100) feet. A preliminary plat shall not be acceptable for submission unless it meets all the required standards of design and unless it contains all the required information or a written request for a variance from each specified deviation from the requirements with reasons therefore. The preliminary plat is considered formally submitted when reviewed at an official planning commission meeting.
2. No sketch plat of a proposed subdivision which is to include individual subsurface sewerage disposal system (i.e. septic tanks) shall received preliminary approval until the plans for such subdivision have been approved by the local health office and written evidence to this effect has been submitted to the planning commission. The approval of the local health office shall not constitute approval of the preliminary sketch plat by the planning commission.
3. The preliminary sketch plat which shall be drawn by a Tennessee registered land surveyor shall meet the minimum design standards as set forth in Article III and the general requirements for construction of public improvements as set for in Article IV. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with sheets lettered in alphabetical order as a key.
4. The preliminary plat **shall** contain the following information so that it can be adequately reviewed by the planning commission.
  - a Name, location, and acreage of the subdivision;
  - b Location sketch map showing the relationship of the subdivision site to an area;
  - c Date, approximate North point, and graphic scale;
  - d Name(s) and address(es), and telephone number(s) of the property owner(s);
  - e Designer of the plat who shall be a Registered Land Surveyor with his seal and address;
  - f The acreage of land to be subdivided;
  - g Names of adjacent property owners, streets, and subdivisions;
  - h Locations and dimensions of existing and proposed property lines, existing streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements or lines, utilities, easements, and drainage facilities;
  - i Plans of proposed utility layouts (sewers, water, gas and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not practical, any proposed

individual water supply and/or sewer disposal system must be approved by the appropriate health authorities.

- j Proposed names of new streets;
  - k Contours of vertical intervals of not more than five (5) feet except when specifically not required by the planning commission. Such request must be made **prior** to the submission of a preliminary sketch plat;
  - l Road profiles for all road sections greater than fourteen (14) percent grade shall be required. Surveyor that designed the roads must sign the certificate of street grade that all road sections depicted on the plat are fourteen (14) percent grade or less, or identify on the plat road sections that are greater than fourteen (14) percent; and
  - m Provide the tax map and parcel number, with the deed book and page number of the property.
5. A subdivider **may** omit the submission of a preliminary plat, submitting only a final plat if all of the following conditions are met:
- a. The proposed subdivision does not contain more than five (5) lots, sites, or divisions.
  - b. All public improvements as set forth in Article IV are already installed or because of the nature of the development deemed not necessary by the planning commission. Any construction, installation, or improvement of any public improvements shall require submission of a preliminary plat as prescribed by Section B above.
  - c. The subdivider has consulted informally with the planning commission and/or planning staff for advice and assistance before preparation of a final plat and its formal application for approval.
6. Within thirty (30) days after the planning commission meeting at which a preliminary plat is considered, the planning commission shall approve or deny approval of the plat or approve the plat subject to modifications. If the plat is approved subject to modifications, the nature of the required modifications shall be set out in the minutes of the commission, or if approval is denied, reasons for denial shall be similarly stated in the minutes of the commission.
7. One (1) copy of the preliminary sketch plat shall be retained in the planning commission's files, one (1) copy shall be returned to the subdivider at the time of approval or disapproval, with any notations as to required changes, if any, one (1) copy shall be retained by the staff planner, and one (1) copy shall be retained by the city building official.
8. Approval of the preliminary plat by the planning commission shall not constitute acceptance of the final plat and it shall not be signed by the planning commission secretary nor filed at the courthouse.
9. The approval of the preliminary plat shall lapse after twelve (12) months unless a final plat is submitted to the planning commission within said time period, unless the subdivider requests and is granted an extension by the planning commission.

**CHECKLIST A  
PRELIMINARY PLAT CHECKLIST**

Name of Subdivision \_\_\_\_\_

Location \_\_\_\_\_ Civil Dist. \_\_\_\_\_ Zoning Dist. \_\_\_\_\_

Owner \_\_\_\_\_ Address \_\_\_\_\_ Tel. \_\_\_\_\_

Agent \_\_\_\_\_ Address \_\_\_\_\_ Tel. \_\_\_\_\_

Surveyor \_\_\_\_\_ Address \_\_\_\_\_ Tel. \_\_\_\_\_

Plat Checklist

- Five (5) copies of plat submitted
- Plat drawn to 1" = 100' \_\_\_\_\_ Date
- Name, ( ) location, & ( ) acreage of subdivision
- Location sketch map
- Date, ( ) magnetic north point, & ( ) graphic scale
- Names & ( ) addresses of property owners
- Name & ( ) address of surveyor
- Names of adjacent property owners, ( ) streets, & ( ) subdivisions
- Locations & dimensions of existing and proposed property lines, ( ) utilities, ( ) easements, & ( ) drainage facilities
- Proposed names of new streets
- Contour lines at twenty (20) foot intervals
- Surveyor signature that roads less than fourteen percent grade or identified and shown greater than fourteen percent grade
- Engineering road profiles (where roads shown and identified by surveyor are greater than fourteen (14) percent grade)**
- Tax map and parcel number & ( ) deed book and page number of the property

