

**SUBDIVISION REGULATIONS  
FOR  
TELLICO PLAINS, TENNESSEE**

**ADOPTED BY THE  
TELLICO PLAINS MUNICIPAL/REGIONAL  
PLANNING COMMISSION**

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*Subdivision Regulations* of Tellico Plains, Tennessee, codified and amended and printed to include amendments through June 2020

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## SUGGESTED STEPS FOR A DEVELOPER OF A SUBDIVISION

Throughout the following process, the owner and/or the developer is strongly encouraged to personally participate in all consultations and meetings regarding the development. These include the following steps:

1. Confer with the planning commission and its staff planner to become thoroughly familiar with the subdivision requirements, the major thoroughfare (road) plan, and other existing or proposed public improvements which might affect the area to be subdivided.
2. As an option, utilizing a reputable licensed surveyor, the subdivider may submit a sketch (conceptual) plat of the proposed development.
3. During the preparation of the sketch plat, the sketch plat should be discussed with the staff planner, the chairman of the planning commission, and the superintendent of public works. This predevelopment review may save the subdivider time and costly revisions through suggestions for a better design.
4. Submit required copies of the sketch plat to the planning commission in advance of its regular monthly meeting.
5. If a sketch plat is submitted for review, the planning commission must grant approval of the sketch plat for the proposed subdivision to proceed.
6. If the owner and/or subdivider elects not to prepare and submit a sketch plat for approval, Steps 2-5 become unnecessary. Regardless of this decision, a preliminary plat must be prepared unless there are no more than two (2) lots within the proposed subdivision, none of the subject property is located within a one-hundred (100) year flood zone, the property contains no sinkhole, ridge area, crest, or area of slope greater than fifteen (15) percent, no variance of any portion of any adopted land use policy, or of the official Major Thoroughfare Plan Map, or of any portion of any applicable zoning regulation is required, and all required infrastructure is already in place. In this case, the owner and/or subdivider can go straight to the preparation and submittal of a final plat.
7. If there has not already been a predevelopment review with the staff planner, chairman of the planning commission, and the superintendent of public works, this should be undertaken as the preliminary plat is being prepared.
8. Once the preliminary plat is completed, it should be submitted to the Monroe County Environmentalist if septic tanks are proposed. He or she may place restrictions on the number, size, and use of lots. The Tellico Plains Municipal Regional Planning Commission may not approve a preliminary plat that has not gained at least a tentative approval of the lot layout as being suitable for subsurface disposal purposes from the county environmentalist.
9. If one (1) acre of soil is disturbed in the process of subdividing, federal and state law requires that a National Pollution Discharge Elimination Systems Permit (NPDES) first be obtained from the Regional Assistance Office of the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation (TDEC).
10. If there are creeks and streams on the property to be subdivided that are to be dredged, modified, or altered in any way an Aquatic Resource Alteration Permit (ARAP) must first be obtained from the Regional Office of the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation.



11. Submit required copies of the preliminary plat inclusive of stormwater management/drainage plans (see Article III K) and erosion control and sedimentation plans to the planning commission no less than seven (7) days in advance of its regular monthly meeting.
12. See the town's consulting engineer and/or chairman of the planning commission, and superintendent of public works, as well as a staff representative of any servicing utility district to obtain the specifications and design guidelines for proposed utilities and streets.
13. The planning commission must grant approval of the preliminary plat for the proposed subdivision to proceed.
14. Prepare detailed construction plans of all servicing water and sewer lines. Submit these construction plans to the Divisions of Water Supply and Water Pollution Control within the Tennessee Department of Conservation and Environment for approval. It is recommended that no utility improvements be installed until a copy of these signed and approved utility plans are filed with the planning commission.
15. Following preliminary plat approval, the grading of the streets and laying out of lots may begin subject to any required modifications as have been reflected in the minutes of the planning commission. The developer may proceed with the construction of all servicing utilities subsequent to the approval of the construction plans for utilities by the director of utilities and/or the staff representative of the respective utility district. Please note that the design and installation of servicing water and sewer lines must be in conformance with all recommendations received from the Division of Water Supply and the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation. Accordingly, the developer may proceed with the construction of servicing streets with the exception of the final paved wearing surface, subject to the approval of construction plans by the superintendent of public works.
16. Prepare final plat.
17. Obtain signatures on all required final plat certificates certifying: the ownership of the subdivision, the dedication of all improvements shown on the plat, the accuracy of the platted survey, as well as that all required improvements have been made as shown on the plat, or that a surety instrument has been established to guarantee that all improvements will be subsequently constructed. (See Appendix B for final plat certificates).
18. Have proposed lot numbers approved by the Emergency 911 Director for the county for 911 purposes.
19. Affix and complete required plat notations to the final plat cited in Appendix B herein.
20. Submit final plat to the planning commission for approval. Once the final plat has been approved with all improvements being constructed in a satisfactory manner, or an approved financial guarantee is in place, (See Appendix G herein for acceptable legal agreement forms), the secretary shall sign the "Certificate of Approval for Recording."
21. At the discretion of the planning commission, "as built" construction plans of all servicing utilities may be required for submittal to the town and/or applicable utility district prior to the approval of the final plat, or prior to the release of the financial

- guarantee assuring the completion of such improvements. Such plans shall be prepared by a registered professional engineer licensed to practice in Tennessee.
22. The subdivider records the approved final plat at the Monroe County Register of Deeds Office and is now ready to sell lots and begin constructing houses on the site.



# SUBDIVISION REGULATIONS

of

## Tellico Plains Municipal Regional Planning Commission

### ARTICLE I GENERAL PROVISIONS

#### A. Purpose

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots, and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land eventually becomes a public responsibility, in that roads and streets 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 owners that subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards.

The following subdivision regulations guiding the Tellico Plains Municipal/Regional Planning Commission (hereafter referred to as the planning commission) are designed to provide for the harmonious development of the area; to secure a coordinated layout and adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities. [Resolution PC 2016-001, 6/13/2016]

#### B. Authority

These subdivision regulations are adopted under the authority granted by Section 13-4-301 through Section 13-4-310 and 13-3-401 through 13-3-413 of the Tennessee Code Annotated. The Planning Commission has fulfilled the requirements set forth in these statutes as a prerequisite to the adoption of such regulations, having filed on February 24, 2011 a certified copy of the Major Thoroughfare Plan in book CAB-H page 126 in the office of the Register of Deeds of Monroe County, Tennessee. [Resolution PC 2016-001, 6/13/2016]

#### C. Jurisdiction

These regulations shall govern all subdivisions of land within the corporate limits of Tellico Plains, Tennessee, and its planning region, as now or hereafter established.

Any owner of land within the Town of Tellico Plains or its planning region wishing to subdivide land shall submit to the planning commission a plat of the subdivision according to the procedures outlined in Article II, which plat shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article III. [Resolution PC 2016-001, 6/13/2016]

#### D. Definitions

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

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

1. Acceptance: The process by which the ownership of a privately installed infrastructure is transferred to the municipality. Approval of a plat by the planning commission does not constitute acceptance.
2. Approval: The result of the planning commission review of a plat that meets the minimum standards of these and any other applicable regulations and, in the view of the planning commission, will not be detrimental to the health, safety, or welfare of the residents of the town. Approval of a plat does not constitute acceptance of any privately installed infrastructure.
3. Crest: The uppermost line of a mountain or chain of mountains from which the land falls away on at least two sides to a lower elevation or elevations.
4. Dedication: The setting aside of land by the owner for acceptance by the public for some public use.
5. 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," "owner," or "builder".
6. Easement: The right to use another person's property, but only for a limited and specifically named purpose; the owner generally continues to make use of such land since he has given up only certain, and not all, ownership rights.
7. Engineer: A qualified Civil Engineer registered and currently licensed to practice engineering in the State of Tennessee.
8. Financial guarantee for improvements (bond): A guarantee in the form of an escrow account or letter of credit as approved by the planning commission to ensure completion of required subdivision improvements.
9. Improvements: Physical changes made to raw land and structures on or under the land surface in order to make the land more usable for the activities of man. Typical improvements in these regulations would include but not be limited to grading, street construction, drainage, and utilities.
10. Inspection: A physical examination of an improvement, or phase of an improvement, required under the provisions of these regulations by an appropriate official to ensure that said improvement meets the required standards. Inspections must be completed on all street, drainage, and utility (water and sewer) improvements.
11. Lot: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.
  - a. Lot area: The computed ground area inside the lot lines.
  - b. Lot frontage: The side of the lot nearest the public street. All sides of a lot adjacent to streets shall be considered frontage.
  - c. Lot lines: Boundaries of a lot; includes front, rear, and side lot lines.
  - d. Lot width: The distance between side lot lines measured at the building setback line.
12. Major Subdivision: All subdivisions not classified as minor subdivisions including but not limited to subdivisions of three (3) or more lots, or subdivisions of any size requiring any new or improved road, the extension of government facilities, or the creation of any public improvements, or containing any limiting natural factor (flood prone area, slope over fifteen (15) percent, crest, ridge area, or sinkhole).

13. Minor Subdivision: Any subdivision containing less than three (3) lots fronting on an existing public way; not involving any new or improved public way, the extension of public facilities, or the creation of any public improvements, and not in conflict with any provision of the adopted general plan, major street or road plan, zoning ordinance, or these regulations.
14. Permanent vehicular easement: A right-of-way for vehicular traffic, which is not intended to be dedicated to the local government. All permanent vehicular easements shall meet all construction requirements of a public street.
15. Planning Commission: The Tellico Plains Municipal Regional Planning Commission, its commissioners, officers, and staff.
16. Plat: The map, drawing, or chart on which the subdivider's plan of subdivision is presented and which he submits for approval and intends in final form to record; it includes plat, plan, plot, and replot.
17. Principal Structure: A structure which constitutes the principal activity or use located on the lot on which it is located.
18. Ridge Area: Areas within 100 vertical feet or 250 horizontal feet of a crest, whichever is more restrictive.
19. Right-of-way: A strip of land occupied or intended to be occupied by any or all of the following: a street, road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way the ownership of such right-of-way no longer adhering to the adjoining lots and parcels. Hence, dedicated right-of-way is not included within the dimensions or areas of "fee simple" lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the preparer of the plat on which such right-of-way is established and shall be covered by any necessary easements.
20. Sinkhole (Sizeable or Definitive): An area of ground underlain by limestone, dolostone, or marble bedrock that typically has no natural external surface drainage. When it rains, all of the runoff water stays inside the sinkhole and either forms a pond or drains into the subsurface. Some sinkholes that form on sloping ground may have a rim that is breached on the down slope end providing external drainage when the water level reaches an elevation for overflow to occur out of the sinkhole
21. Staff Planner: A professional planner serving as technical advisor for the planning commission.
22. Street: A public way, provided for the accommodation of vehicular traffic, or as a means of access to property, and includes streets, avenues, boulevards, roads, lanes, alleys, or other public ways. Streets shall be classified as follows:
  - a. Arterial: Street and highways used primarily for movement of fast or heavy traffic within and through the municipality.
  - b. Collector: Streets that carry traffic from minor streets to the arterial streets and highways. This usually includes the principal entrance street(s) or streets of major circulation of a residential development. Collectors serve the internal traffic movement within a section of the municipality and connect this section with the arterial system. A secondary function is land access.
  - c. Cul-de-sac: Permanent dead-end streets or courts with a paved turnaround designed so that they cannot be extended in the future.

- d. Local: A street designated to accommodate local traffic, the major portion of which originates along the street itself. The major function of a local street is land access. May also be called minor residential streets.
- 23. Streams and Watercourses: For the purposes of administering the requirements of the National Flood Insurance Program, streams and watercourses shall consist of all streams depicted on any Federal Emergency Management Association (FEMA) flood map panel, as well as all "blue line" streams depicted on any United States Geologic Survey (USGS) topographic quadrangle sheet.
- 24. Subdivision: The division of a tract or parcel of land into two (2) or more lots, sites, or other division requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. Section 13-4-301 and 13-3-401 of Tennessee Code Annotated. (See definition of minor and major subdivision.)
- 25. Surety Instrument: An instrument with sum of money fixed as a penalty, binding the party(s) to pay the same; conditioned however, that the payment of the penalty may be avoided by the performance by someone of certain acts. The term surety instrument for the purposes of these regulations includes: cash in a bank escrow account, or an irrevocable letter of credit. The amount of such surety instruments shall be more than sufficient to guarantee to the governing body, the satisfactory construction, installation, and dedication, free and clear of all encumbrances, of the incomplete portion of required improvements. Such surety instrument shall comply with all statutory requirements as are set forth within these regulations.
- 26. Surveyor: A qualified surveyor registered and currently licensed to practice surveying in the State of Tennessee. In Tennessee, only licensed surveyors may legally prepare subdivision plats.
- 27. Utility: A service to the public; including, but not limited to, sanitary and storm sewers, water, electric power, gas, telephone and other communication means, police and fire protection, garbage collection, mail, and street lighting.
- 28. Warranty of Improvements: A surety in the form of an escrow account, letter of credit, certified check, or other method approved by the Planning Commission to guarantee improvements made under the provisions of these regulations for a specified period of time. For the purposes of these regulations, surety instruments may be utilized to guarantee or ensure the initial installation, as well as the maintenance of required public improvements.

#### E. Variances

- 1. General: Where the planning commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the planning commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:
  - a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;

- b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
  - c. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
- 2. Conditions: In approving variances, the planning commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.
- 3. Procedures: A petition for any variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for consideration by the planning commission. Said petition shall state fully the grounds for the application. Each request for a variance shall be specifically applied for in the numerical order of the lots within the subdivision.

F. Separability

Should any section, subsection, paragraph, or provision of these regulations be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations, it being the intention of the Tellico Plains Municipal Regional Planning Commission to adopt each and every provision of these regulations separately.

G. Amendments

Before adoption of any amendments to this document, a public hearing shall be held by the Planning Commission as provided in Section 13-4-303, Tennessee Code Annotated.

H. Codification

Subsequent to the adoption of any amendment to these regulations, such amendment shall be incorporated into the text of these regulations in the following manner:

- 1. Replacement pages shall be prepared incorporating the new or changed language. Each such new or replacement page shall have the amendment's resolution number and shall be dated so as to indicate the date of the last revision of the page.
- 2. In Article VI of these regulations, each adopted amendment shall be numerically listed by year in sequence according to the page number and paragraph(s) amended, the appropriate resolution number, the date of its adoption, and in a manner which fully states any language deleted from these regulations.

I. Procedures for Resubdivision

If any change in an approved or recorded subdivision plat that would affect the layout of any public street shown on such plat, or area reserved thereon for public use, or any lot line, or if it would affect any map, plan, or plat legally recorded before the adoption of any subdivision regulations, such amendment shall be approved by the planning commission by the same procedure, rules, and regulations as for a subdivision.



J. Vacation of Plats

Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot described therein, by a written instrument, to which a copy of such plat shall be attached, declaring the plat or part of the plat to be vacated. In doing so, the planning commission shall follow the same procedure that is required for the approval of plats. The governing body may reject any such instrument that abridges or destroys any public rights in any of its public uses, easements, improvements, or public streets. Such an instrument shall be executed, approved, and duly recorded; the instrument shall operate to void the recorded plat and divest all public rights in the public streets and public grounds and all dedications laid out or described in such plat. When any lot or lots have been sold, the plat may be vacated in the manner herein provided, only if all of the owners of lots in such platted area join in the execution of such written instrument.

## ARTICLE II PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of up to four (4) steps, which are presented below.

1. The initial step (optional) is the pre-development conference with the staff planner and/or the chairman of the planning commission, and the superintendent of public works, for advice and assistance.
2. The second step consists of the preparation and submission to the planning commission of either a sketch plat (optional) or a preliminary plat of the proposed subdivision.
3. The third step consists of either the preparation and submission to the planning commission of a preliminary plat subsequent to the planning commission's previous approval of a sketch plat, or the construction and installation of all required improvements, such as streets, fire hydrants, and utility lines subsequent to the planning commission's previous approval of the preliminary plat.
4. The fourth step consists of the preparation and submission to the planning commission of a final plat together with all signed certificates. Once the final subdivision plat is granted approval by the planning commission and the Certificate of Approval for Recording is signed by the secretary of the planning commission (plats will only be signed at the meeting during which they are approved), the plat becomes a legal instrument to be officially recorded in the Office of the Monroe County Register of Deeds. Lots can now be legally sold.

### A. General

1. Any owner of land lying within the area of jurisdiction of the planning commission who wishes to divide land into two (2) or more lots, sites, or other divisions requiring any new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, or who wishes to resubdivide an existing subdivision lot(s) for this purpose, shall submit a plat of such proposed subdivision to the planning commission for approval and shall obtain such approval as verified by the signature of the secretary of the planning commission on the final plat, prior to filing the plat for record at the office of the register of deeds, and prior to selling or transferring a deed for any platted lot.

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 register of deeds without the approval of the planning commission as specified herein. If the plat of subdivision, however, divides the tract into no more than two (2) lots, then the approval may be endorsed in writing on the plat by the secretary of the commission, upon certification by the planning staff of the planning commission that the subdivision complies with the regulations governing the subdivision of land and provided that no request for variance from such regulations has been requested. [Resolution PC 2016-001, 6/13/2016]

2. In order to secure review and approval by the planning commission of a proposed subdivision, the prospective subdivider shall, prior to making any street

improvement or installation of utilities, meet informally with the staff planner and/or the chairman of the planning commission, and the superintendent of public works for a pre-development conference. The developer may then submit to the planning commission a sketch plat as an option, and subsequently a preliminary plat and other required information, as provided in Sections C, D, and F of this Article. On approval of said preliminary plat, the developer may proceed with the construction of improvements as set forth in Article III\*, and with the preparation

of the final plat and other documents required in connection therewith as specified in Sections C and H of this Article.

All sketch plats shall include the proposed street pattern or layout as will be required to service the subdivision at total build-out. Accordingly, it is strongly recommended that absent the submittal and approval of a sketch plat that a preliminary plat encompasses the entirety of all anticipated phases or sections within any proposed subdivision. In doing so, the subdivider is assured from the earliest stage of development that the proposed street and utility scheme have been deemed to be both acceptable and functional in terms of serving the entire development scheme.

3. Omission of Preliminary Plat

The preliminary plat may be omitted and only a final plat submitted, IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

- a. The proposed subdivision does not contain more than five (5) lots, sites, tracts, or divisions.
  - b. All public improvements as set forth in Article III are already installed. (Any construction or improvement of public infrastructure shall require the submission of a preliminary plat.)
  - c. No variance is required or conflict exists between the proposed subdivision and the adopted major thoroughfare plan, or the developmental policies cited within the land use plan.
  - d. None of the subject property is located within a one-hundred (100) year flood zone.
4. The owner or his authorized representative must be present at the meeting in which a sketch plat and/or preliminary plat is reviewed and approved and final plat review and approval. In his absence, the property owner may be represented by his agent or representative who shall present written authorization thereof. If no one is present at the meeting, the plat will be denied but is eligible to be considered at a future meeting.

\*It is strongly recommended that the subdivider or developer not install utilities or streets, until stamped engineering construction plans of all proposed water lines have been approved by the Division of Water Supply and construction plans of all proposed sewer lines have been approved by the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation.

5. No final subdivision plat shall be approved by the planning commission or accepted for record by the Monroe County Register of Deeds until the required improvements listed shall have been constructed in a satisfactory manner and approved by the superintendent of public works, as well as the director of utilities or other local approving agent. In lieu of such construction, the planning commission may accept certain forms of financial guarantees in amounts equal to the estimated cost of installation of the required improvements, plus an additional ten (10) percent per annum to account for inflation during the time the surety instrument is being held (if the actual inflation rate the previous year is greater than 10 percent, the yearly inflation factor shall equal the actual rate of inflation). In this manner, improvements may be made and utilities installed without cost to the Town of Tellico Plains in the event of default by the subdivider.

B. Filing Fee

(Reserved)

C. Plat Standards

1. State Standards Shall Apply

All preliminary and final plats submitted to the Tellico Plains Municipal Regional Planning Commission for consideration shall meet the accuracy standards for an Urban Subdivision Survey (Category 1) as established by the Tennessee Board of Examiners for Land Surveyors (January, 1992 Revised). Said regulations state:

"For Category 1 surveys in Tennessee, the angular error of closure shall not exceed 15 seconds times the square root of the number of angles turned. The linear error of closure shall not exceed 1 foot per 10,000 feet of perimeter of the lot of the land (1:10,000). When very small lots are encountered, the allowable error shall not exceed 1/10 of a foot of positional accuracy per corner."

All preliminary and final plats shall include a statement by the surveyor regarding the methods used in making the survey and its relative accuracy, as well as the surveyor's seal and signature.

2. Sheet Format

All sketch, preliminary and final plats submitted to the Tellico Plains Municipal Planning Commission for consideration shall be in a format consistent with the example of the acceptable sheet format depicted on Illustration 1 in Appendix A and shall:

- a. With the exception of a sketch plat which shall be drawn at a scale no smaller than one inch equals two-hundred feet (1" = 200'), it is recommended that all subdivision plats be drawn to a scale of not less than one inch equals fifty feet (1" = 50'), with any plat scaling less than one inch equals one-hundred feet (1" = 100') not being acceptable. When more than one sheet is required, an index sheet of the same size drawn at an easily read scale shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.
- b. Be either 18" x 24" or 24" x 36" in size.

- c. Contain in the lower right-hand corner a standard title block (See Illustration 2 in Appendix A), which includes:
  - (1) Name of subdivision
  - (2) Names, addresses, and phone numbers of developer, surveyor, and engineer (if applicable)
  - (3) Scale of drawing
  - (4) Acreage to be subdivided
  - (5) Number of lots to be created
  - (6) Whenever any plat is a resubdivision of a previously approved and recorded final plat, reference must be made to the name and section number of the previously recorded subdivision plat.
  - (7) References to the appropriate Monroe County Register of Deeds Maps (owner's name, parcel number, deed book and page number) of the subject property and all adjoining properties, as well as the name and section number of any adjacent subdivision(s) of record.
  - (8) Date plat was prepared
- d. Contain in the upper right-hand corner a location or vicinity map, a graphic scale and an approximate north arrow. The vicinity map shall be at a scale no smaller than one (1) inch equals one-thousand (1000) feet.

#### D. Sketch Plat Requirements\*

In addition to being prepared to the prescribed format, each sketch plat shall contain the following information:

- 1. Notation of any existing legal rights-of-way and/or easements, or other encumbrances affecting the property.
- 2. The dedication of right-of-way for the construction of any proposed collector and/or arterial street, as depicted on the Official Major Thoroughfare Plan Map.
- 3. Any areas containing wetlands or any other type of sensitive environmental characteristics.
- 4. Approximate topography of the site, at no more than ten (10) foot intervals, extended fifty (50) feet into adjacent properties.
- 5. Approximate location of ridge areas and crests.
- 6. Any areas which may be affected by flooding, as well as National Flood Insurance Program (NFIP) flood note containing map panel number, date of map panel and a statement that a certain lot(s) is(are) located in an official flood hazard area, if any of the subject property falls within the one-hundred (100) year floodplain.
- 7. General lot patterns in relation to the adjacent street layout
- 8. Proposed phasing plan if any
- 9. Proposed street configuration in relation to all adjacent dead-end streets located on adjoining properties.
- 10. The approximate distance from the boundary of subdivision to the nearest street intersection, to the nearest public water line, and to the nearest public sewer line.
- 11. Adjoining residual acreage owned by the subject property owner-developer.

\*The preparation and submittal of a sketch plat is strictly optional. It is highly recommended; however, that a sketch plat be prepared in cases where there are definite questions pertaining to the feasibility of subdividing the subject property and/or new streets are being constructed to service said subdivision. The sketch plat allows the owner/subdivider to present his or her development concept to the Planning Commission, and receive critical

suggestions from the Commission and its professional staff, without having to expend a large sum of money required to prepare detailed surveying and engineering plans as characterize preliminary and final subdivision plats.

#### E. Procedure for Sketch Plat Review

The following procedure shall apply for the review of all sketch plats:

1. At least ten (10) working days prior to the meeting at which it is to be considered, the subdivider shall submit four (4) copies of the subdivision plat to the planning commission staff. [Resolution PC 2016-001, 6/13/2016]
2. The staff planner and chairman of the planning commission as well as the superintendent of public works and the director of utilities shall informally review the sketch plat for conformance with the specifications and standards of these regulations, as well as for conformance with the provisions of the major thoroughfare plan map, and all other adopted developmental policies as are cited within the town's land use and transportation policy plan. The findings of this review session shall be transmitted to the planning commission for subsequent consideration.
3. The sketch plat shall be presented by the property owner or his designated representative at the next regularly scheduled planning commission meeting.
4. Within sixty (60) days of the date on which the sketch plat is officially reviewed by the planning commission, the sketch plat shall be approved or disapproved. Failure to act on this plat within the sixty (60) day period will automatically constitute approval of the sketch plat. If the plat is disapproved, reasons for such disapproval shall be stated in writing. If approved subject to conditions or modifications, the nature of the required modifications shall be indicated.
5. If a sketch plat has been disapproved, a new plat may be presented as though no previous plat had been submitted. Accordingly, if a sketch plat has been approved, or approved subject to modifications, and the subdivider desires to make substantial modifications other than those already required by the planning commission, a new sketch plat should be submitted, which is subject to the same regulations and procedures as though no previous plat had been submitted, except that a certification to the effect that the previous plat has been withdrawn must be submitted.
6. Two (2) copies of the sketch plat will be retained in the planning commission files, and one copy shall be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.
7. The approval of the sketch plat by the planning commission shall not constitute acceptance of any preliminary plat.
8. The approval of the sketch plat shall terminate unless a preliminary plat based thereon is submitted within one (1) year from the date of such approval; provided, however, that an extension of time may be applied for by the developer and granted by the planning commission, if unforeseen or mitigating circumstances are present.

#### F. Preliminary Plat Requirements (Major Subdivisions Only)

In addition to being prepared to the prescribed format, each preliminary plat shall contain and be supplemented with the following information:

1. The location of all existing and proposed property lines, streets in relation to all adjacent dead-end streets, water courses, railroads, sewer lines, water lines, drain pipes, bridges, culverts, and easements for existing utilities (water, sewer, gas, electricity, etc.) or other features. Existing features shall be distinguished graphically from those which are proposed.
2. The names of adjoining property owners or subdivisions and the parcel numbers and deed book and page numbers of said properties as recorded at the Monroe County Register of Deeds Office, the name of the applicable water district, the size of existing water and sewer lines, and the location of existing and proposed fire hydrants.
3. For any lot where a public sewer system is not available, the preliminary plat shall contain the following: areas to be utilized for sewage disposal and their percolation results, soils analysis information, or if the planning commission desires, any other acceptable data to show that the site can be served effectively by septic tanks.
4. The dedication of right-of-way for the construction of any proposed collector and/or arterial street, as depicted on the Official Major Thoroughfare Plan Map. Plats for subdivisions that abut existing streets shall show the dedication of additional right-of-way to meet the minimum right-of-way width requirements as cited in Article III.D.2.
5. The proposed street names, and the location, width, and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines, and building setback lines.
6. Topographical contours at vertical intervals of not more than five (5) feet, as well as the location of sinkholes, wetlands, naturally acidifying rock and soils, rock outcrops, crests, ridge areas, and other predominant geological and subsurface characteristics. If the development contains areas to be disturbed of fifteen (15) percent or greater slope, contours shall be shown at not more than two (2) foot intervals for the area that is greater than fifteen (15) percent and one hundred (100) feet beyond the area in all directions.
7. Flood note including applicable National Flood Insurance Program (NFIP) map panel number, date and a statement as to whether any portion of the property to be subdivided is in a 100 year flood zone, or not.
8. If any portion of the land proposed for subdivision lies within a floodable area, as determined by an official Flood Hazard Boundary Map or Flood Insurance Rate Map, that portion shall be so indicated along with the applicable 100-year flood hazard boundary. If the development contains more than 50 lots or 5 acres, whichever is the lesser, the developer is required to supply base flood elevation data both on the plat and to the Federal Emergency Management Association (FEMA). The developer is responsible for all fees required to gather this data and submit it to FEMA.
9. A generalized drainage plan showing proposed modifications to the flow of stormwater across the site and to and from adjoining properties, as well as the size and location of all proposed drainage facilities and culverts. The town may however require the submission of more detailed information including, but not limited to, stamped drainage and grading plan(s) prepared by a registered engineer for all or a portion of the site, and calculations describing the existing and proposed volumes of water to be discharged from the site, via drainage facilities and structures, in relation to the potential run-off from the entire upstream drainage basin. Sheet flow is the preferred method of stormwater discharge.
10. Sufficient data to determine readily the general location, bearing, and length of all lines necessary to reproduce such lines upon the ground.

11. Vicinity map showing the relationship of the subdivision to all public ways, railroads, and water courses in all directions to a distance of at least one-half (1/2) mile at a suggested scale of one (1) inch to one-thousand (1000) feet.
12. The distance and bearing of one (1) of the corners of the boundary of the subdivision to the nearest intersection of existing public ways and to the original corner, of the original survey of which it is apart.
13. The establishment of a maximum building footprint on any lot or building site that contains a sizeable and definitive sinkhole, ridge area, crest, or slope greater than fifteen (15) percent (see Article III J.1).
14. The delineation of the edge of all definitive sinkholes as well as the provision of interior topographic contours therein.
15. The delineation of the edge of all ridge areas and crests.
16. The declaration of all lots containing areas of average topographic slopes of more than fifteen (15) percent.
17. Erosion and sedimentation control plans.
18. A traffic study, prepared by a registered engineer licensed to practice in Tennessee, enumerating the impact the proposed subdivision will have on the existing and proposed transportation system at ultimate build out, when required by the Planning Commission.
19. When required, documentation of state approval of NPDES and ARAP permits regarding approval of an on-site erosion control/stormwater runoff management plan, and the approval of an on-site management and preservation plan for the alteration and crossing of streams and creeks.
20. A notation citing the approximate distance from the boundary of the subdivision to the nearest street intersection, the nearest public water line, as well as the nearest public sewer line.

G. Procedure for Preliminary Plat Review

The following procedure shall apply for the review of all Preliminary Plats:

1. At least ten (10) working days prior to the meeting at which it is to be considered, the subdivider shall submit four (4) copies of the subdivision plat to the planning commission staff. [Resolution PC 2016-001, 6/13/2016]
2. The staff planner and chairman of the planning commission, the superintendent of public works and the director of utilities shall review the preliminary plat for conformance with the specifications and standards of these regulations as well as for conformance with the sketch plat if applicable, the provisions of the zoning ordinance, the major thoroughfare plan map, and any other adopted developmental policies. The findings of this review session shall be transmitted to the planning commission for subsequent consideration.
3. The property owner or his authorized representative should contact the staff of the Regional Office of the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation to assess the subject property as to whether it does or does not contain any officially designated wetlands that may require alterations in the design of the proposed subdivision. If the process of grading and constructing the subdivision will disturb one (1) or more acres of soil, a National Pollution Discharge Elimination Systems Permit (NPDES) must be obtained from the Division of Water Pollution Control, prior to the initiation of any on-site grading. Similarly, if there are creeks and streams on-site that are to be altered, modified, or dredged an Aquatic Resource Alteration Permit (ARAP) must be obtained from the Division of Water Pollution Control, prior to the initiation of any site preparation.



4. If the subdivision requires that on-site sinkholes be improved to accommodate stormwater, an Underground Injection Control (UIC) Permit/Authorization must first be granted by the Division of Water Supply within the Tennessee Department of Environment and Conservation.
5. Establish construction entrance or access way as per the requirements of Article III, D.17 herein.
6. The preliminary plat shall be presented by the property owner or his designated representative to the planning commission. The owner/subdivider or designated representative should be physically present at the meeting(s) to answer questions and hear suggestions about the proposed development. If no one is present at the meeting, the plat will be denied but is eligible to be considered at a future meeting.
7. Within sixty (60) days after the date on which the preliminary plat was officially reviewed, the planning commission shall approve, approved with conditions, or deny said plat, absent a formal request to the planning commission from the property owner/subdivider to extend this time period. Failure of the planning commission to act on the preliminary plat within the 60-day period following the official review of said plat will be deemed approval of this plat. If a plat is denied, reasons for such disapproval shall be stated in writing. If approved subject to conditions or modifications, the nature of the required modifications shall be clearly indicated.
8. If a plat has been denied, a new plat may be presented as though no previous plat had been submitted. If a plat has been approved, or approved subject to modifications, and the subdivider desires to make substantial modifications other than those already required by the planning commission, a new preliminary plat must be submitted, which is subject to the same regulations and procedures as though no previous plat had been submitted, except that a certification to the effect that the previous plat has been withdrawn must be submitted. If the Monroe County Environmentalist rejects any lot(s) or recommends any alteration of lot size or shape, affecting the approved location of the proposed street system or other public facilities the planning commission may require the plat to be resubmitted for preliminary plat review.
9. Two (2) copies of the preliminary plat will be retained in the planning commission files, and one copy shall be returned to the subdivider with any notations at the time of approval or denied and the specific changes, if any, required.
10. The approval of the preliminary plat by the planning commission shall not constitute acceptance of any final plat.
11. The approval of the preliminary plat shall terminate unless a final plat based thereon is submitted within one (1) year from the date of such approval; provided, however, that an extension of time can be applied for by the developer and granted by the planning commission pending unforeseen mitigating circumstances.
12. Detailed utilities' construction plans should be prepared and submitted to the Division of Water Supply within the Tennessee Department of Environment and Conservation for approval.
13. Proposed lot numbers should be approved by the Emergency 911 Director for the County for 911 purposes.
14. Following the approval of the preliminary plat, grading and construction of streets and utilities may begin contingent upon the approval and installation of all erosion and sedimentation plans and measures, as well as drainage plans by the superintendent of public works or other authorized representative, the approval of any applicable stormwater management and erosion control plans by the

Tennessee Department of Environment and Conservation, the approval of construction plans for the design of servicing streets by the superintendent of public works or other designated representative, and the approval of utilities' design plans by the town's director of utilities or town engineer (or a representative of the servicing utility district). It is strongly recommended that servicing water and sewer facilities not be installed until construction plans have been approved by the Division of Water Supply and the Division of Water Pollution Control within the Department of Environment and Conservation.