Variances Requested:

- 1) \_\_\_\_\_ Approved? \_\_\_\_\_
- 2) \_\_\_\_\_ Approved? \_\_\_\_\_
- 3) \_\_\_\_\_ Approved? \_\_\_\_\_

This plat was approved on \_\_\_\_\_ subject to the following conditions:  
\_\_\_\_\_  
\_\_\_\_\_

This plat was denied approval on \_\_\_\_\_ for the following reasons:  
\_\_\_\_\_  
\_\_\_\_\_

**C. Final Plat Requirements.**

1. The final plat shall substantially conform to the approved preliminary plat. If preferred, the subdivision may be developed in phases, with a final plat being prepared for each phase of development.
2. Five (5) copies of the final plat and a signed and dated checklist shall be submitted to the planning commission chairman or staff planner at least fourteen (14) calendar days prior to the meeting that it is to be reviewed (see Appendix B, for checklist). The final plat is considered formally submitted when reviewed at an official planning commission meeting.
3. The final plat shall be drawn at a scale not greater than one (1) inch equals one hundred (100) feet on sheets not larger than twenty-four (24) inches by thirty-six (36) inches or of an approved size to correspond to local plat book dimensions. When more than one sheet is required, the sheets shall be numbered and an index sheet of the same size shall be provided as a key for the plats. The planning commission may allow the scale to exceed one (1) inch equals one hundred (100) feet provided all engineering and other data can be clearly depicted on the plat.
4. Final plat shall be a Category I survey, having an unadjusted precision ratio of at least 1:10,000. Where possible, the required survey information shall conform to the Tennessee State Coordinate Grid System and shall be noted on the plat.
5. The final plat shall meet the minimum design standards of Article III and the construction standards of Article IV and shall contain the following information:
  - a Name, location, acreage, and title of the subdivision;
  - b Location sketch map;
  - c Date, magnetic north arrow, and graphic scale;
  - d Locations and descriptions of all monuments, iron pins (new and old), drainage facilities, and utilities;
  - e Locations and dimensions of all property lines, easements, show building setback lines, and road rights-of-way;
  - f Names of adjacent property owners, streets, and subdivisions;
  - g All subdivision lots numbered consecutively, including the consecutive numbering of lots between phases of the development and;
  - h If any portion of land being subdivided is below the elevation of flood, as defined by TVA, the limit of such flood shall be shown.
6. The following certificates shall be presented with the final plat (see Appendix for certificate examples):
  - a Certificate of ownership and dedication;
  - b Certificate of accuracy;

- c Certificate of approval of water and sewerage systems;
  - d Certificate of approval of streets and utilities;
  - e Certificate of road grade fourteen (14) percent or less;
  - f Certificate of approval of street name(s);
  - g Certificate of flood prone areas;
  - h Certificate of approval for recording.
7. All property lines shall have sufficient land survey data so that they can be accurately reproduced on the ground, including dimensions, bearings, radii, and angles. All dimensions shall be to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
  8. The commission shall approve or disapprove a final plat within sixty (60) days after being presented at a planning commission meeting, in accordance with subsection B.1. through B.7 of this Article. Failure of the commission to take action on a plat within the specified time period shall be deemed approval of the plat.
  9. One (1) copy of the approved final plat shall be retained for the planning commission's files maintained by the county road superintendent office, one (1) copy shall be retained by the planning commission chairman in the county mayor's office, and the other copies may be distributed as deemed necessary by the commission.
  10. Approval of the final plat by the planning commission shall not constitute public acceptance of any street or other way. A formal request must be made to the county commission by the developer.

**CHECKLIST B  
FINAL PLAT CHECKLIST**

Name of Subdivision \_\_\_\_\_

Location \_\_\_\_\_ Civil Dist. \_\_\_\_\_ Zoning Dist. \_\_\_\_\_

Owner \_\_\_\_\_ Address \_\_\_\_\_ Tel. \_\_\_\_\_

Agent \_\_\_\_\_ Address \_\_\_\_\_ Tel. \_\_\_\_\_

Surveyor \_\_\_\_\_ Address \_\_\_\_\_ Tel. \_\_\_\_\_

**Plat Checklist**

- Five (5) copies of plat submitted
- Plat drawn to 1" = 100' ( ) on 24"X36" sheets (or as approved) \_\_\_\_\_ Date \_\_\_\_\_
- Class I survey
- Name, & ( ) location, & ( ) acreage, & ( ) title of subdivision.
- Date, ( ) magnetic north point, ( ) graphic scale, & ( ) location sketch map
- Locations & descriptions of all ( ) monuments, ( ) iron pins-new and old, ( ) drainage facilities, & ( ) utilities
- Locations and descriptions of ( ) property lines, ( ) easements shown, ( ) building setback lines shown, & ( ) road rights-of-way
- Names of adjacent property owners, ( ) streets, & ( ) subdivisions
- All subdivision lots numbered consecutively
- Certificate of ownership & dedication
- Certificate of accuracy
- Certificate of approval of water & sewage systems (state)
- Certificate of approval of streets (road superintendent)
- Certificate of approval of utilities (utility district)
- Certificate of roads less than fourteen (14) percent grade (surveyor)
- Certificate of approval of street names (E911 director)
- Certification of flood prone areas (surveyor)
- Certificate of approval for recording

**Variances Requested:**

- 1) \_\_\_\_\_ Approved? \_\_\_\_\_
- 2) \_\_\_\_\_ Approved? \_\_\_\_\_
- 3) \_\_\_\_\_ Approved? \_\_\_\_\_

This plat was approved on \_\_\_\_\_ subject to the following conditions:  
\_\_\_\_\_  
\_\_\_\_\_

This plat was denied approval on \_\_\_\_\_ for the following reasons:  
\_\_\_\_\_  
\_\_\_\_\_

## ARTICLE IV

### GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

#### A. Streets

1. Conformity to the Major Street and Road Plan.

The location and width of all streets and roads shall conform to the official Major Street and Road Plan.

2. Relation to Adjoining Street System.

The proposed street system shall extend existing streets or projects. They shall be extended at a width no less than the required minimum width, as set forth in this article, or the width of the existing street or road, whichever is greater.

3. Street Elevations.

No street shall be approved if it is more than two (2) feet below elevation of flood as defined in Section E of this article. The planning commission may require where necessary profiles and elevations of streets in areas subject to flood. Fill may be used for streets 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.

4. Access Streets to Subdivision Boundaries

Sufficient access streets or rights-of-way to adjoining properties shall, in the discretion of the planning commission, be provided in subdivisions to permit harmonious development.

5. Street Right-of-Way Widths.

The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the Major Street and Road Plan, or if not shown on such plan, shall not be less than as follows:

- |    |                              |  |
|----|------------------------------|--|
| a. | Arterial Streets or Highways | 80-150 feet,<br>or as may be required. |
|----|------------------------------|--|

Arterial streets and highways are those to be used primarily for fast or heavy traffic and will be located on the Major Street and Road Plan.

- |    |                         |         |
|----|-------------------------|---------|
| b. | Major Collector Streets | 50 feet |
|----|-------------------------|---------|

Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal

entrance streets of a residential development and streets for major circulation within such a development.

- c. Minor Collector Streets 50 feet

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

- d. Minor Residential Streets 50 feet

Minor Residential Streets are those, which are used primarily for, access to the abutting residential properties and designed to discourage their use by through traffic.

- e. Cul-de-sac Streets 50 feet

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

- f. Dead-End Streets not allowed

Dead-End Streets are similar to cul-de-sacs except that they provide no turn around circles at their closed end and are not permitted as streets in any proposed subdivision.

- d. Marginal Access Streets 50 feet

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

- f. Alleys (if approved) not allowed, *except when deemed necessary by the planning commission to provide access by service vehicles in which case the minimum width shall be 20 feet.*

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

In cases where topography or other physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed neighborhood or local business areas the street widths shall be increased ten (10) feet on each side to provide for movement of vehicles into and out of necessary off-street parking areas without interference to traffic.



6. Additional Width on Existing Streets.

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, (1/2) one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

7. Restriction of Access

Where a subdivision abuts or contains an existing required marginal access street any other such treatment may be necessary for the adequate protection of residential properties to afford separation of through and local traffic.

8. Street Grades

Grades on major streets and roads shall not exceed seven (7) percent. Grades on other streets may exceed ten (10) percent but not more than fourteen (14) percent if the road is less than 125 feet long and the grade is certified by the surveyor who prepared the subdivision plat.

9. Horizontal Curves

Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets fifty (50) feet or more in width, the centerline radius of curvature shall be not less than three hundred (300) feet and on other streets not less than one hundred (100) feet.

10. 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 distance being measured from the driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the pavement surface, to an object four (4) inches high on the pavement. Profiles of all proposed roads showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal, and one (1) inch equals twenty (20) feet vertical, may be required by the planning commission.