#### H. Final Plat Requirements

1. The final plat shall conform substantially to the approved preliminary plat. Any alterations or deviations from the preliminary plat should be discussed with the staff planner and the chairman of the planning commission to determine if the changes are sufficient to require new preliminary plat review.
2. If the subdivision is to be developed in phases and the final plats submitted as portions or sections of the preliminary plat, the sections must be readily identified by alphabetical characters, following the name of the subdivision as initially submitted or as approved on the preliminary plat.
3. A final plat will not be acceptable for official submission unless it meets all required standards of design, and contains all required information as cited within these subdivision regulations or contains a written request for a variance for each specific deviation from such requirements.
4. In addition to being prepared in the prescribed format as cited in Article II, C.2, each final plat shall contain the following information:
  - a. The right-of-way and pavement lines of all streets and roads; the size and location of proposed and preexisting water and sewer mains; alley lines; existing and proposed hydrant locations; lot lines; building setback lines; any easements provided for public services, utilities and the disposal of surface water; the limitation and/or dimensions of all easements; all areas to be reserved for sewage disposal purposes; lots numbered in numerical order; any areas to be dedicated to public use; and any sites for other than residential use, with notes stating their purpose and limitations; as well as the applicable 911 property number(s); the location of open space easements on lots containing sinkholes, ridge areas, crests, the location of any sinkholes, as well as topographic contours therein; designation of all lots having areas of average topographic slopes of over fifteen (15) percent; as well as a listing of applicable geotechnical requirements on which construction thereon is predicated (see Form 8 of Appendix B).
  - b. A statement or plat notation of the restrictions for all easements and rights-of-way indicating the following:
    - (1) No permanent structure such as a deck, patio, garage, carport, or other building shall be erected within the limits of any easement shown on this plat.
    - (2) No excavation, filling, landscaping or other construction shall be permitted in any designated easement shown on this plat with the exception that any easement utilized strictly for the management of stormwater drainage, in accordance with approved drainage and stormwater management plans.
    - (3) All driveways, entrances, curb cuts or other points of ingress or egress to the lots shown on this plat shall be in accordance with all adopted rules and regulations of the Town of Tellico Plains.

- (4) The placing of pipe within or otherwise filling of ditches within the right-of-way shown on this plat is prohibited without the approval of the Superintendent of Public Works of the Town of Tellico Plains.
- c. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building line whether curved or straight, and including true north point. This shall include the radius, central angle, and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.
- d. All dimensions to the nearest one-hundredth (100th) of a foot and angles to the nearest twenty (20) seconds.
- e. Location and description of all bench marks, monuments and corner markers.
- f. The names and locations of adjoining subdivisions and streets, and the location and ownership of adjoining properties and parcel numbers and deed book and page numbers of such properties as recorded in the county register of deeds office.
- g. Federal Emergency Management Association (FEMA) flood note stating whether or not any of the subject property is located in a one-hundred (100) year flood zone, the applicable National Flood Insurance Program (NFIP) map panel number, flood zone number, and map panel date. If any portion of the subdivision falls within an identified flood hazard area (100-year floodplain), the limits of the floodplain and the location of any fill dirt, as well as a notation of the minimum first floor building elevations of all flood prone lots. If the development contains more than 50 lots or 5 acres, whichever is the lesser, the developer is required to supply base flood elevation data both on the plat and to FEMA. The developer is responsible for all fees required to gather this data and submit it to FEMA.
- h. Traffic study improvements notation, when applicable.
- i. Be accompanied, if the final plat contains open space, recreational facilities, or any portion of the site in common ownership, regardless of the method of ownership, by the following documentation for approval by the planning commission and recording with the final plat:
  - Plans for improvement and maintenance of the open space or facilities located thereon;
  - Articles of incorporation and bylaws of the homeowner association or other legal entity charged with improving or maintaining the open space or facilities, where open space or facilities are to be deeded to a homeowner association or similar organization acting on behalf of the joint owners of said property, and declaration of covenants and restrictions pertaining to each and every property within the subdivision; and
- j. Right-of-way reversion notation for temporary cul-de-sacs.
- k. Geotechnical requirements notation, when applicable.
- l. Special requirement(s) notation(s) from the state geologist and/or an authorized representative of the Groundwater Protection Section within

- the Division of Water Supply as pertains to the improvement of any sinkhole(s), when applicable.
- m. If this is a resubdivision of a previously recorded subdivision, provide the name and section number of the subdivision plat being amended.
  - n. Standard plat certifications as are appropriate to the context of the subdivision (See Article II.M for a listing of required certificates and notations. For the actual content of all certificates and notations, see forms in Appendix B).
  - o. Wetlands disclaimer notation
  - p. A financial guarantee or surety instrument for all uncompleted improvements has been completed and submitted for approval utilizing the example forms in Appendix G.
  - q. A financial guarantee or surety instrument for the maintenance of any installed infrastructure (if the planning commission deems it necessary)

#### I. Procedure for Final Plat Review and Deliberation

The following procedure shall apply for the review of all Final Plats:

1. At least ten (10) working days prior to the meeting at which it is to be considered, the subdivider shall submit four (4) copies of the subdivision plat to the planning commission staff. [Resolution PC 2016-001, 6/13/2016]
2. The staff planner and chairman of the planning commission, the superintendent of public works and the director of utilities shall review the final plat for conformance with the specifications and standards of these regulations, as well as with the approved preliminary plat.
3. The official submission of the final plat to the planning commission may be the first planning commission meeting at which the plat is presented for official consideration. Accordingly, the developer or his authorized representative must be present to answer questions and provide information. If no one is present at the meeting, the plat will be denied but is eligible to be considered at a future meeting.
4. The planning commission shall approve or disapprove the final plat within 60 days of the date at which it was initially entertained by the planning commission, absent a formal request to the planning commission from the property owner/subdivider to extend this time period. Failure of the planning commission to act on the final plat within this 60-day period shall be deemed its approval. If the plat is disapproved, the grounds for disapproval shall be stated upon the records (minutes) of the planning commission.
5. When the plat has been approved by the planning commission, the original will be returned to the subdivider with the approval of the planning commission certified thereon, for filing with the county register of deeds as the official plat of record; two (2) copies will be retained by the Tellico Plains Municipal Regional Planning Commission and one (1) copy will be returned to the developer for his records. Plats will only be signed at the meeting during which they were approved.
6. Approval of the final plat by the planning commission shall not constitute the acceptance by the public of the dedication of any streets or other public ground.
7. The planning commission may require that an accurate utilities map ("as-built" construction plans) of all water lines, valves, fire hydrants, sewer lines and appurtenances be supplied by the developer to the Town of Tellico Plains as a condition for final approval of any plat when all required improvements have already been completed. As an option, a financial guarantee or surety instrument

may be filed with the planning commission. Accordingly, when an acceptable surety instrument has been posted with the town, such instrument may not be released until stamped and signed "as-built" engineering plans are supplied to the town.

8. The planning commission may require that a maintenance bond or financial surety be provided to cover any maintenance costs as described in Article II L.
9. The completion and approval of all required improvements shall be certified by the chairman of the planning commission, superintendent of public works, and director of utilities and/or other authorized representative of the town, or said certification shall indicate that a surety instrument has been posted with the town to ensure that all necessary improvements will be installed in a timely manner. All improvements to be installed shall be in accordance with the provisions of Article III. Improvements include:
  - a. Iron pins
  - b. Storm drainage system
  - c. Street grading and paving
  - d. Sidewalks (if required)
  - e. Water supply system lines and laterals
  - f. Sewage collection lines and laterals (if applicable)
  - g. Driveway cuts with culverts
  - h. Fire hydrants
  - i. Any other improvements that may be required by the planning commission.

J. Financial Guarantees (Surety Instruments) in Lieu of Improvements

1. Conditions may exist whereby a developer may be unable to install all improvements before requesting final plat approval. In lieu of the installation of all improvements, the planning commission may accept one of the following forms of financial guarantee, whereby in the event of default by the developer, infrastructure improvements can be made without cost to the town. (See Appendix G for legal forms):
  - (a) The establishment of cash in a bank escrow account within a bank situated in the State of Tennessee but less than 3 hours from Tellico Plains, in the full amount of the estimated cost of required improvements plus a ten (10) percent yearly inflation factor (if the actual inflation rate the previous year is greater than ten (10) percent, the yearly inflation factor shall equal the actual rate of inflation).
  - (b) An officially signed irrevocable letter of credit, issued by a bank or savings and loan, situated in the State of Tennessee but less than 3 hours from Tellico Plains, to cover the full amount of the estimated cost of improvements plus a ten (10) percent yearly inflation factor (if the actual inflation rate the previous year is greater than ten (10) percent, the yearly inflation factor shall equal the actual rate of inflation). Such letter of credit shall be satisfactory to the town's attorney as to form, sufficiency, and manner of execution, and shall be issued solely by commercial banks and federally chartered savings and loan associations located in Monroe County, Tennessee.

2. In no case shall a financial guarantee agreement form be accepted by the planning commission on behalf of the chief legislative body of the town unless all types of bondable improvements are specifically cited as depicted in the sample agreement forms in Appendix G.
3. In determining the basic cost of bondable improvements, a local representative such as the superintendent of public works, director of utilities, or town engineer, may establish a formula using a base cost per linear foot for each required improvement, i.e., streets, water and sewer lines, etc. Such officially designated representative may establish the total cost of all required improvements and thereafter certify these costs to the planning commission. As an alternative method, the local representative(s) may require the subdivider/developer to submit no less than two (2) construction or installation cost bids from local contractors for each type of required infrastructure improvement, i.e., water lines and fire hydrants, sewer lines, drainage improvements, and streets, prior to the official approval of the monetary amount of each improvement type. These bids must be less than ninety (90) days old.
4. At the time of acceptance of a financial guarantee or surety instrument, the planning commission shall specify its effective length of time, which shall be no less than a one (1) year period of time before the town may take legal steps to cash it. Based upon seasonal constraints pertaining to the setline of the base material of the streets and/or the inability to pave streets during the winter months and/or other unanticipated circumstances, the planning commission may elect to grant a one (1) year extension to the duration of the surety instrument, subject to the reestablishment of the amount of the principle to include an additional ten (10) percent thereof to cover inflationary costs (if the actual inflation rate the previous year is greater than ten (10) percent, the yearly inflation factor shall equal the actual rate of inflation). In order to relieve an extreme and unique hardship, the planning commission may grant a further final one (1) year extension to the financial guarantee, subject again to the addition of ten (10) percent of the total amount of the bond (if the actual inflation rate the previous year is greater than ten (10) percent, the yearly inflation factor shall equal the actual rate of inflation). Nonetheless, this period shall not typically exceed a duration of two (2) years.
5. No financial guarantee shall be partially withdrawn by the developer during the construction period to pay for development costs, except in the case of a final payment made after final inspection and approval by the planning commission, or except in the case where a developer is postponing surface paving on a street until after a winter settling period for the completed gravel base. In this case, as a corollary to the release of the surety instrument, money may be set aside in an escrow account to accommodate this seasonal delay.

K. Installation of Improvements

Construction of streets shall be subsequent to an inspection by the director of utilities (or representative of the servicing utility district) relative to the installation and completion of all servicing utilities that are to be located within the roadbed. (See Article III.E.10 herein for required inspections). It is strongly advised that no utilities be installed prior to

the required approval of construction plans from the Division of Water Supply and the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation.

L. Maintenance of Improvements

The applicant shall be required to maintain all public improvements located within street rights-of-way and easements, until acceptance of these public improvements by the governmental body.

The applicant may be required to file a maintenance bond (surety instrument) with the planning commission, following the written approval of all streets, utilities, and drainage improvements by the superintendent of public works, director of utilities, town engineer or other designated representative, or a representative of the servicing utility district, on behalf of the respective governing body. This bond shall be in an amount considered adequate by the town's engineer or appropriate governmental representative and in a form satisfactory to legal counsel, in order to assure the satisfactory maintenance of all required improvements. Said maintenance bond shall be in effect for a period of one (1) year, following the release of the pre-construction surety instrument that was originally filed with the planning commission on behalf of the chief legislative body. The minimum amount of a maintenance bond pertaining to street construction and public improvements shall not be less than twenty-five (25) percent of the amount of the previously filed surety instrument that was devoted to the construction of all required public ways. Final inspection, dedication, and official acceptance of all streets and public improvements shall occur no sooner than twelve (12) months after the date of issuance of said maintenance bond.

M. Certifications and Notations (See Appendix B for Forms)

In all cases, certificates 1, 2, 6, and 7 shall be present and signed on the original final plat, before the planning commission secretary signs the plat for the recording of the plat at the register of deed's office. In addition, certificates 3A or 3B, 4A or 4B, and 5A or 5B must be shown on the plat in accordance with the particular conditions that characterize the development site. If there are any questions in this regard, the developer shall check with the staff planner and/or chairman of the planning commission as to which certificates shall be depicted on the final plat.

Form 1) Certificate of Ownership and Dedication – Certification showing that applicant is the landowner and dedicates streets, rights-of-way, and any sites for public use.

Form 2) Certificate of Accuracy & Precision – Certification by surveyor of accuracy of survey and plat and placement of monuments.

Form 3A) Certificate of General Approval for Installation of Subsurface Sewage Disposal Systems – This certification to be used if any lots will use septic tanks, and must be signed by an appropriate representative of the Tennessee Department of Environment and Conservation (the Monroe County Environmentalist) before presentation to planning commission for final approval.

Form 3B) Certificate of Approval of Sewage Collection Facilities – This certification is to be used for any lots connected to or proposed to be connected to the Tellico Plains sewer system. Part (1) pertains to sewer facilities installed, whereas Part (2) pertains to acceptance of a financial guarantee in lieu of improvements. This certificate should be signed by the appropriate municipal official or an official of the applicable utility district.

Form 3C) Existing Septic System Certificate – This certification is to be used when lot(s) will use an existing septic system and must be signed by the property owner. [Resolution PC 2016-001, 6/13/2016]

Form 3D) Certification of Reserve Area for Subsurface Sewage Disposal – This certification is to be used in conjunction with Form 3C and must be signed by an appropriate representative of the Tennessee Department of Environment and Conservation. [Resolution PC 2016-001, 6/13/2016]

Form 4A) Certificate of Approval of Water Lines – This certification is to be used for any lots where new water lines or hydrants have been (or will be) installed. Part (1) pertains to water facilities installed whereas Part (2) pertains to acceptance of a financial guarantee in lieu of improvements. This would be signed by the appropriate municipal official or an official of the applicable utility district.

Form 4B) Certification of Existing Water Lines and/or other Utilities – This certification is to be used for any lots served by and connected to previously existing water and/or sewer lines. This should be signed by the appropriate municipal official or an official of the applicable utility district.

Form 5A) Certificate of Streets and Drainage System – This certification is to be used for any lots served by new streets, drainage system, etc., recently installed or to be installed, in conformance to planning commission regulations, with signature by the superintendent of public works or other designated official.

Form 5B) Certificate of Existing Road(s) – This certification is to be used for a subdivision which does not involve new road construction but which fronts on an existing road or roads. This certificate should be signed by the superintendent of public works or other designated official.

Form 5C) Certification of Private Permanent Easement and Private Streets – This certification is to be used for a subdivision which has private streets. This certificate should be signed by all property owners. [Resolution PC 2016-001, 6/13/2016]

Form 6) Certification of Street Names – This certification is to be on all subdivision plats to verify that existing street names are correct, that new street names are not in conflict with other street names in the county, and that an address can be assigned. This certificate should be signed by a Monroe County E-911 representative. [Resolution PC 2016-001, 6/13/2016]

Form 7) Certificate of Electrical Utility Service – This certification is to be on all subdivision plats creating new lots to ensure electricity is/will be available to all new lots. This certificate should be signed by the utility provider. [Resolution PC 2016-001, 6/13/2016]

Form 8) Certificate of Approval for Recording – Certification by planning commission secretary that plat has been approved by the commission. In all cases, this certification is to be signed only after all other certificates have been signed and after final approval has been granted by the planning commission.



### Notations (See Appendix B for Forms)

Form 9) Notation of Traffic Improvements. This notation is to be utilized to specify traffic improvements that have been completed prior to the approval of the final plat, or to specify improvements to be completed subsequent to such approval, as bonded in Certificate 5A.

Form 10) Notation of Geotechnical Requirements. This notation is to be used to indicate specific lots (lot numbers) that require geotechnical studies to be prepared and stamped by professional registered engineers prior to the construction of principal structures thereon. Such lots either contain topographic slopes over fifteen (15) percent, crests, ridge areas, and/or sizeable sinkholes.

Form 11) Notation of Special Requirements from the State Geologist and/or Representative of the Tennessee Division of Water Supply. This notation lists any special requirements of the state geologist and/or representative of the Tennessee Division of Water Supply as apply to the modification or improvement of any on-site sinkhole(s) within the subdivision.

Form 12) Notation of Wetlands Mitigation Disclaimer. This notation is used to indicate that there may be wetlands on the property being subdivided that have yet to be identified requiring the issuance of an Aquatic Resource Alteration Permit(s) and that any construction undertaken on said property may accordingly be subject to the applicable developer, contractor and/or property owner(s) to mitigation actions or penalties.

Form 13) Notation of Street, Warning, and Regulatory Sign Installation. This notation verifies that all street signs, as well as all warning and regulatory signs have been properly installed in a timely manner.

Form 14) Notation of Restrictions for Dedicated Easements and Rights-of-Way. This notation is utilized to ensure that there is no encroachment into declared easements and rights-of-way by structures, dredging, filing, or grading activities.

Form 15) Notation of Right-of-Way Reversion. This notation indicates that the excess right-of-way of a portion of a temporary cul-de-sac reverts to abutting property owners when the right-of-way and street are extended.

### N. Inspections Procedures

1. The developer shall coordinate all road construction with the superintendent of public works or other authorized representative as to when work on streets and/or utilities is to begin and the anticipated schedule for the preparation of subgrade and road base, installation of drainage and underground utilities, and binder surfacing of the road.
2. The developer shall hire an independent road-testing firm who, along with the superintendent of public works will, at a minimum, certify the following to the planning commission:
  - a. Street grading, preparation of subgrade, and installation of the drainage system.
  - b. Installation and pressure testing of water mains, water stubs, sewer lines, and any other underground utility lines.

- c. Pavement base. Inspection includes checking thickness of gravel every five-hundred (500) feet at random points across width.
  - d. Prime coat, binder course and drainage system.
  - e. Final pavement/wearing surface
  - f. Street signs and warning signs
- 3. Throughout the construction period, the superintendent of public works or other authorized representative will keep a log of findings and periodically report the status to the planning commission, staff planner, and chairman of the planning commission. Problems should be brought to the attention of the planning commission immediately.
- 4. Upon completion of steps a-f listed above, the superintendent of public works or other authorized representative and road testing firm will submit written reports to the planning commission. These inspection reports shall become part of the official records of the planning commission. Certification of the adequacy of project improvements that have been completed prior to the approval of the final plat shall be by way of the signing of the required final plat certificates cited in Article II M, by the appropriate officials. Please note that the planning commission also reserves the option to require “as built” plans of all required infrastructure improvements be prepared prior to certifying to the town council that all improvements be officially accepted.
- 5. If a guarantee is posted by the developer in lieu of required improvements, funds shall not be released until all roads and utilities meet all required standards and the planning commission has received written documentation to that effect from the superintendent of public works, the director of utilities (or a representative of the servicing utility district), and the road testing firm.
- 6. No improvements will be accepted by the Town of Tellico Plains that have not been inspected and deemed acceptable by the appropriate representatives of the town.

O. Recording of Final Plat

Upon approval of the final plat and the signing of the appropriate certificates affixed thereto, it shall be the responsibility of the developer to ensure that said plat is placed upon the records of Register of Deed's Office of Monroe County, Tennessee.

P. Grounds for Denying Plat Approval

The Tellico Plains Municipal Regional Planning Commission shall deny approval of any plat submitted to it for review that is incomplete or does not meet or exceed the minimum requirements set forth in these regulations. In addition, the planning commission may deny approval of a plat for any subdivision of land for which:

- 1. Has an inadequate supply of water available to provide adequate fire protection;
- 2. The means of ingress and egress to and within the subdivision is inadequate to carry the vehicular traffic projected to be generated by the proposed subdivision, or the means of ingress and egress is inadequate and/or unsafe for use by school buses, ambulances, garbage trucks, fire trucks, or other types of essential service providers; or
- 3. The approval of said plat in the opinion of the Planning Commission will be detrimental to the health, safety and welfare of the public as clarified in Article III A.1 and 2 herein.

## ARTICLE III DESIGN AND SPECIFICATIONS

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements made by the subdivider spare the community a potential tax liability of otherwise having to finance the cost of installing servicing streets, utilities, drainage facilities, etc.

### A. Suitability of the Land

#### 1. Land Physically Unsuitable for Subdivision

Land shall not be subdivided where flooding, bad drainage, steep slopes, rock formations, sinkholes, crests, ridge areas, and other similar features may endanger health, life, or property, aggravate erosion, or unduly increase public funds for the supply and maintenance of public services. In all cases where potentially dangerous geological conditions such as overly steep slopes and/or sinkholes are present within the boundaries of platted lots, a notation shall be placed on the final subdivision plat requiring geotechnical site specific suitability reports to be prepared by licensed professionals, prior to the issuance of building permits on said lots. See Article III, Section J.1.

#### 2. Land Unsuitably Located for Subdivision

- a. The planning commission shall not approve what it considers to be the scattered or premature subdivision of land which would endanger health, safety, or property because of a lack of or adverse effect on water supply, schools, proper drainage, good transportation, or other public services, or which would necessitate an excessive expenditure of public funds for the supply or maintenance of such services. In all cases wherein the planning commission determines that the location and design of any street(s) traversing and/or accessing the proposed subdivision or section thereof and/or the number of lots therein is such that additional improvements to the proximate street system may be required to guarantee that the health, safety, and welfare of the public is maintained, the planning commission is empowered to require the developer/subdivider to furnish the commission with a traffic study of the potential problem area(s). Said study shall be prepared and stamped by a registered traffic engineer licensed to practice in Tennessee. After a review and deliberation concerning the findings within said traffic study, a notation shall be placed on the final plat certifying that the improvements and findings of said traffic study have been implemented and constructed, as a condition of final plat approval, or bonded as a part of the certificate of approval of public ways.
- b. Land unsuitable for subdividing is also any property that is located in close proximity to potentially hazardous commercial and/or industrial operations that may endanger the health, life, or property of the residents of the proposed subdivision.

### B. Special Requirements for Floodable Areas

1. The purpose of this section is for the review of subdivision proposals to determine whether such proposals will be reasonably safe from flooding. In order to accomplish this, the following regulations shall apply:

## 2. Definition of Land Subject to Flooding

- a. For the purpose of these regulations, land subject to flooding shall be defined as those areas within Tellico Plains shown as Special Flood Hazard Areas (Zone A or AE) on the Flood Insurance Rate Maps for Monroe County dated 2/3/2010, or any subsequent amendment or revision to said maps.
- b. In addition, along all other major streams and watercourses not shown as floodable by the Flood Hazard Boundary Maps or Flood Insurance Rate Maps, all land within twenty (20) feet, or the actual width of the stream whichever is greater, of the top of the bank is considered to be subject to flooding. For the purposes of these regulations, major streams are defined as blue line streams as depicted on United States Geologic Survey (USGS) quadrangle sheets, as well as all streams depicted on official National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM).

## 3. Regulations for Subdivisions Containing Land Subject to Flooding

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All creeks, lakes, ponds, sinkholes or other drainage areas shall be shown on the preliminary and final subdivision plat.
- c. Every lot platted shall have a flood-free building site.
- d. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- e. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- f. Base flood elevation data may be required for any subdivision proposals containing land subject to flooding. However, if the development contains more than 50 lots or 5 acres, whichever is the lesser, the developer shall be required to supply Base Flood Elevation data both on the plat and to Federal Emergency Management Association (FEMA). The developer is responsible for all fees required to gather this data and submit it to FEMA.
- g. Utilities
  - (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
  - (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration.
  - (3) If on-site waste disposal septic systems are to be used, a flood-free site shall be provided on each lot in order to avoid impairment to them or contamination from them during flooding.
- h. Fill
  - (1) The planning commission may choose to allow land subject to flooding be platted only if filled to such a height as will secure a flood-free site based on data submitted by the subdivider and prepared by registered professional engineers, (no less than the 100 year flood elevation), provided such use of fill does not endanger health, life, or property or restrict the flow of water or increase

flood heights. At a minimum, fill material shall be extended for an approximate distance of no less than twenty-five (25) feet beyond the anticipated limits of all principal structures that are to be located on subdivided, flood prone lots. Please note that portions of lots shown as being subject to the regulatory flood, as well as those portions of lots containing fill will not usually be approved for the installation of septic tanks and drain fields.

- (2) No fill shall be placed in the mapped floodway of any stream. If the floodway boundary is undetermined, fill shall be placed no closer than twenty (20) feet, or the actual width of the stream whichever is greater, from the top of the bank of any stream or water course, unless the subdivider demonstrates that a lesser distance (but not less than fifteen (15) feet) is adequate based on the watershed area, the probable runoff, and other topographic and hydraulic data prepared by engineers. Fill shall not exceed a slope of one (1) foot vertical to two (2) feet horizontal at its edges.
- (3) All bridges, culverts, and other drainage openings shall be designed so as not to restrict the flow of water within the floodway and unduly increase flood heights upstream.

#### C. Monuments

A minimum of three (3) permanent control monuments, containing both vertical and horizontal data, shall be located within each subdivision where new roads are to be constructed. Such monuments shall be constructed of stone or concrete not less than thirty (30) inches in length; nor less than four (4) inches square or five (5) inches in diameter; and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded, and shall have horizontal coordinates and vertical elevations shown on the final plat. Reference notes (field ties) defining magnetic bearings and distances to the nearest established street line or official benchmark shall be accurately described on the plat. All control monuments shall be located within dedicated rights-of-way along curve points or lot lines and within line of sight of one another. All vertical data shall be referenced to the 1929, datum established by United States Geologic Survey (USGS). These monuments are to be placed near the entrance to the subdivision and, if possible, within a non-fill area or be affixed to natural rock outcrops. The location of all control monuments shall be described on the final plat with words and symbols that facilitate locating them at the site. All external boundaries, curvatures of servicing streets as well as angle points and lot corners shall be marked with iron pins or pipe not less than three-fourth (3/4) inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

#### D. Streets - Design Standards

The following standards shall apply for the design of all streets in subdivisions located in the Town of Tellico Plains.

##### 1. General Standards of Design

##### a. Arrangement

The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivision, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to facilitate adequate fire protection, accessibility to emergency service vehicles, the safe and effective movement of traffic and

the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. Local streets shall be so laid out that their use by through traffic will be discouraged. Where, in the opinion of the Planning Commission, topographic or other conditions make such continuance undesirable or impracticable, the above conditions may be modified.

b. Conformity to the Major Thoroughfare Plan and Traffic Study Recommendations

The location, width, and function of all streets and roads shall conform to the official major thoroughfare plan. (See Appendix H for a general representation of the official major thoroughfare plan map). The latest major thoroughfare plan map is on file in the Office of the Monroe County Register of Deeds. Accordingly, at the discretion of the planning commission, the developer/subdivider of a sizeable subdivision may be required to submit a traffic study prepared and stamped by a registered engineer licensed to practice in Tennessee, as a condition of preliminary plat approval, in order to determine required upgrades and improvements to the function, location and width of existing and proposed streets.

Where a street designated by the major thoroughfare plan as a "Proposed Road" crosses the proposed site of subdivision, right-of-way sufficient to meet the design standards for the functional classification of said street as cited in Article III, Section D.2 of these regulations, shall be dedicated to the public and shown on the plat of the respective subdivision.

c. Relation to Adjoining Street System

The proposed street system shall extend to any adjoining property or existing street(s) at the same or greater width, but in no case less than the required minimum width.

d. Relation to Topography

The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the servicing streets. Grades of streets shall conform as closely as practicable to the original topography, but shall not cross slopes greater than thirty (30) percent. Roads, access easements, and driveways are not allowed in areas identified as crests or ridge areas.

e. Flood Prevention

Streets that will be subject to inundation or flooding shall not be approved. All streets must be located at elevations which will make them flood-free to or above the one-hundred (100) year flood elevation in order that portions of the subdivision will not be isolated by floods. Where flood conditions are anticipated, profiles and elevations of streets will be required in order to determine the advisability of permitting the proposed street layout.

2. Minimum Street Right-of-Way Widths [Resolution PC 2016-001, 6/13/2016]

The minimum width of the street right(s)-of-way, measured from lot line to lot line, shall be as shown on the Official Major Road Plan, and shall not be less than as listed below.

- a. Historic Downtown Streets ..... 40 feet
- b. Local Streets ..... 50 feet
- c. Minor Collector Streets ..... 50 feet with 60 feet at intersections to accommodate turn lanes
- d. Major Collector Streets ..... 60 feet
- e. Arterial Streets ..... 80 feet
- f. Cul-de-sacs (diameter) ..... 100 feet

3. Minimum Street Surfacing Widths [Resolution PC 2016-001, 6/13/2016]

The minimum street surfacing widths shall be as follows:

- a. Historic Downtown Streets ..... 10 foot lanes with 5 foot wide sidewalks
- b. Local Streets ..... 11 foot lanes
- c. Minor Collector Streets ..... 12 foot lanes
- d. Major Collector Streets ..... 12 foot lanes
- e. Arterial Streets ..... 12 foot lanes
- f. Cul-de-sacs (diameter) ..... 80 feet
- g. On-Street Parking (parallel) ..... 10 feet wide

4. Additional Right-of-Way on Existing Streets

Plats for subdivisions that abut existing streets shall show the dedication of additional right-of-way to meet the minimum right-of-way width requirements as cited in Article III.D.2, as follows:

- 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, one-half (1/2) of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

5. Substandard Existing Streets

The subdivision of property abutting existing streets that do not meet the minimum construction standards of these regulations, or are unsafe and incapable of effectively carrying current traffic demands and/or the increase in traffic to be generated by the proposed subdivision development at total build out, shall be prohibited. In such situations, it is the prerogative of the planning commission to require that the developer/subdivider submit a traffic study with or as a condition of preliminary plat approval, to specify both on and off-site transportation improvements within the vicinity of the proposed subdivision as will be required to effectively and safely manage existing and proposed traffic volumes. For the purposes of these regulations no subdivision of property shall be approved that will not be properly serviced by an adjoining and proposed network of streets,

lanes, and signalization appurtenances at the time of final plat approval, or at the time of the release of the surety bond or financial guarantee. Should improvements to the existing street be required in order to meet the demands of the proposed subdivision, the cost of said improvements shall be borne by the developer unless determined otherwise by the Town of Tellico Plains. In all cases, the developer/subdivider shall be responsible for the cost of all street improvements that are to be generated and merited exclusively by the proposed subdivision.

6. Street Grades

- a. Grades on collector and arterial streets shall not exceed ten (10) percent; grades on other streets shall not exceed twelve (12) percent (in some special circumstances, the planning commission may approve street grades up to fifteen (15) percent for runs of no more than two hundred (200) feet). No more than a three (3) percent grade within one-hundred (100) feet of any intersection for a collector or arterial street will be allowed, and no more than five (5) percent grade within fifty (50) feet of any intersection shall be allowed on a minor residential or rural street.
- b. As a contingency of preliminary plat approval, if the street grade appears questionable, a street grade profile map may be required for the questionable area before the approval of the preliminary plat.
- c. 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 surface.
- d. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one-hundred (100) feet horizontal, and one (1) inch equals twenty (20) feet vertical, may be required by the Planning Commission.
- e. Streets are not allowed to cross slopes in excess of thirty (30) percent.

7. Curves

a. 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 sixty (60) feet or more in width, the centerline radius of curvature shall be not less than three-hundred (300) feet; on other streets, it shall be not less than one-hundred (100) feet.

b. Tangents

A tangent of at least one-hundred (100) feet in length shall be introduced between reverse curves on all streets.

- c. Curve radii at street intersections shall not be less than twenty (20) feet. (See Illustration 3 in Appendix A). Where the angle of street intersection is less than seventy-five (75) degrees, the planning commission may require a greater curve radius. On collector, arterial, and industrial streets, the return radius of curves shall be at least twenty-five (25) feet. To permit the construction of a curve having a desirable radius without curtailing 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.