11. Intersections

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

Property line radii at street intersections shall not be less than twenty (20) feet, except that where the angle of street intersection is less than seventy-five (75) degrees, a greater curb radius may be required. Wherever necessary to permit the construction of a curb having a desirable radius without reducing the sidewalk at a

street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

12. Tangents

A tangent of at least one hundred (100) feet in length shall be introduced between reverse curves on arterial and collector streets and roads.

13. Street Jogs

Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed.

14. Cul-de-sac Streets

a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than five hundred (500) feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the planning commission may approve an alternate design

b. When, in the opinion of the planning commission, it is desirable to provide for future street access to adjoining property, proposed streets shall be extended to the boundary of such property. Such streets shall be provided with a temporary turnaround having a roadway diameter of at least eighty (80) feet.

15. Private Streets and Reserve Strips

There shall be no private street platted in any subdivision. Every lot in subdivided property shall be served from a publicly dedicated street. No private streets shall be platted in any subdivided property. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

16. Street Names

Proposed streets, which are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, way, place or court. Through its index list of street names on file the planning commission can assist the subdivider in avoiding duplication.

17. Alleys

Alleys may be required in the rear of all lots used for business purposes, and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

**B. Blocks**

1. Length

Blocks shall not be less than four hundred (400) nor more than twelve hundred (1200) feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the planning commission may require one (1) or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets and roads is provided or where prevented by topographical conditions or size of the property; in which case the planning commission will approve a single row of lots of minimum depth.

**C. Lots**

1. Adequate Building Sites

Each lot shall contain an adequate building site not subject to flood as defined in Section E of this Article and outside the limits of any existing easement or building setback lines required in Subsection 4 of this section.

2. Arrangement

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street or road, which is not less than fifty (50) feet in width except in special instances, such as cul-de-sacs; in which case each lot must have frontage of at least sixty (60) feet.

3. Minimum size

The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Where public water and sanitary sewer systems are reasonably accessible, the subdivider shall connect with such system and provide a connection or connections to each lot. Where a public sewer is not accessible, an alternate method of sewerage disposal may be used, if it meets all applicable public health regulations. Where a public water supply is not accessible, a water well or other source may be used upon approval by the planning commission.

- a. Residential lots served by public water and sanitary sewer systems shall not be less than seventy-five (75) feet wide at the building setback line, nor less than seventy-five hundred (7,500) square feet in area.
- b. Residential lots not served by public water and/or sanitary sewer systems shall not be less than one hundred (100) feet wide at the building setback line nor less than fifteen thousand (15,000) square feet in area. Provided however greater area may be required by the planning commission as indicated by data from percolation tests and investigations or as determined by the city or county health officer.

- c. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by 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.

4. Building Setback Lines

- a. The minimum depth of building setback lines from the street shall not be less than thirty (30) feet and, in the case of corner lots, thirty (30) feet from the side street.
- b. In the case of electric transmission lines where easement widths are not definitely established, there shall be a minimum building setback line from the center of the transmission line as follows:

<u>Voltage of Line</u>	<u>Minimum Building Setback</u>
15 kV electric distribution line and/or transmission line	10 feet
46 kV	37 ½ feet
69 kV	50 feet
161 kV and over	75 feet

- c. In areas subject to flood where no fill is proposed the building setback lines shall be located no closer to the stream than the edge of the area subject to flood as defined in Section E of this article; in areas subject to flood when fill is proposed to raise the land for a building site, no fill shall be placed in the floodway and the building setback line shall be located not less than fifteen (15) feet landward from the outer edge of the fill.

5. Corner Lots

Corner lots shall have extra width sufficient to permit the additional side-yard requirements of the zoning ordinance or building setback lines outlined above.

6. Water

A water supply system shall be constructed to serve all lots shown on the subdivision plat with water for domestic and fire protection. No waterline shall be less than six (6) inches in diameter. The planning Commission may require that collector lines be larger than six (6) inches. Fire hydrants shall be installed so that no lot is more than one thousand (1,000) feet from an operable hydrant. (*Resolution Number 03-04, November 24, 2003*).

7. Large Lots or Plots

When large lots, sometimes called “baby farms,” are planned, care shall be exercised that they will not hamper future orderly division into smaller lots. Provision shall be made for a future convenient and economical street system.

8. Sanitary Sewers

When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system.

Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of an approved septic tank and disposal fields and must be approved in writing by the city or county health officer.

**D. Public Use and Service Areas**

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas.

1. Public Open Spaces

Where a school, neighborhood park, recreation area, or public access to water frontage is shown on an official map or in a plan made and adopted by the planning commission and is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to and including a total of ten (10) percent of the gross area or water frontage of the plot for park, school, or recreation purposes.