- d. Switchbacks are to be avoided unless they are the only way to access the only buildable site on the property. If the planning commission approves the use of a switchback, the developer is responsible for planting vegetation in a manner to minimize the visual impact of the cut and fill in the area around the switchback.

## 8. Intersections

- a. Street intersections shall be as nearly at right angles as is possible and no intersection shall be at the angle of less than sixty (60) degrees. (See Illustration 4 in Appendix A).

No street intersection shall have more than four streets entering it, and the "T" or three-way intersection shall be used whenever possible. Additional street right-of-way on local streets may be required at intersections with collector or arterial streets to permit proper intersection design for traffic flow.

Local streets intersecting with collector roads shall be at least five-hundred (500) feet apart and at least one-thousand (1000) feet apart when opening onto an arterial street. Local streets intersecting with other local streets shall be at least three-hundred (300) feet apart.

### b. Street Jogs

Street jogs with centerline offsets of less than one-hundred fifty (150) feet shall not be allowed if the proposed street is to connect with or is an arterial or collector street. Street jogs on local streets with centerline offsets of less than one-hundred twenty-five (125) feet shall not be allowed. (See Illustration 5 in Appendix A).

### c. Visibility of Intersections; Steep Grades and Curves

A combination of steep grades and curves shall be avoided. There shall be no visual blockage between a height of three (3) feet and ten (10) feet within a seventy-five (75) foot circumference of the center of any street intersection. This measurement shall be made from the pavement elevation of the center of the intersection. In order to provide visibility for traffic safety, any portion of a corner lot obstructing vision shall be leveled and cleared of brush (except isolated trees) and obstructions. If required, the ground shall be excavated to achieve visibility.

## 9. Dead-End Streets (Cul-de-sacs)

### a. Permanent

Minor terminal streets or courts designed to have one (1) end permanently closed shall be no more than twelve-hundred (1200) feet long unless necessitated by topography. They shall be provided at the closed end with

a circular paved turnaround having an outside pavement diameter of at least eighty (80) feet and a street right-of-way diameter of at least one-hundred (100) feet. All single access minor streets longer than seven-hundred and fifty (750) feet shall contain cul-de-sacs having pavement diameters of at least ninety (90) feet, and right-of-way diameters of at least one-hundred and ten (110) feet. The circular turnaround may be centered on the main body of the street or off-set to either side. It is strongly recommended that landscaped islands containing indigenous trees, slow growing shrubs and ground cover be constructed within the center of such paved turn-around bulbs, in order to more adequately manage the run-off of stormwater while reducing stormwater pollution and improving surrounding property values. Curbs are required for any such landscaped island; however, curb cuts should be utilized to allow stormwater to enter the island. When approved by the planning commission, alternate designs, including a "T" or "hammer head" configuration, may be used in lieu of the circular cul-de-sac whenever cul-de-sacs are not longer than seven-hundred and fifty (750) feet in length. (See Illustration 6 in Appendix A). Streets not required by the planning commission for access to adjoining properties shall have the terminus of their cul-de-sacs no closer than fifty (50) feet from adjoining properties. The planning commission may, however, require the reservation of an appropriate easement that extends to the boundary of the subdivision to accommodate utilities, drainage facilities, or pedestrian traffic.

b. Temporary

Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property(ies) in order to achieve the convenient movement of traffic, effective fire protection, the efficient provision of utilities, and when such continuation is in accordance of the major thoroughfare plan, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary paved turn-around having a roadway surface diameter of at least eighty (80) feet. (See Article III. D3). A notation is to be affixed to the subdivision plat stating that land outside the normal street right-of-way shall revert to abutting property owners whenever the street is continued.

10. Private Streets or Permanent Vehicular Easements

- a. The planning commission discourages the platting of private streets or permanent vehicular easements as every subdivided property should be served from a publicly dedicated street.
- b. Private streets and permanent vehicular easements shall be developed to meet all standards required for municipal streets as provided in these regulations. These include, but are not limited to, all requirements for street right-of-way widths, minimum surfacing widths, street grades, curves, intersections, street names, and street construction procedures and specifications.
- c. Permanent easement improvements shall be maintained by the developer/owner or by a legally established homeowner's association or other similar group approved by the planning commission. The legal documents establishing the perpetual maintenance of the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat. These joint maintenance agreements shall apply to all

platted lots, be mutually enforceable, and shall run with the land. This joint maintenance agreement shall provide that each property owner is jointly and severally liable for the maintenance of the abutting private road, and that each owner can enforce contributions to offset the cost of that maintenance, based proportionately on the number of dwelling units served by the private road. If, at any future date, a permanent easement is submitted for acceptance as a public street or road, it shall be submitted to the planning commission for approval. In considering the easement for approval as a public street or road, the planning commission shall require the improvements in the easement to meet the minimum road construction standards in effect at the time the request for public acceptance is made.

11. Reserve Strips

There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the municipality under conditions approved by the planning commission. Small parcels not conforming in size or shape with all regulations shall not be permitted. All land within the tract proposed for subdivision shall be incorporated into lots, useable common areas, or for public use such as for rights-of-way.

12. Special Treatment Along Major Arterial Streets

When a subdivision abuts or contains an existing or proposed major arterial street, the commission may require either frontage roads, marginal access streets, reverse frontage with buffering and screen planting contained in a non-access reservation along the rear property line, lots with rear service alleys, or such other treatment as may be necessary for adequate visual and noise protection of residential properties as well as to ensure an adequate separation of through traffic and local traffic.

13. Sidewalks (Optional)

For the safety of pedestrians and of children going to school, the installation of sidewalks on one side or both sides of the street may be required on certain collector and arterial streets, in the vicinity of schools, and in other locations where the planning commission considers sidewalks to be needed.

Sidewalks shall be located in the street right-of-way not less than one 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 also be constructed to four (4) feet wide and four (4) inches thick. In commercial areas sidewalks shall be six (6) feet wide and six (6) inches thick.

14. Streets in Commercial Subdivision Developments

a. Service Streets or Loading Space in Commercial Developments

Paved rear service streets or alleys of not less than twenty-four (24) feet in right-of-way width, or adequate off-street loading space with a suitable paved surface shall be provided in connection with lots designed for

commercial use. Service streets, alleys, and off-street loading spaces shall not be dedicated to, nor accepted by the Town of Tellico Plains.

b. Free Flow of Vehicular Traffic Abutting Commercial Developments

In front of areas designed for commercial use, the street's width shall be increased on each side as may be deemed necessary by the planning commission, to assure the free flow of through traffic without interference by parked or parking vehicles.

15. Street Names

- a. Proposed streets, which obviously in alignment with others already exist and named, shall bear the name of existing streets.
- b. New street names shall be substantially different so as not to be confused in sound or spelling with present street names as shown on all official street/road name maps. The only exception to this policy is where a proposed street is an extension of (or is in alignment with) an existing street. Generally, no street should change direction by more than ninety (90) degrees without a change in street name. Road names selected should be approved by the Monroe County E-911 Authority.
- c. The developer is required to erect street name signs in subdivisions within the Town of Tellico Plains. These add value to any subdivision and enable strangers, delivery concerns, emergency vehicles, and potential buyers to find their way around. The subdivider should consult with the town's superintendent of public works for installation standards. Street name signs not installed at the time of final plat approval shall be bonded (see Certificate 5A). Under no circumstance shall any building permit be issued, nor any building take place until all street name signs are installed within any subdivisions, or section of any subdivision (see required plat notation in Form 11 of Appendix B).

16. Warning and Regulatory Signs

The developer is required to install warning and regulatory signs at appropriate locations in the subdivision (stop signs, speed limit signs, and various types of directional and warning signs, etc. prior to the approval of the final plat, or to bond such improvements (see Certificate 5A). The town's superintendent of public works should be consulted for proper location and installation standards. Under no circumstance shall any building permit be issued, nor any building take place until all warning and regulatory signs are installed within any subdivision or section of any subdivision (see required plat notation in Form 11 of Appendix B).

17. Construction Access Ways

Every effort shall be made by subdivision developers and contractors to utilize temporary, alternative construction entrances during the construction phase(s). Such access ways shall be exclusive of any public way(s) serving the subdivision. All vehicles involved in the development and construction of the respective subdivision(s) shall enter and exit such subdivision(s) strictly by way of the designated construction entrance(s). It shall be the responsibility of the planning commission to designate the location and number of such construction access route(s) servicing said subdivision(s). Furthermore, it shall be the prerogative of the planning commission to decide which subdivisions require a separate

construction entrance(s). Such entrance(s) shall be specifically located on all applicable preliminary plats and be identified as such. The establishment and utilization of construction access ways does not in any way exempt the subdivision owner/developer from the posting of all required surety instruments.

Wherever access ways for construction vehicles intersect paved public roads, provisions must be made to minimize the transport of sediment (mud) by runoff or vehicles tracking onto the paved surface, by clearing the area at the entrance of all vegetation, roots, and other objectionable material and placing a gravel layer at least six (6) inches thick for a minimum of fifty (50) feet from the edge of the public road. Where sediment is transported onto a public road surface, the roads shall be cleaned thoroughly at the end of each day or more often if deemed necessary. Sediment shall be removed from roads by shoveling or sweeping and be transported to a sediment-controlled disposal area. Street washing shall be allowed only after sediment is removed in this manner.

#### E. Streets - Construction Procedures and Specifications

The following procedures and specifications shall apply for the construction of all streets in subdivisions located in the Town of Tellico Plains:

##### 1. Street Construction Specifications

- a. The minimum street construction design specifications for each functional classification of a street shall be as follows:

<u>Cross-Section</u>	<u>Local</u>	<u>Collector</u>	<u>Industrial</u>
Right-of Way Width	50'	50'	60'
Base Width	26'	30'	30'
Base Thickness	6"	8"	10"
Binder Width	20'	24'	24'
Binder Thickness	2.5"	3"	3"
Surface Width	20'	24'	24'
Surface Thickness	2"	3"	3"

- b. Accepted right-of-way, base, and surface width cross-sections for the various street classifications are depicted in Illustrations 7 and 8 in Appendix A.
- c. Accepted base, binder, and surface thickness cross-sections for the various street classifications are depicted in Illustration 9 in Appendix A.

##### 2. Subgrade Preparation

- a. Before grading is started, the areas within the limits of construction shall be cleared of all objectionable matter, such as trees, stumps, roots, weeds, heavy vegetation, etc. Top soil shall be removed and stockpiled for later use as a topping-out material for seeding and sodding.
- b. If rock is encountered, it shall be removed or scarified to provide adequate roadway drainage.
- c. The subgrade shall be constructed according to Section 207 of the Tennessee Department of Transportation's "Standard Specifications for

Road and Bridge Construction" 1981 edition (or later version). Cut and fill slopes shall not exceed a grade of two to one (2:1) and shall not be taller than fifteen (15) feet without terraces having a minimum width of five (5) feet spaced a maximum of fifteen (15) vertical feet apart. A terraced slope may be no taller than forty five (45) feet.

- d. After grading is completed, and before any base is applied, all of the underground work (water and sewer lines, any other utilities, service connections, and drainage culverts) shall be installed completely throughout the length and width of the road.
- e. Where the subgrade is cut for the installation of underground utilities, the trench shall be backfilled with a layer of rock free clay of sufficient thickness to protect the lines from rock damage. Following the clay layer, crushed stone one and one-half (1½) inches and down in size with fines, or other suitable material, depending on subgrade shall be used. The backfill shall be thoroughly compacted in layers not to exceed eight (8) inches in thickness, by hand, or by pneumatic tamping equipment. Backfills shall be compacted to a density not less than that of the original compacted fill.
- f. The finished subgrade shall provide for the superelevation and crown of the roadway.

### 3. Street Drainage

- a. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water.
- b. All street side ditches shall be built to a grade that will provide good drainage. The maximum side slope permitted on ditches is three to one (3:1). The minimum bottom grade on ditches shall be one (1) percent. All drainage ditches shall be stabilized to prevent erosion.
- c. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes.
- d. All cross drains that are to be laid under the roadway shall be of concrete construction.
- e. The size openings to be provided shall be determined by the Rational Formula, but in no case shall the pipe be less than eighteen (18) inches.
- f. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock.
- g. 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.
- h. Concrete head walls shall be provided at each end of all cross drains.
- i. All drain pipes and culverts 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.
- j. The drainage system should be designed based on a storm frequency of twenty-five (25) years. However, if the twenty-five (25) year design flow is greater than one-hundred (100) cubic feet per second, the system shall be capable of accommodating the one-hundred (100)-year design flow within the drainage easement.
- k. In those cases where the drainage system relies on sinkholes for discharge, it should be capable of accepting the one-hundred (100)-year design flow within the dedicated easement. Approval from the state geologist must be

obtained in relation to the use and management of any substantial sinkhole that is situated within the boundaries of subdivision.

- l. The drainage conduits shall maintain a minimum velocity of two and one-half (2½) feet per second at full flow but shall not exceed twenty (20) feet per second.
- m. Sheet discharge is the preferred type of discharge (i.e. level spreader).

4. Pavement Base Preparation

- a. After preparation of the subgrade, the roadbed shall be surfaced with crushed rock, stone, or gravel.
- b. The size of the crushed rock or stone shall be that generally known as "crusher run stone" from two and one-half (2 1/2) inches down including dust.
- c. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not be dumped in piles.
- d. After spreading, the stone shall be rolled until thoroughly compacted. The compacted thickness of the stone roadway shall be no less than six (6) inches for local streets, eight (8) inches for collector streets, and ten (10) inches for industrial streets. Inspection should be made every five-hundred (500) feet at random points across road.
- e. Construction shall be as specified in Section 303 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction," 1981 edition (or later version).

5. Prime Coat

- a. The base, prepared as outlined above, shall be sprinkled lightly with water to settle any loose dust.
- b. A bituminous prime coat shall then be applied uniformly over the surface to the base by the use of an approved bituminous distributor.
- c. This prime coat shall be applied at the rate of three-tenths (3/10) gallon per square yard, using the bituminous materials specified in Section 402 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition (or later version.)
- d. Maintenance and protection of the prime coat shall be as specified in Section 402 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition (or later version.)

6. Foundation/Binder Course

- a. Upon completion of the prime coat, a foundation/binder course shall be applied. The foundation/binder course shall be composed of a hot mixture of aggregate and asphalt (hot mix) which shall be no less than Grade B-M as specified in Section 307 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition (or later version).
- b. Materials, construction equipment and construction procedures shall be as specified in Section 411 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition (or later version).

- c. The compacted thickness of the foundation/binder course shall be no less than two and a half (2.5) inches for local streets, three (3) inches for collector streets and industrial streets

7. Final Pavement/Wearing Surface

- a. Upon completion of the base, the prime coat, and the foundation/binder course, the developer shall install the final pavement/wearing surface.
- b. The final pavement/wearing surface shall consist of an asphaltic concrete pavement (hot mix) composed of a mixture no less than Grade E\* as specified in Section 411 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition (or later version).
- c. The compacted thickness of the final pavement/wearing surface shall be no less than two (2) inches for local streets, three (3) inches for collector streets and industrial streets.

\*At the discretion of the superintendent of public works or his designated representative, an asphaltic concrete pavement (hot mix) composed of Grade CW (SS 1 1.5 per yard) may be substituted for Grade E, in order to achieve improved vehicular traction during inclement weather conditions on potentially hazardous street configurations.

8. Curb and Gutter (Optional)

- a. Should the developer choose to install curbing and/or curb and gutter, side drains (along with necessary curb inlets and/or catch basins) they shall be installed as directed by the superintendent of public works, town engineer or other authorized designee.
- b. Materials, equipment, and construction requirements shall be as specified in Section 702 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition (or later version).
- c. Illustration 10 in Appendix A depicts the accepted forms of curbing.

9. Road Bank Seeding and Erosion Control

- a. Areas disturbed by cut or fill along roadways shall be shaped and seeded with permanent vegetation. This work should be accomplished in conjunction with roadway construction in order to reduce erosion and prevent the siltation and clogging of culverts and drainage ways.
- b. In areas with slopes over three percent (3) percent grade excluding rock conditions, sodding of drainage ways, concrete waterways and/or ditch checks may be required.

10. Inspections, Testing, and Material Certifications

- a. All street and road construction shall be coordinated with the superintendent of public works or other designated representative of the Town of Tellico Plains. Prior to the start of construction, the developer shall hire an independent road testing firm who will complete at a



minimum the inspection procedures found in Article II, N of these regulations, compaction tests shall be prepared by an independent testing laboratory, a written certification that the materials used in the construction of streets developed under these regulations meet or exceed the appropriate specifications shall be supplied, and at the request of the planning commission or superintendent of public works “as built” plans may be required.

F. Utilities - General Standards

The following general standards shall apply for the construction of utilities and/or drainage ways and structures in subdivisions located within the town limits Tellico Plains:

1. Easements

The planning commission shall require easements of at least ten (10) feet in width along all lot lines for poles, wires, conduits, storm and sanitary sewers, gas, water mains, drainage ditches, or other utility lines. When existing utilities do not follow property lines, an easement a minimum of twenty (20) feet in width shall be established and centered on the utility. Easements of the same or greater width may be required along all lot lines or across lots, where necessary, for the extension of existing or planned utilities. [Resolution PC 2016-001, 6/13/2016]

All easements intended for the location of utilities or the conveyance of storm water shall be shown on the final plat of a proposed subdivision and shall be noted on said plat as "public utility and drainage easements."

2. Installation

After street grading is completed and approved and before any gravel or surfacing is applied, all of the underground work [water mains, sewer lines, and other underground utilities and service connections] shall be installed completely, and approved throughout the entire street right-of-way.

G. Water Distribution System

The following standards and specifications shall apply for the design and installation of water distribution systems in subdivisions located in the corporate limits of the Town of Tellico Plains:

1. General Standards of Design

In general, the water systems designed in or for subdivisions located in the Town of Tellico Plains shall conform to the Rules of the Tennessee Department of Environment and Conservation - Division of Water Supply, Chapter 1200-5-7, Minimum Design Criteria for Public Water Systems.

2. Accessibility

- a. The provision of a public water supply is deemed by the planning commission to be essential to preserving the health, safety, and public welfare.

- b. When a proposed subdivision is not directly adjacent to an area served by a public water supply system, or should improvements to the source of water supply be required in order to meet the demands of the proposed subdivision, the cost of said improvements shall be borne by the developer unless determined otherwise by the Town of Tellico Plains (or the servicing utility district).
- c. Lands without accessibility to public water supply systems, or developments that are not capable of providing an adequate supply of water through an approved system of production, storage, and distribution, nor of providing adequate pressure and flow for fire protection shall be deemed unsuitable for development as a subdivision until such time as this system can be provided.

### 3. Construction Standards

- a. Water mains properly connected with the Town of Tellico Plains's water supply system or to the applicable water utility district system shall be constructed in such a manner as to serve all lots shown on the subdivision plat for both domestic use and fire protection.
- b. Materials and construction procedures for water mains and connections shall be in accordance with basic requirements of the Town of Tellico Plains or the applicable water utility district.
- c. All water supply facilities, whether public or private, located in any officially designated National Flood Insurance Program (NFIP) flood hazard area shall be flood proofed to the regulatory flood elevation. All such facilities located below the regulatory flood protection level shall be designated to prevent the infiltration of flood waters into the water supply system and discharges from the system into flood waters.

### 4. Minimum Pipe Sizes

Mains no less than six (6) inches in diameter shall be installed throughout the subdivision and shall connect to existing water mains; except along the last five-hundred (500) feet of permanent cul-de-sacs, where no less than four (4) inch mains may be installed, with the contingency that all standards pertaining to fire protection are satisfied. Every attempt shall be made to establish a gridiron type of layout, preferably "looped," with a minimum of dead-end lines. All lines shall meet the specifications of the Town of Tellico Plains or those of the applicable water utility district.

### 5. Service Connections

- a. Connections to the water system shall be installed for every lot in a subdivision so that future connections will not require digging up or tunneling under streets, or any interruption to service to other connections on the system.
- b. Connections to every lot shall include no less than a three-fourths (3/4) inch service line extending at least five (5) feet onto the property measured from the right of way line, with a backflow prevention device/meter yoke within a meter box as approved by the Town of Tellico Plains, or by the or applicable water utility district serving the subdivision.

## 6. Fire Protection

- a. Fire hydrants shall be required in all subdivisions, in order that adequate fire protection be provided therein. Fire hydrants shall be spaced not more than one-thousand (1000) feet apart as measured along servicing streets in residential areas, and not more than six hundred (600) feet apart as measured along servicing streets in commercial and industrial areas. In residential areas, a fire hydrant shall be located within five-hundred (500) feet of any minimum building setback line on each platted lot. The planning commission may require closer spacing where physical conditions or developmental densities so warrant. All fire hydrants shall be so located in such a manner that they will be readily accessible, protected from traffic hazards, and will not obstruct walks, roadways, or parking facilities.
- b. A minimum fire flow requirement of five-hundred (500) gallons per minute at twenty (20) pounds per square inch residual pressure for a one (1) hour period of time must be available in distribution systems serving residential subdivisions containing single-family dwellings. Nevertheless, at the planning commissions' discretion the following recommended fire flow, as pertains to single-family dwelling subdivisions may be required to ensure the health, safety and welfare of the public:

<u>Minimum Side Yard Building Setback</u>	<u>Required Fire Flow</u>
15' or more	1000 gpm
10'-15'	1250 gpm
10'	1500 gpm

More stringent standards may however be required by the planning commission to effectively serve two-family, three-family and multi-family residential structures, as well as various types of commercial and industrial structures. Buildings shall be no closer than twenty (20) feet to each other unless certified fireproof walls are used.

- c. All fire hydrants shall be Mueller traffic model type five and one-fourth (5¼) inch barrel with one (1) four and one-half (4½) inch outlet and two (2) two and one-half (2½) inch outlets or equivalent.
- d. There shall be a valve in the lateral water line between the street main and fire hydrant.

## 7. Inspections, Testing and Material Certifications

- a. All water system construction is to be inspected by the director of utilities, the town engineer, or other designated representative of the town, or by an authorized representative of the servicing utility district. Prior to the start of construction, the developer or his representative shall contact the town in order to develop an inspection schedule.
- b. As a minimum, all water systems shall be subjected to pressure and leakage testing. Pressure tests shall be performed at a pressure of fifty percent (50) percent above the working pressure at the test point and shall be maintained for two (2) hours. The leakage test shall be conducted concurrently with pressure test. The director of utilities, the town engineer, or designated representative of the Town of Tellico Plains or an authorized representative of the servicing utility district may require other testing,

including compaction tests prepared by an independent testing laboratory for back-filled utility trenches.

- c. The contractor(s) and/or suppliers(s) furnishing pipe, valves, fire hydrants and other appurtenances shall furnish to the town engineer, director of utilities, or designated representative of the Town of Tellico Plains or an authorized representative of the servicing utility district written certification that the materials used in the construction of water systems meet or exceed the appropriate specifications.

#### 8. As-Built Drawings

Prior to the acceptance of all water distribution systems shown on all plats presented to the Tellico Plains Municipal Regional Planning Commission and prior to the release of any financial guarantee as required by these regulations, the developer may be required to submit to the director of utilities, town engineer, or other designated representative of the Town of Tellico Plains or an authorized representative of the servicing utility district a complete set of "as-built" drawings for said system.

### H. Waste Water Systems

The following standards and specifications shall apply for the design and installation of waste water systems in subdivisions located in the Town of Tellico Plains:

#### 1. General Standards of Design

In general, the waste water systems designed in or for subdivisions located in the Town of Tellico Plains shall conform to the Rules of the Tennessee Department of Environment and Conservation - Division of Water Pollution Control, "Chapter 2, Design of Waste Water Collection Lines and Pumping Stations."

#### 2. Accessibility

When a proposed subdivision is not directly adjacent to an existing public sewer system, the planning commission shall determine the accessibility of the nearest system and determine whether the subdivider must make connection thereto. As a rule however, any subdivision containing four (4) or fewer lots shall provide public sewer service to the subdivision site if there is a public sewer line within five hundred (500) feet thereof. Any subdivision containing between five (5) and fifteen (15) lots shall be served by public sewer if there is a public sewer line within seven hundred (700) feet of said site. Accordingly, if a subdivision contains more than fifteen (15) lots and an existing public sewer line is within fifteen hundred (1500) feet of such subdivision it shall be served by public sewer service. The planning commission may seek the advice of other government officials, and/or qualified consultants prior to making this determination. The following requirements apply to subdivisions served by public sewers:

- a. The subdivider shall provide sanitary sewer facilities to each subdivided lot and shall connect the facilities to the public system. The subdivider shall provide sewers that meet standards set forth in the regulations of the Tennessee Department of Environment and Conservation.
- b. All sanitary sewer facilities located in any officially designated National Flood Insurance Program (NFIP) flood hazard area shall be flood proofed to the regulatory flood protection elevation. All sewer facilities located

below the regulatory flood protection elevation shall be designed to prevent infiltration of flood waters into the sewer system, and discharges from the system into flood waters.

- c. All public sanitary sewer systems shall be constructed utilizing materials that are A.S.T.M. and/or A.W.W.A. approved.

### 3. Design Period

In general, sanitary sewerage systems shall be designed for the estimated ultimate development of the proposed subdivision and the potential future development of adjoining land.

### 4. Minimum Size and Construction Standards

The sanitary sewer lines shall be at least eight (8) inches in size and in accordance with the instructions and specifications of the Town of Tellico Plains and the Tennessee Department of Environment and Conservation, and in such a manner as to adequately serve all lots with connection to the public sewer system.

### 5. Service Connections

Connections to the sewer system shall be installed for every lot in the subdivision and shall include a four (4) inch lateral line extending from a manhole to at least ten (10) feet onto the property line with a clean out installed, extending to grade and properly capped to prevent infiltration.

### 6. Protection of Water Supplies

There shall be no physical connection between the sewer system and any public or private potable water system that would permit the passage of any wastewater or polluted water into the potable water supply. The vertical and horizontal separation of sanitary sewers and water mains shall be as required by the town's engineer, director of utilities or other authorized designee.

### 7. Inspections, Testing and Material Certifications

- a. All sanitary sewers and appurtenances are to be inspected by its town engineer, director of utilities, or other designated representative. Prior to the start of construction, the developer or his representative shall contact the town in order to develop an inspection schedule.
- b. As a minimum, all sanitary sewer construction shall be subjected to visual, leakage, and where flexible pipe is permitted, deflection testing. The Town of Tellico Plains may require other testing, including compaction tests prepared by an independent testing laboratory for back-filled utility trenches.
- c. The contractor(s) and/or supplier(s) furnishing pipe, manholes, and other appurtenances shall furnish to the town written certification that the materials used in the construction of sanitary sewer improvements developed under these regulations meet or exceed the appropriate specifications.

8. As-Built Drawings

Prior to the acceptance of all sanitary sewer collection systems shown on all plats presented to the Tellico Plains Municipal Regional Planning Commission and prior to the release of any financial guarantee as required by these regulations, the developer may be required to submit to the town a complete set of "as-built" drawings for said system.

9. Subsurface Sewerage Disposal Systems

Where the planning commission determines that a subdivision is not required to connect to an existing or proposed public sewerage system, lots must contain adequate area for the installation of approved septic tank(s) and disposal fields as determined by and approved in writing by the Monroe County Environmentalist or other representative of the Tennessee Department of Environment and Conservation, prior to the plat receiving final approval. Each individual disposal system, including the size of the septic tank and the size of the drain (tile) fields and/or other required secondary treatment device shall be approved by the Monroe County Environmentalist or other representative of the Department of Environment and Conservation. Under no circumstance shall any portion of the entire disposal system including all drainage fields associated therewith, be located off the lot of the principal structure it serves.

I. Other Utilities (Gas, Electric, Telephone, Cable TV, etc.)

1. Below Ground

The planning commission shall encourage the complete use of underground utilities wherever practical. Whenever possible, these are to be installed in the street right-of-way between the paved roadway and property line. When this is not feasible, such utilities shall be located adjacent to the right-of-way in platted, dedicated easements. After grading is completed and approved, and before any pavement base is applied, all of the in street underground utility work shall be completely installed and approved throughout the length of the street and across the flat section.

2. Above Ground

Where electric, telephone and/or cable TV utilities are to be installed above ground, they should be provided for in dedicated easements located in rear yards whenever practicable. These easements shall be perpetual, unobstructed, a minimum of 20 feet in width and provided with satisfactory street access. Whenever possible easements shall be cleared and graded.

3. Service Connections

Underground service connections for all utilities (including gas, electric, telephone and cable TV) shall be installed to the property line of each lot within the subdivision.

J. Lots

1. Lots to be Buildable

The lot arrangement shall be such that in constructing a building there will be no foreseeable difficulties for reasons of topography or other natural conditions. Lots should not be of such depth as to encourage the later creation of a second building lot at its front or rear. If the subdivision is to be served by public sewer, lots should be designed so that none will be "below grade" and be rendered unservable by sewer. Whenever a clearly defined depression or sinkhole as determined by the planning commission is located on any lot to be utilized as a building site, no construction of any principal structure on said lot shall be undertaken, pending the preparation of a geotechnical study or analysis documenting that no adverse consequences should present themselves to the principal structure due to its proximity to the adjacent sinkhole. Such study should be prepared and stamped by a registered professional engineer. Under no circumstances shall the principal structure be located closer than thirty (30) feet to the edge of any sinkhole, crest, or ridge area. This buffer area shall be platted and designated as a dedicated open-space easement. Accordingly, whenever the average topographic slope of any subdivided lot is greater than fifteen (15) percent, no principal structure shall be built thereon until a geotechnical study or analysis prepared and stamped by a registered professional engineer documents any required stabilization measures, if any that should be made to ensure a stabilized, "erosion free," "slippage free", and adequately drained building site.

2. Lot Lines

Side lot lines shall generally be at right angles or perpendicular to street centerlines, and radial to curved street centerlines. Rear lot lines should consist of straight lines with a minimum number of deflections.

3. Minimum Lot Size and Shape

The size, shape, and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated, as well as to secure the public health, safety, and welfare of subsequent residents. Under no circumstance, however, shall the average depth to width ratio of any platted lot exceed a four (4) to one (1) ratio (the width shall be measured at the street right of way except for cul-de-sacs). Other minimum dimensional requirements are as follows:

a. Residential lots served by public water and public sanitary sewer systems:

Minimum area = 15,000 sq. ft.

Minimum width at building setback line = 90 ft.

Minimum street frontage for lots (except on cul-de-sac)\* = 50 ft.

b. Residential lots served by public water and private sewage disposal systems:

Minimum area = 20,000 sq. ft\*\*

Minimum width at building setback line = 100 ft.

Minimum street frontage for lots (except on cul-de-sac)\* = 50 ft.

Greater area may be required for private sewage disposal if there are factors of drainage, poor soil conditions, or other conditions to cause potential health problems. The planning commission requires that results

from percolation tests and/or soils tests be submitted in order to properly evaluate subdivisions that are dependent upon septic tanks as a means of sewage disposal.

c. Non-residential Lots

The size of lots reserved or laid out for commercial or industrial properties shall be adequate to provide for all the off-street loading and parking facilities required by the type of use and development contemplated, as well as to accommodate the reservation of servicing fire lanes. Platting of individual lots should be avoided in favor of the facilitation of a unified and integrated design of the land. Non-residential lots shall be designed in a manner that minimizes adverse effects on present or future adjacent residential developments.

\*The minimum street frontage for the turn-around area of a cul-de-sac street is thirty (30) feet.

\*\*Or larger size as determined by the Monroe County Environmentalist.

4. Building Setback Lines

The minimum depth of building setback lines from the abutting street rights-of-way shall be as follows\*:

Front.....	40'
Building Separation .....	20'

\*The planning commission may consider reduced setbacks to match the character of the surrounding neighborhood

5. Minimum Street Frontage

All lots shall have a minimum of fifty (50) feet of frontage on a public street or permanent private easement that has been improved to meet the road standards found in Article III Sections D and E, with the exception of turn-arounds at the terminus of permanent dead-end street(s) (cul-de-sacs) where the minimum frontage may be thirty (30) feet.

6. Off-Street Parking

All residential subdivision lots shall provide sufficient off-street parking space for at least two (2) vehicles. Non-residential subdivisions shall provide off-street parking and loading space adequate for the maximum anticipated use of the property.

K. Drainage

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. This will include adequate easements to remove surface water from the buildable portion of lots.



1. Drainage Plan Required

A generalized drainage plan showing proposed modifications to the flow of water across the site of the proposed subdivision or to and from adjoining properties shall be prepared and submitted with the preliminary plat of the subdivision. However, at the discretion of the planning commission, a detailed drainage plan supported by drainage calculations may be required instead. A detailed drainage plan is required for any development that involves slope in excess of fifteen (15) percent. Detailed drainage plans shall be prepared and stamped by registered engineers licensed to practice in the State of Tennessee.

Federal and state water quality control regulations require that permit be obtained from the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation whenever one (1) or more acres of soil is disturbed in grading the property to be subdivided. Please note that if there are streams or creeks on the subject property that are to be dredged, modified, or altered in any manner by way of the development process an ARAP permit must be obtained from the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation. When these permits are required, no preliminary plat approval shall be granted until documentation as been provided to the planning commission that they have been approved.