2. Easements for Utilities and Drainage

Except where alleys are permitted for the purpose, the planning commission shall require easements, not exceeding twelve (12) feet in width, for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains, or other utility lines, along rear lot lines or side lot lines if, in the opinion of the planning commission, such action is desirable. Easements of the same or greater width may be required along the lines or across lots, where necessary, for the extension of existing or planned utilities.

Where a subdivision or lot is traversed by a watercourse, drainage way, channel, or stream there shall be provided a stormwater easement or drainage right-of-way for the purpose of widening, deepening, relocating, improving, or protecting such drainage easement.

3. Community Assets

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

**E. Suitability of the Land**

1. Land Physically Unsuitable for Subdivision

- a. Land which the planning commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formations, poor percolation tests or ratings, or other features likely to be harmful to the safety, health, and general welfare of the future residents, shall not be subdivided unless adequate methods approved by the planning commission are formulated by the developer for meeting the problems created by the subdivision of such land.

In applying this provision, land below the elevation of the Regional Flood on Sweetwater Creek will be considered subject to flood. The elevation(s) will be determined from the chart, "High Water Profiles, Sweetwater Creek, Monroe County, Tennessee," (Tennessee Valley Authority, September 1963), which is made a part of these standards.

Land within seventy-five (75) feet of either side of Sweetwater Creek or any other creek shall not be platted for residential occupancy.

The planning commission shall not approve what it considers to be scattered or premature subdivision of land which would endanger health, safety or property because of lack of or adverse effect on water supply, schools, proper drainage, good transportation, other public services or public funds for the supply or maintenance of such services.

**F. Land Subject to Flood**

- 1. The City of Sweetwater is a participant in the Federal Emergency Management Agency's, National Flood Insurance Program, and have adopted Floodplain Regulations.

**G. Large Tracts or Parcels**

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further re-subdivision.

**H. Group Housing Developments**

The following provisions, as well as other provisions of these regulations shall apply to group housing developments:

- 1. Although the developer will be allowed to deviate from the lot area requirements for the individual lots on which residential structures are located, the complex itself must meet the overall minimum lot density requirements. This may be accomplished through the provision of open spaces, open-type recreational areas, and consolidated parking areas.
- 2. No parcel of land without adequate public water supply shall be approved.

3. No group housing project will be approved unless an adequate sanitary sewer system is included in the plans and approved by the Tennessee Department of Public Health and the Monroe County Health Department.
4. The exterior yards of the complex must meet the minimum setback requirements.
5. All roads must be constructed to standards as set forth in these regulations.

The following additional plans and schedules shall be submitted to the planning commission:

1. The location and legal description of the proposed development.
2. Site plan showing the location of all buildings, lot lines, yard setbacks, recreation and open space areas, utilities, parking, and community facilities.
3. The locations and dimensions of all points of entry and exit for cars, pedestrian and complete interior.
4. Such other architectural, engineering, and geographic data as may be required to permit the planning commission to determine if the above regulations are being complied with.
5. A time schedule for development.

**I. Variances**

Variances may be granted under the following conditions:

1. Where the subdivider can show that strict adherence to these regulations would cause unnecessary hardship, or
2. Where the planning commission decides that there are topographical or other conditions peculiar to the site, and departure from these regulations will not destroy their intent. Any variance thus authorized shall be stated in writing in the minutes of the planning commission with the reasoning on which the departure is justified set forth.

**J. Zoning or 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 highest standard shall apply.

## ARTICLE V

### DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see the actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements by the subdivider spare the community of a potential tax liability. The following tangible improvements are required of a subdivision which approval and recordation will establish legality.

#### A. Required Improvements:

Every subdivision developer shall be required to grade and improve streets and alleys, and to install curbs, sidewalks, monuments, sewers, storm water inlets and water mains in accordance with any specifications established by the City of Sweetwater.

##### 1. Monuments:

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

##### 2. Grading:

All streets, roads, and alleys shall be graded by the subdividers so that pavement and sidewalks can be constructed to the required cross section. Deviation from the above due to special topographical conditions will be allowed only with the special approval of the planning commission. It is left to the developer to demonstrate that there are special topographical conditions. Where streets are conducted under or adjacent to existing electrical transmission lines or over gas transmission lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission line structure and all grading for the street shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electrical transmission lines, the clearance from the pavement to the nearest conductor shall meet the requirements of the National Electrical Safety Code.

- a. Preparation: Before grading is started, the entire right-of-way widths shall be first cleared of all stumps, roots, brush, and other objectionable materials and all trees not intended for preservation.