2. Removal of Spring and Surface Water

The subdivider may be required by the planning commission to carry away by pipe or open ditch any spring or surface water that may exist either before, or because of the subdivision. Such drainage facilities shall be located in the street right-of-way whenever feasible, or in perpetual unobstructed easements of appropriate width, as defined in Article III F.1 herein.

3. Other Watercourses

Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other structures of design approved by the superintendent of public works. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way as required, and it shall in no case be less than twenty (20) feet in width.

4. Storm Drainage Under Streets

Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. All cross drains that are to be laid under the roadway shall be of concrete construction. The size openings to be provided shall be determined by the Rational Formula, but in no case shall the pipe be less than eighteen (18) inches in diameter. 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. Head walls shall be provided at each end of all cross drains. Drains shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact with the top of the pipe at least one (1) foot below roadbed.

5. Driveway

Driveway culverts shall be of concrete or steel construction and a minimum of eighteen (18) inches in diameter.

6. Accommodation of Upstream Development

A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision.

7. Responsibility for Downstream Drainage

As a part of a detailed drainage plan, the subdivider's engineer shall also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision. Where it is anticipated that the additional run-off incident to the development of the subdivision will overload the existing downstream drainage system, provision shall be made for the improvement of said condition. No subdivision shall discharge storm water off-site at a greater post development run-off than the run-off rate that characterized the predevelopment condition.

A detailed drainage plan accompanying the preliminary subdivision plat shall show all proposed discharge structures and points of storm water discharge from the site. Said plans shall be accompanied by a set of calculations, which illustrate the flow of storm water from each existing and proposed discharge point expressed as cubic feet per second (cfs) and gallons per minute (gpm). Said calculations shall show this discharge of water under existing and proposed conditions for both the twenty-five (25) year and one-hundred (100) year flood occurrences. The subdivider/developer may be required to either construct adequate downstream drainage facilities and/or structures, financially contribute a pro-rata share toward the construction of downstream drainage facilities and/or structures, or install on-site stormwater detention to mitigate downstream impacts. The planning commission reserves the right to require pro-rata share contributions or downstream improvements where the on-site detention of stormwater is not in the best interest of the overall drainage system and the town in general.

8. Storm Water Retention and Detention

The planning commission may require storm water detention or retention facilities where such facilities are deemed to be necessary by the town's engineer or other designated representative, or for subdivisions where the presence of sinkhole retention areas, flood hazard areas or water courses of limited capacity are the recipients of storm water discharge from the site of said subdivision. When detention facilities are utilized, the peak rate of discharge after development shall not exceed the predevelopment peak rate with adequate provision made to prevent erosion due to increased velocities, and adequate provision made for the downstream accommodation of an increased volume of runoff. All detention facilities shall be platted as perpetual drainage easements and shall be maintained by the property owner or preferably by a legally established homeowner's association. Estimated increases in discharge velocity shall be mitigated by energy dissipation devices (for example, level spreaders) where required to prevent erosion.

At the option of the planning commission on advice from the town engineer, no required drainage structure(s) and facilities may be officially accepted by the Town of Tellico Plains, nor may any surety improvements be released until “as built” plans thereof have been prepared and stamped by a professional engineer licensed to practice in Tennessee and subsequently approved by the town.

9. Land Subject to Flooding

See Article III B of for Special Requirements for Floodable Areas.

10. Erosion Reduction

In general, the developer shall utilize grading techniques, subdivision design, landscaping, sedimentation basins, special vegetation cover, and other measures to reduce erosion and sedimentation during and after development.

Particular attention should be placed on minimizing changes in the rate of natural erosion and sedimentation which result from the development process. An erosion and sedimentation control plan shall be presented to the superintendent of public works or the town engineer, as a part of the preliminary plat approval process. Absolutely no grading or other type of site disturbance shall take place until erosion and sedimentation control plans have been officially approved. Such erosion and sedimentation control plans shall be in accordance with the Tennessee Erosion and Sediment Control Handbook as prepared by the Tennessee Department of Environment and Conservation in 1992, and incorporate the following principles:

- a. clearing and grading shall be integrated with layout design;
- b. clearing shall be minimized and existing vegetation shall be preserved to the maximum feasible degree;
- c. no vegetation that is greater than four (4) inches in diameter at breast height shall be removed before preliminary approval has been given, unless the vegetation is diseased or poses a safety hazard;
- d. grading shall be strictly limited to those areas involved in current construction activities;
- e. disturbed areas shall be protected and stabilized utilizing structural and vegetative measures to control the velocity and volume of runoff, as well as sediment basins and traps when necessary;
- f. adequate maintenance of all planting and structural measures shall be assured throughout the development process;
- g. all properties adjacent to the site of land disturbance shall be protected from sediment disposition. This may be accomplished by preserving a well-vegetated buffer strip around the lower perimeter of the land disturbance; by installing perimeter controls such as sediment barriers, filters, dikes, or sediment basins; or by a combination of such measures. Erosion protection measures must be maintained by the subdivider/developer;
- h. impervious surfaces may not cover more than fifty (50) percent of any lot.

Please note whenever there is a disturbance of at least one (1) acre of soil engendered by the process of subdividing property; inclusive of the construction of servicing stormwater management/drainage facilities, sidewalks, and streets, as well as the installation of servicing water lines and sewer lines, and the grading of lots for building sites, etc.; a National Pollution Discharge Elimination Systems Permit (NPDES) as required by Section 69-3-108 of the Tennessee Code Annotated and Tennessee Department of

Environment and Conservation Rule 1200 – 4 – 1 - .05, must first be obtained from the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation. Absolutely no extensive clearing of the property to be subdivided, nor any grading of said property shall be undertaken, until the required NPDES permit has been received. Written documentation of this issuance must be supplied to the planning commission prior to the granting of preliminary plat approval. As an example, approximately one (1) acre of soil is disturbed through the process of grading a fifty (50') foot wide street for eight hundred and seventy one (871) linear feet (approximately .0164 of a mile).

L. Preservation of Natural Features

The developer shall, wherever possible, attempt to preserve all natural features, which add value to residential developments and to the community, such as large trees or groves, water courses and falls, sensitive environmental features, historic spots, vistas and similar irreplaceable assets. It is strongly advised that the subdivider/property owner contact the applicable Regional Assistance Center of the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation in order to ensure there are no protected wetlands within the boundaries of the subdivision, or to ensure that the site is properly designed so as to eliminate or minimize encroachments into protected environmental areas. Accordingly, if such encroachments cannot be avoided, a process is affected to adequately mitigate such encroachments. This consultation should be made prior to the initiation of any on-site construction.

If a proposed subdivision contains a sinkhole(s) that will require improvement in order to serve as a drainage well(s) in the management of the runoff of storm water, such sinkhole(s) is/are considered to be a Class V underground injection well(s) under Federal and State environmental guidelines. As such, they require a site inspection from the Tennessee State Geologist pursuant to the issuance of the required Underground Injection Control (UIC) permit(s). A plat notation entitled Notation of Special Requirements from the State Geologist and/or a representative of the Tennessee Division of Water Supply. (Form 9) should be placed on the final plat whenever stipulations are made concerning the construction, use, and maintenance of any Class V injection well or sinkhole. The final plat notation entitled Notation of Wetlands Mitigation Disclaimer (Form 10) should be placed on all final subdivision plats as a means of alerting the subdivider, contractor and/or any property owner(s) to the fact that staff from the Tennessee Regional Division of Water Pollution Control should be contacted prior to the construction of servicing infrastructure or principal structures, in an effort to determine if the subject property contains wetlands that require additional on-site design considerations and/or the issuance of an Aquatic Resource Alteration Permit(s).

Another state permitting requirement is based on the 1977 Water Quality Control Act as amended. It involves any physical alteration of properties of “waters of the state.” In this regard, TCA Section 69-3-108 and Tennessee Department of Environment and Conservation Rule 1200-4-7 require that an Aquatic Resource Alteration Permit (ARAP) be obtained from the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation whenever the process of subdividing land encroaches on streams or creeks to the point of physically altering these conveyances.

## ARTICLE IV                    ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

- A.     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 Tellico Plains Municipal Regional Planning Commission and obtained its approval and before such plat be recorded in the office of the county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law, as provided in Section 13-4-306 Tennessee Code Annotated.
- B.     The description by metes and bounds in an instrument of transfer or other document used in the process of selling or transferring a lot in an unapproved subdivision shall not exempt the transaction from being a subdivision if two (2) or more lots are being created and does not exempt such transaction from misdemeanor penalties as provided in Section 13-4-306 Tennessee Code Annotated.
- C.     No building permit shall be issued and no building or structure shall be erected on any lot within the area of jurisdiction of the planning commission unless the street giving access to the lot shall have been accepted or opened as a public street in accordance with these regulations, or otherwise had received the legal status of a public street, or unless such street corresponds to a street shown on an approved plat, etc., as provided in Section 13-4-308 Tennessee Code Annotated.
- D.     Any building or structure erected or to be erected in violation of Section 13-4-308 Tennessee Code Annotated, shall be deemed an unlawful building or structure, and the building inspector or the town attorney or other official designated by the chief legislative body of the Town of Tellico Plains may bring action to enjoin such erection or cause it to be vacated or removed.
- E.     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 area of planning jurisdiction, unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Planning Commission, or a thoroughfare plan made and adopted by the commission as provided in Section 13-4-307 Tennessee Code Annotated.
- F.     No county register of deeds shall file or record a plat of a subdivision of land within the Town of Tellico Plains, without the approval of the Tellico Plains Planning Commission as required by Section 13-4-302 Tennessee Code Annotated.

**ARTICLE V            ADOPTION**

- A.     Before adoption of these subdivision standards, a public hearing as required by Section 13-4-303, Tennessee Code Annotated, was afforded any interested person or persons and was held on March 8, 2011. Notice of such hearing was announced in the Advocate and Democrat, being of general circulation within the area of planning jurisdiction on March 6, 2011 stating the time and place for the hearing.
- B.     These regulations shall be in full force and effect from and after their adoption.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Chairman  
Tellico Plains Planning Commission

\_\_\_\_\_  
Secretary  
Tellico Plains Planning Commission

**ARTICLE VI LISTING OF AMENDMENTS**

Tellico Plains Municipal/Regional Planning Commission  
Resolution PC 2016-001  
June 13, 2016

**APPENDIX A****ILLUSTRATIONS**



ILLUSTRATION 1

ILLUSTRATION 2

ILLUSTRATION 3

ILLUSTRATION 4

ILLUSTRATION 5

ILLUSTRATION 6

ILLUSTRATION 7

ILLUSTRATION 8



ILLUSTRATION 9

ILLUSTRATION 10

**APPENDIX B****FINAL PLAT CERTIFICATIONS****AND NOTATIONS**

Form 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 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, and parks as shown to the public or private use noted. I (we) further acknowledge that any change to this subdivision constitutes a resubdivision and requires the approval of the Planning Commission.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Any Other Owner's Signature

Form 2      CERTIFICATE OF ACCURACY AND PRECISION

I hereby certify that the plan shown and described hereon is a true and correct survey to the level of accuracy required by the Tellico Plains Planning Commission. I further certify that the degree of precision (linear and angular) meets the standards required of an Urban Land Subdivision as established by the Tennessee Board of Examiners for Land Surveyors. I also hereby certify that the monuments and pins have been placed as shown hereon, to the specifications of the Tellico Plains Planning Commission.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Surveyor's Signature

Form 3A      CERTIFICATE OF GENERAL APPROVAL FOR INSTALLATION  
OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS WITH  
RESTRICTIONS

General approval is hereby granted for lots shown hereon as being suitable for subsurface sewage disposal with the listed and/or attached restrictions. Before the initiation of construction, the location of the house or other structure and the plans for the subsurface sewage disposal system shall be approved by the Tennessee Department of Environment and Conservation.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
County Environmentalist or Authorized  
Representative of Tennessee Department  
of Environment and Conservation

Form 3B\*      CERTIFICATE OF APPROVAL OF SEWAGE COLLECTION  
FACILITIES

I hereby certify that (1) public sewage collection facilities have been installed in an acceptable manner and according to Town of Tellico Plains' specifications; or (2) a Financial Guarantee acceptable to the Tellico Plains Planning Commission in the amount of \$\_\_\_\_\_ has been posted to assure completion of all required improvements in the case of default.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Appropriate Municipal Representative  
or Utility District Representative

Form 3C      EXISTING SEPTIC SYSTEM CERTIFICATE [Resolution PC 2016-001, 6/13/2016]

The existing septic system(s) is (are) located as shown on the plat as Lot(s) \_\_\_\_\_. The location includes the septic tank and all field lines. To the best of my knowledge the septic system is in proper working order on this date and the septic system(s) is (are) contained within the boundary of the individual lot(s).

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Owner

Form 3D      CERTIFICATION OF RESERVE AREA FOR SUBSURFACE SEWAGE DISPOSAL  
[Resolution PC 2016-001, 6/13/2016]

Lot \_\_\_\_\_ has an existing septic system. In the event of the failure of the current system, a reserve area of suitable soils that can support the existing residence for subsurface sewage disposal has been designated in the area(s) shown. Cutting, filling, or alteration of the soil conditions may void this approval.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Environmental Specialist

Form 4A      CERTIFICATE OF APPROVAL OF WATER LINES

I hereby certify that (1) water lines and fire hydrants have been installed in an acceptable manner and according to the specifications of the Tellico Plains Planning Commission or (2) a Financial Guarantee acceptable to the Tellico Plains Planning Commission in the amount of \$\_\_\_\_\_ has been posted to assure completion of all required improvements in the case of default.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Appropriate Municipal Representative or  
Utility District Representative

Form 4B      CERTIFICATION OF EXISTING WATER LINES, SEWER LINES, AND FIRE HYDRANTS [Resolution PC 2016-001, 6/13/2016]

I hereby certify that the water lines, fire hydrants, and sewer lines shown hereon are already in place.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Utility Provider

\*If no new sewer lines are to be installed because existing lines are used, put Certificate #4B on the final plat instead of 3A or 3B.

Form 5A      CERTIFICATE OF APPROVAL OF STREETS, DRAINAGE SYSTEM, AND OTHER RELATED IMPROVEMENTS

I hereby certify that (1) streets, drainage system (easements, culverts, etc.) and other supplemental improvements (curbs, sidewalks, regulatory signs, street signs, traffic signals, etc.) as required by the Tellico Plains Planning Commission have been installed in an acceptable

manner and according to required specifications; or (2) a Financial Guarantee acceptable to the Tellico Plains Planning Commission, in the amount of \$\_\_\_\_\_ has been posted to assure completion of all required improvements in the case of default.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Superintendent of Public Works or  
Other Designee

Form 5B      CERTIFICATION OF EXISTING STREET

I hereby certify that the street(s) shown on this plat has (have) the status of being an accepted public street(s) regardless of its (their) current condition.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Superintendent of Public Works or other Designee

Form 5C      CERTIFICATION OF PRIVATE PERMANENT EASEMENT AND PRIVATE STREETS [Resolution PC 2016-001, 6/13/2016]

Certain streets or roads within this subdivision are designated as private permanent easements or rights-of-way under private ownership. It is acknowledged that said streets or roads shall be privately maintained unless and until they are improved to the county or town road standard(s) at the property owner(s) expense, have been formally offered for dedication by the owner(s), approved by the Tellico Plains Municipal/Regional Planning Commission, and accepted by the Town of Tellico Plains or the Monroe County Commission.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Owner

Form 6      CERTIFICATION OF STREET NAMES [Resolution PC 2016-001, 6/13/2016]

I certify that all street names are in compliance with E-911 and do not conflict with other street names in the county.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
E-911 Coordinator

Form 7      ELECTRICAL UTILITY SERVICE CERTIFICATION [Resolution PC 2016-001, 6/13/2016]

The property shown on this subdivision plat is within the service area of \_\_\_\_\_.  
The following condition(s) apply:

☐ Lots \_\_\_\_\_ are served by existing powerlines.

☐ Lots \_\_\_\_\_ are/will be served by new powerlines as per agreement between owner of subdivision property and utility.

NOTE: In any of the above instances, extension of the service connection is the responsibility of the individual lot owner, in accordance with the established policies of this utility company.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Utility Provider

Form 8                    CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the Subdivision Plat shown hereon has been found to comply with the Subdivision Regulations of the Tellico Plains Municipal Planning Commission with the exception of such variances, if any, as are noted in the Official Minutes of the Tellico Plains Planning Commission, and that said plat has been approved for recording in the Office of the Register of Deeds of Monroe County, Tennessee.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Secretary, \_\_\_\_\_ Municipal Regional  
Planning Commission

Form 9                    NOTATION OF COMPLETION OR BONDING OF TRAFFIC IMPROVEMENTS

The required traffic related improvements, i.e., signalization, turning lane(s), street striping, signage, deceleration and acceleration lane(s), emergency secondary access ways, etc. as indicated hereafter and may be graphically depicted on the final subdivision plat, have been constructed and completed prior to the approval of the final plat, or are bonded as an adjunct to all required street improvements as certified in Certificate Form 5A.