- b. Cuts: All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the subgrade. All top soil shall be removed to a minimum of two (2) feet below the subgrade and back filled with suitable material. No subgrading shall be done when ground is frozen or muddy unless the mud is removed and disposed of outside of streets.
- c. Fill: All suitable material from roadway cuts may be used in the construction of fills, approaches, or other places as needed. Excess materials, including organic materials, soft clays etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted by a street foot roller. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped; but where water is used to assist compaction, the water content shall not exceed the optimum of moisture.

3. Storm Drainage:

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

4. Pavement Base:

A compacted base of crushed stone, six (6) inches deep and two (2) feet wider than the width of pavement on each side of the street, shall be installed on all streets, including cul-de-sacs, temporary turnarounds and access streets to adjoining properties.

This base course shall consist of stone type B, grading, C or D, or it may consist of approximately eighty (80) percent of crushed stone and twenty (20) percent manufactured sand, water bound constructed, or crusher run.

All base course material shall be deposited and spread by means of grader or spreader boxes, or approved mechanical equipment, or from moving mechanical equipment, or from moving vehicles equipped to distribute the material in a uniform layer and compacted by an eight

(8) to ten (10) ton rubber-tired roller with the addition of water to properly bind the material. Each layer shall not be more than six (6) inches in thickness after compaction.

After the base is laid, it must be inspected by the City Street Superintendent or Monroe County Highway Superintendent depending on jurisdiction, and a member of the Sweetwater Regional Planning Commission. The respective City Superintendent or Highway Superintendent and a member of the street commission must determine that the base is adequate.

5. Prime Coat:

After a thoroughly compacted base has been established and inspected again by the City Street Superintendent or the Monroe County Highway Superintendent, depending upon jurisdiction, and a member of the Sweetwater Regional Planning Commission, and after they determine that the base is adequate, a prime coat shall be applied as follows:

Between May 1 to October 1 at a temperature of 35 degrees or above, tar grade RT-2 or RT-1 inclusive, or MC-1 or MC-2, shall be applied at the rate of fourth-tenths (4/10) gallon per square yard of base surface. The stone chips graded from one-half (1/2) inch down to number eight (8) with no dust shall be applied at the rate of ten (10) to fifteen (15) pounds per square yard, rolled until thoroughly compacted and left to cure for such time as the city street commissioner or the county road commissioner may direct but no less than seven (7) days.

6. Wearing Surface:

A wearing surface is not required but if provided shall consist of one (1) two (2) inch thick compacted thickness Course Asphaltic Concrete (plant mixed) Surface Treatment.

7. Minimum Pavement Widths and Cross Sections:

Minimum pavement widths shall be as follows:

- |    |                                   |  |
|----|-----------------------------------|--|
| a. | Minor Residential Streets         | 24 ft.   |
| b. | Marginal Access Streets           | 24 ft.   |
| c. | Cul-de-sac                        | 24 ft.   |
| d. | Collector Streets (major & minor) | 36 ft.   |
| e. | Arterial Streets and Highways     | as may be required;<br>not usually paved by the developer. |

8. Curbs & Gutters:

The subdivider shall provide permanent six (6) inch concrete curbs with twenty-four (24) inch integral concrete gutters; standard rolled curb and gutters; or other construction approved by the planning commission. Curbs and gutters are required within the corporate limits and in the planning region if sewer and water is provided to the

subdivision or will be provided within eighteen (18) months of final approval. Curbs and gutters are required unless the developer can demonstrate by facts that this requirement would have no useful purpose.

9. Ditches:

If curbs are not provided, ditches shall be required. They shall be the roadway surface. The slope of the ditch shall be in a ratio of at least 3:1, but in no case shall they exceed 2:1. Where the grade of the roadway exceeds five (5) percent, the developed shall “rip-rap” ditches.

10. Sidewalks (Optional):

Sidewalks are not required, but if provided shall meet the following requirements:

Sidewalks shall be located not less than one (1) foot from the property line to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures placed on the property line at a later date. In single family residential areas, concrete sidewalks shall be four (4) feet wide and four (4) inches thick. In multi-family or group housing developments, sidewalks shall be five (5) feet wide and four (4) inches thick. In commercial areas sidewalks shall be ten (10) feet wide and four (4) inches thick.

11. Storm Sewer:

Subdivisions shall install storm sewer if the subdivision is located within 1,000 feet of the existing storm sewer facilities, and the proposed subdivision can be feasibly serviced as determined by the planning commission.

12. Installation of Utilities and Driveways:

After grading is compacted and approved and before any base is applied, all of the underground work – electric, telephone, water mains, gas mains, branch connectors to each lot, and all other service connections shall be installed completely and approved throughout the length of the road and to the edge of the pavement. All driveways for houses to be built by the developer shall be cut and drained.

13. Water Supply System:

Water mains properly connected with the community water supply system or with an alternate supply approved by the State Health Department of the local public health department shall be constructed in such manner as to serve adequately for both domestic use and fire protection, all lots shown on the subdivision plat.

Water mains shall be constructed in accordance with ordinances of the City of Sweetwater and policies of the water department. (See Appendix.)

14. Sanitary Sewers:

When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system.

Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing from the city or county health authority.

Sewer mains shall be constructed in accordance with ordinances of the City of Sweetwater and policies of the Sewer Department. (See Appendix.) A letter stating State Health Department approval shall be presented to the planning commission.

15. Required Improvements Along Existing Roads:

Recognizing that existing roads along which subdivision may occur vary greatly in their construction, drainage facilities, etc., the planning commission may vary the application of improvement requirements when the installation of such improvements would not be feasible because of special conditions at the site. In varying the improvement requirements, the planning commission may modify requirements, may substitute other requirements, but shall always seek to adhere as closely as possible to the minimum standards and the intent of these standards.

The nature of each variance granted, the conditions warranting the reasoning supporting the variance, and any substitute requirements imposed by the planning commission shall be recorded in the minutes of the meeting at which the variance is granted.

16. Street Name Signs:

Appropriate street name signs shall appear at all intersections. Signs may be of concrete similar to many existing Sweetwater street signs or they may be metal signs attached to a two (2) inch galvanized pipe mounted in concrete.

17. Street Trees (recommended):

Street trees protect against excessive glare and heat and enhance the attractiveness and value of abutting property. The planning commission will assist the subdivider in the location trees and species to use under varying conditions.

It is recommended that trees be planted inside the property lines where they are less subject to injury, less likely to cause motor accidents and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed location and species to be used should be submitted for the planning commission's approval since the planning commission inherits the care and maintenance of such trees.

**B. Guarantee in Lieu of Improvements**

No final subdivision plat shall be approved by the planning commission or accepted for record by the county register of deeds until one of the following conditions has been met:

1. All required improvements have been constructed in a satisfactory manner and approved by the planning commission.
2. The planning commission has accepted performance bond or other acceptable security in amount of 120% or bid of the required improvements, whereby improvements may be made and utilities installed without cost to the City of Sweetwater in the event of default of the subdivider. The conditions of such security or performance bond shall provide for the installation of the improvements covered by such bond within a period not to exceed eighteen (18) months; provided however, that such period may be extended by the planning commission with the consent of the parties thereto if the planning commission finds that the public interest will not be adversely affected by such extension. If the planning commission shall decide at any time during the performance bond, that the extend of the building development that has taken place in the subdivision is not sufficient to warrant all the improvements covered by the performance bond, that required improvements have been installed as provided in this section in sufficient amount to warrant the reduction in the face amount of said bond, or that the character and the extent of such development require additional improvements; and the face value of such performance bond shall thereupon be reduced or increased by an appropriate amount so that the new face amount will cover the cost in full of the amended list of improvements.

Performance bonds which are submitted in lieu of the installation of required improvements shall be in cash or with a surety approved by the planning commission.

3. Sale of subdivision by auction does not exempt the subdivider from posting acceptable security in lieu of completed improvements; however, only if the parcel is sold as a whole, the security or performance bond will be immediately released by the planning commission.
4. A certified check in the full amount of the estimated cost of installing all required improvements has been posted to the planning commission.
5. An escrow account in the full amount of the estimated cost of installing required improvements has been established.
6. The bond, escrow, certified check, or performance bond shall be made out to the Sweetwater Regional Planning Commission and shall also contain the name of the designated representative who is a member of the Sweetwater Regional Planning Commission and the Sweetwater City Board.

7. After the completion of the required improvements, the designated representative will report to the Sweetwater Regional Planning Commission to inform the commission that the required improvements have been installed and recommend to the planning commission that the bond be released. Upon the planning commission's authorization, the bond will then be released.

## ARTICLE VI

### ENFORCEMENT AND PENALTIES FOR VIOLATIONS

#### A. General

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

#### B. Enforcement

1. No plat or plan of a subdivision of land, as defined in these subdivision regulations, and located within the corporate limits of the City of Sweetwater and the planning region shall be admitted to the land records of the City of Sweetwater or received or recorded by the Office of the Monroe County Registrar of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-602, Tennessee Code Annotated.
2. No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any street located within the City of Sweetwater and its planning region unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street the commission as provided in Section 13-607, Tennessee Code Annotated.

#### C. Penalties

1. No county register shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-602, Tennessee Code Annotated, any county register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. Section 13-306, Tennessee Code Annotated, provides that whoever being the owner or agent of the owner of land, transfers or sells, or agrees to sell such land by reference to or exhibition of or by other use of a plat of a subdivision of such land without having submitted a plat of such subdivision to the planning commission and obtained its approval as required before such plat be recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of the municipality, through its solicitor or other official designated by its chief legislative body may enjoin such transfer or sale or agreement by action or injunction.
3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the building commissioner or the solicitor of the municipality or other official

designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-608, Tennessee Code Annotated.



**APPENDIX**

**FORMS FOR FINAL PLAT CERTIFICATIONS**

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**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open space to public or private use as noted.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Owner  
\_\_\_\_\_  
Owner

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**CERTIFICATE OF ACCURACY**

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Sweetwater Planning Commission and that the monuments have been placed as shown hereon, to the specifications of the Subdivision Regulations.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Registered Land Surveyor

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**CERTIFICATION OF THE APPROVAL OF WATER AND SEWAGE SYSTEMS**

I hereby certify that the private water supply and/or sewage disposal utility system or systems installed, or proposed for installation, fully meet the requirements of the Tennessee State Department of Environment and Conservation, and are hereby approved as shown.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Tennessee Department of Environment and  
Conservation Officer or his/her  
Authorized Representative

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**CERTIFICATION OF THE APPROVAL OF STREETS**

I hereby certify that the streets *and related facilities* \_\_\_\_\_ have been installed in an acceptable manner according to Sweetwater street specifications or that an acceptable security arrangement has been made with the planning commission to assure completion of all required improvements in case of default.

Date: \_\_\_\_\_  
\_\_\_\_\_  
City Road Supervisor

\*specify any other improvements such as sidewalks, curbs, gutters, etc.

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**CERTIFICATION OF THE APPROVAL OF UTILITIES**

I hereby certify that the utilities \_\_\_\_\_ have been installed in acceptable manner and according to specifications or that an acceptable security arrangement has been made with the planning commission to assure completion of all required improvements in case of default.

Date: \_\_\_\_\_  
Public Works Director

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**CERTIFICATE OF STREET GRADE**

I hereby certify that the street(s) sections depicted on this plat have been approved that they are fourteen (14) percent grade or less unless identified otherwise and comply with the specifications of the Subdivision Regulations.

Date: \_\_\_\_\_  
Registered Land Surveyor

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**CERTIFICATE OF APPROVAL FOR STREET NAMES**

I hereby certify that the street name(s) depicted on this plat have been approved and comply with the street name policies of Sweetwater.

Date: \_\_\_\_\_  
E-911 Director

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**CERTIFICATE FLOOD PRONE AREAS**

I hereby certify that the 100-year special flood hazard areas, as determined by the Flood Hazard Boundary Maps or Flood Insurance Rate Maps, developed for or under the guidance of the Federal Emergency Management Agency, are hereby depicted on this plat.

Date: \_\_\_\_\_  
Registered Land Surveyor

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**APPENDIX  
PERFORMANCE BOND FORM**

KNOW ALL MEN by these presents:

WHEREAS \_\_\_\_\_ Principal herein is the owner and developer of the \_\_\_\_\_, Sweetwater, Tennessee, and \_\_\_\_\_, a surety company authorized to do business in the State of Tennessee (hereafter called the "surety"), and

WHEREAS, the plans and specifications of said subdivision showing the location, construction and installation of streets, roads, curbs and utilities and other improvements therein have been filed with the Sweetwater Planning Commission for final approval, and which are referred to and made a part of this instrument, as if fully copies and set forth therein, and

WHEREAS, the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, and utilities, and all other improvements in the said subdivision in accordance with the said plans and specifications now on file, pending final approval by the said planning commission.

NOW, THEREFORE, the \_\_\_\_\_, as Principal and \_\_\_\_\_, as Surety, do hereby firmly bind the Sweetwater Planning Commission for and on behalf of Sweetwater, Tennessee, in the sum of \$\_\_\_\_\_ conditioned upon the performance by the Principal of its undertaking herein, and its completion of said \_\_\_\_\_ Subdivision in the construction of all the streets, sidewalks, roads, curbs, and all other improvements therein called for by the plans thereon and same to be completed on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and upon the completion thereof this obligation to be null and void, otherwise to remain in full force and effect.

If the Principal fails to complete the construction, and the improvements of said subdivision as shown and provided for by said plans and specifications herein referred to within the time herein specified, the Commission may in its discretion extend the time for the completion of said work by order duly made and entered by the said Commission for a period of from thirty (30) days to ninety (90) days.

WITNESS our hands this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

WITNESS: \_\_\_\_\_

PRINCIPAL \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
SURETY

By: \_\_\_\_\_