Form 10                    NOTATION OF GEOTECHNICAL REQUIREMENTS

The construction of any principal structure(s) placed on lot(s) \_\_\_\_\_ shall be undertaken in strict compliance with all findings and recommendations enumerated within the required geotechnical study(ies) pertaining to said lot(s). Construction undertaken on the aforementioned lot(s) prior to the completion of the required geotechnical study(ies) appurtenant to said lot(s), or in non-conformance with required geotechnical measures shall be deemed to be a violation of the adopted subdivision regulations subject to all legal remedies and penalties cited in TCA 13-4-306. No Certificate of Occupancy shall be issued for any dwelling on any lot containing a substantial sinkhole, crest, ridge area, and/or is characterized as having an average topographic slope of greater than fifteen (15) percent, that has failed to implement the geotechnical recommendations cited within the required geotechnical report pertaining to said lot. The purpose of this measure is to ensure that the lot is an adequate building site from a standpoint of the health, safety, and welfare of all persons that will subsequently reside on said lot. Furthermore, it is the purpose of this regulation to minimize the cost of future drainage related costs to the property owner, as well as to the public-at-large while improving the quality and management of stormwater while minimizing the intrusion of building development into unique and special natural features.

Form 11      NOTATION OF SPECIAL REQUIREMENTS FROM THE STATE GEOLOGIST  
AND/OR REPRESENTATIVE OF THE TENNESSEE DIVISION OF WATER  
SUPPLY

The following are special requirements as apply to \_\_\_\_\_ Subdivision mandated by the Monroe County Environmentalist and/or the Tennessee State Geologist and/or representative of the Tennessee Division of Water Supply.

Form 12      NOTATION OF WETLANDS MITIGATION DISCLAIMER

The approval of this plat in no way indemnifies the property owner(s) from legal mitigation and legal actions that may result from the encroachment of construction or fill into designated wetlands and other sensitive environmental areas that constitute "waters of the state". It is the responsibility of the property owner(s) to contact the staff of the applicable Regional Assistance Center of the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation to determine if an Aquatic Resource Alteration Permit(s) is(are) required prior to undertaking any on-site construction. Accordingly, any construction undertaken prior to such consultation is done strictly at the risk of the property owner(s).

Form 13      NOTATION OF STREET, WARNING, AND REGULATORY SIGN INSTALLATION

No building permit shall be issued for any lot until street name, regulatory, and warning signs are installed and verified by the Superintendent of Public Works or other designated representative.

Form 14      NOTATION OF RESTRICTIONS FOR DEDICATED EASEMENTS AND RIGHTS-  
OF-WAY

- (1) No permanent structure such as a deck, patio, or garage, carport, or other building shall be erected within the limits of any easement shown on this plat.
- (2) No excavation, filling, landscaping or other construction shall be permitted within any designated easement shown on this plat with the exception that any easement utilized strictly for the management of stormwater drainage shall be in accordance with approved drainage and stormwater management plans.
- (3) All driveways, entrances, curb cuts, and other points of ingress and egress to the lots shown on this plat shall be in accordance with all adopted rules and regulations of the Town of Tellico Plains.
- (4) The placement of pipe within or otherwise filling of ditches within the rights-of-way shown on this plat is prohibited without the approval of the Superintendent of Public Works of the Town of Tellico Plains.

Form 15      NOTATION OF REVERSION OF RIGHT-OF-WAY

Land outside the normal street right-of-way constituting a portion of a turn-around on a cul-de-sac street shall automatically revert to the abutting property owner(s) at the extension of the street.



**APPENDIX C****CHECKLIST FOR SKETCH PLAT CONSIDERATION**

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

Location\_\_\_\_\_Civil District\_\_\_\_\_Zoning District\_\_\_\_\_

Owner of Record\_\_\_\_\_Address\_\_\_\_\_Tel.\_\_\_\_\_

Subdivider\_\_\_\_\_Address\_\_\_\_\_Tel.\_\_\_\_\_

Surveyor\_\_\_\_\_Address\_\_\_\_\_Tel.\_\_\_\_\_

Date Submitted for Sketch Plat Approval\_\_\_\_\_

**CHECKLIST**

- \_\_\_\_\_ Five (5) copies submitted to the town hall and one (1) copy either mailed or delivered to planning staff seven (7) days prior to meeting.
- \_\_\_\_\_ The zoning classification of the subject property has been reviewed, when applicable, in order to determine the type and intensity of development allowed on the subject property.
- \_\_\_\_\_ The staff of the Regional Assistance Center of the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation has been consulted in order to determine if there are any wetlands or sensitive environmental sites on the subject property that require special consideration.
- \_\_\_\_\_ The Official Major Thoroughfare Plan Map has been reviewed in order that sufficient right-of-way is dedicated within the subject property to accommodate a portion, or all of any proposed thoroughfare that is planned to cross the property being subdivided.
- \_\_\_\_\_ Name of subdivision.
- \_\_\_\_\_ Drawn to a scale not less than one inch equals two-hundred (200) feet in sheets not larger than 24" x 36".
- \_\_\_\_\_ Total acreage subdivided as well as the approximate acreage of all lots to be subdivided.
- \_\_\_\_\_ Total number of proposed lots.
- \_\_\_\_\_ References to the appropriate Register of Deeds Maps (parcel numbers and deed book and page numbers) as pertain to the subject property and all adjoining properties.
- \_\_\_\_\_ Date of the preparation of the plat.
- \_\_\_\_\_ A vicinity map showing all streets, waterways, and other major landmarks at a recommended scale of 1" equals 1000'.
- \_\_\_\_\_ North arrow.
- \_\_\_\_\_ Notation of any existing legal rights-of-way and/or easements, or other encumbrances affecting the property.
- \_\_\_\_\_ Approximate topography of the site, at no more than ten (10) foot intervals, extending at least thirty (30) feet into the adjacent properties.
- \_\_\_\_\_ Any area(s) adjoining low-lying areas and/or small creeks and streams which are subject to regular flooding, as well as any area(s) that is (are) located within a National Flood Insurance Program (NFIP) designated 100 year flood zone).
- \_\_\_\_\_ Approximate location of ridge areas and crests.
- \_\_\_\_\_ The general street and lot pattern.
- \_\_\_\_\_ Proposed phasing plan and schedule, if any.

**APPENDIX D****CHECKLIST FOR PRELIMINARY PLAT CONSIDERATION**

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

Location\_\_\_\_\_Civil District\_\_\_\_\_Zoning District\_\_\_\_\_

Owner of Record\_\_\_\_\_Address\_\_\_\_\_Tel.\_\_\_\_\_

Subdivider\_\_\_\_\_Address\_\_\_\_\_Tel.\_\_\_\_\_

Surveyor\_\_\_\_\_Address\_\_\_\_\_Tel.\_\_\_\_\_

Date the Preliminary Plat was prepared\_\_\_\_\_

Date Submitted for Preliminary Approval\_\_\_\_\_

**CHECKLIST**

- \_\_\_\_\_ Five (5) copies submitted to the town hall seven and one (1) copy either mailed or delivered to planning staff (7) days prior to meeting.
- \_\_\_\_\_ Name of subdivision.
- \_\_\_\_\_ Center lines, proposed names and widths (including right-of-way and pavement) of all streets.
- \_\_\_\_\_ Drawn at a scale of one inch equals fifty feet (1" = 50') with any plat scaling less than one inch equals one-hundred feet (1" = 100') being unacceptable.
- \_\_\_\_\_ Index sheet(s) at no less than one inch equals two-hundred feet (1" = 200') illustrating the entire project, whenever multiple final plat sheets will be required, citing all boundary lines, lot numbers in numerical order, section numbers, phasing pattern and complete transportation system.
- \_\_\_\_\_ Name and address of owner of record, subdivider and surveyor.
- \_\_\_\_\_ North point, graphic scale and date.
- \_\_\_\_\_ A notation citing the approximate distance from the boundary of the subdivision to the nearest street intersection, the nearest public water line, as well as the nearest public sewer line.
- \_\_\_\_\_ Parcel number, deed book and page number of the subject property and all adjoining properties.
- \_\_\_\_\_ Vicinity map at a scale no less than one (1) inch equals one-thousand (1000) feet showing location and acreage of subdivision.
- \_\_\_\_\_ Location of all existing on-site buildings and structures.
- \_\_\_\_\_ Boundary lines by bearings and distances.
- \_\_\_\_\_ Names of adjoining property owners and/or subdivisions, and their deed book and page numbers.
- \_\_\_\_\_ Location of all existing physical features including ridge areas, crests, areas with slope greater than fifteen (15) percent, and any identified floodable areas on the site and on the first thirty (30) feet of all adjacent properties.
- \_\_\_\_\_ National Flood Insurance Program (NFIP) flood note including the appropriate map panel number(s), effective map panel date, flood zone number, and a statement of whether the subject property is in a designated 100 year flood zone, or not.
- \_\_\_\_\_ Contour lines, at not less than five (5) foot topographic intervals, unless not specifically required by the planning commission.
- \_\_\_\_\_ Names, locations and dimensions of proposed streets, alleys, easements, parks and reservations, lot lines, etc.
- \_\_\_\_\_ Location and maximum depth of all sinkholes.
- \_\_\_\_\_ Block numbers and lot numbers in numerical order.
- \_\_\_\_\_ Location and size of all proposed utility layouts (water lines, sewer lines, gas lines, etc.) showing connections to existing or proposed utility systems.

- \_\_\_\_\_ Minimum building setback lines on all lots.
- \_\_\_\_\_ Location of all existing and proposed fire hydrants.
- \_\_\_\_\_ The Major Thoroughfare Plan has been reviewed in order to determine if a portion of the subject property must be dedicated as a right-of-way for the construction of a proposed collector or arterial street.
- \_\_\_\_\_ The superintendent of public works or the town engineer has been contacted to determine whether the preparation of and submittal of generalized drainage and grading information will be adequate, or whether detailed construction plans and calculations must be prepared as pertain to the management of on-site stormwater.
- \_\_\_\_\_ Generalized, or detailed drainage and grading plans have been submitted.
- \_\_\_\_\_ Present zoning classification, if any, on the land being subdivided and on adjacent land.
- \_\_\_\_\_ Construction plans for streets including cross-sections and street profiles at suitable scales when required by the superintendent of public works and/or the planning commission.
- \_\_\_\_\_ The proposal conforms to all general requirements and minimum standards of design.
- \_\_\_\_\_ For any lot that will not be served by a public sewer, areas to be utilized for sewage disposal and their percolation results must be shown, or any other form of data that demonstrates that the site can be effectively served by a septic tank(s).
- \_\_\_\_\_ The superintendent of public works or the town engineer has been contacted on behalf of the planning commission to determine if a traffic study must be prepared as a condition of preliminary plat approval.
- \_\_\_\_\_ Traffic study has been submitted, when required.
- \_\_\_\_\_ The declaration on the plat of all lots containing definitive sinkholes or average topographic slopes of greater than fifteen (15) percent has been provided.
- \_\_\_\_\_ The staff of the Regional Office of the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation has been contacted to determine if there are wetlands or other sensitive environmental areas on the property to be subdivided that merit special site considerations.
- \_\_\_\_\_ A UIC permit/authorization must be obtained from the Tennessee Division of Water Supply within the Tennessee Department of Environment and Conservation, if any improvement(s) to any on-site sinkhole is proposed.
- \_\_\_\_\_ Erosion and sedimentation control plans have been submitted to the superintendent of public works, town engineer. If one (1) acre of soil is disturbed in the process of subdividing, an NPDES permit must also be obtained from the Regional Office of the Tennessee Division of Water Pollution Control, prior to engaging in any on-site grading. Accordingly, if there are on-site creeks or streams that are to be modified, dredged, or altered, an ARAP permit must first be obtained from the Tennessee Division of Water Pollution Control.

Approved \_\_\_\_\_, 20\_\_\_\_

Approved with the following conditions on \_\_\_\_\_, 20\_\_\_\_:

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Disapproved \_\_\_\_\_, 20\_\_\_\_, because of incompleted items above or other reasons as stated:

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Signed:

\_\_\_\_\_  
Secretary, Tellico Plains Planning Commission

**APPENDIX E****CHECKLIST FOR FINAL PLAT CONSIDERATION**

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

Location\_\_\_\_\_Civil District\_\_\_\_\_Zoning District\_\_\_\_\_

Owner of Record\_\_\_\_\_Address\_\_\_\_\_Tel.\_\_\_\_\_

Preliminary Approval Granted:\_\_\_\_\_  
DatePreliminary Approval Granted Subject to Conditions:\_\_\_\_\_  
DateSubmitted for FINAL Approval:\_\_\_\_\_  
Date**CHECKLIST**

- \_\_\_\_\_ Submitted within one (1) year from date of preliminary plat approval.
- \_\_\_\_\_ Five (5) copies of the final plat have been submitted to the town hall and one (1) copy either mailed or delivered to planning staff seven (7) days prior to meeting and one (1) copy has been submitted to each appropriate utility district.
- \_\_\_\_\_ Name of subdivision and phase or section number keyed to a comprehensive final plating index sheet, if applicable.
- \_\_\_\_\_ Drawn to a scale of not less than one inch equals fifty feet (1" = 50') with any plat that is drawn to a scale less than one inch equals one hundred feet (1" = 100') not being acceptable, on sheets not larger than 24" x 36".
- \_\_\_\_\_ Existing zoning classification or district, if any.
- \_\_\_\_\_ Name and address of owner of record, subdivider and surveyor.
- \_\_\_\_\_ Parcel number, deed book and page number of the subject property and adjoining properties.
- \_\_\_\_\_ Reference is made to the name and section number of the previously recorded plat in the title block whenever a resubdivision thereof is involved.
- \_\_\_\_\_ North point, graphic scale, and date.
- \_\_\_\_\_ Bearings of property lines and sufficient engineering data to locate all lines including radii, angles and tangent distances.
- \_\_\_\_\_ Reservations, easements or other non-buildable areas with notes stating their purpose and limitations.
- \_\_\_\_\_ Dimensions to the nearest 100th of a foot and angles to the nearest 20 seconds.
- \_\_\_\_\_ Lot lines, alleys, building setback lines.
- \_\_\_\_\_ Location and description of monuments and iron pins.
- \_\_\_\_\_ Names of all adjoining property owners and their deed book and page numbers, names of adjoining subdivisions or developments, and names of adjoining streets.
- \_\_\_\_\_ Names and widths (including right-of-way and pavement) of all streets.
- \_\_\_\_\_ Lots numbered in numerical order.
- \_\_\_\_\_ Location sketch map.
- \_\_\_\_\_ Any improvements to sinkholes have been approved by a representative of the Groundwater Management Section within the Tennessee Division of Water Supply, and such improvements have been inspected by the State Geologist, as reflected in plat notation form 9 herein.
- \_\_\_\_\_ Location of identified floodable areas.

- \_\_\_\_\_ The location of ridge areas, crests, and sinkholes within platted lots and their required open space easements have been identified for subsequent geotechnical analyses prior to the issuance of building permits.
- \_\_\_\_\_ National Flood Insurance Program (NFIP) flood note containing a statement as to whether any of the subject property is floodprone, the applicable NFIP map panel number, as well as the date of said map panel.
- \_\_\_\_\_ Wetlands within the subdivision have been identified for preservation or mediation.
- \_\_\_\_\_ Proposed deed restrictions have been provided, if any.
- \_\_\_\_\_ The proposal conforms to all general requirements and minimum standards of design.
- \_\_\_\_\_ Soil tests and/or percolation tests have been completed and approved by the Monroe County Environmentalist.
- \_\_\_\_\_ Lot numbers have been approved for 911 purposes.
- \_\_\_\_\_ Location and size of all pre-existing and proposed water and sewer lines have been shown, as well as the location of existing and proposed fire hydrants.
- \_\_\_\_\_ Certificate of ownership and dedication.
- \_\_\_\_\_ Certificate of accuracy and precision.
- \_\_\_\_\_ Certificate of general approval for installation of subsurface sewage disposal system(s) with restrictions.
- \_\_\_\_\_ Certificate of approval of sewage collection facilities.
- \_\_\_\_\_ Certificate of approval of water lines.
- \_\_\_\_\_ Certification of existing water lines, sewer lines, fire hydrants and other utilities.
- \_\_\_\_\_ Certificate of approval of streets and drainage.
- \_\_\_\_\_ Certification of existing public street(s).
- \_\_\_\_\_ Certification of approval for recording.
- \_\_\_\_\_ Notation of completion or bonding of required traffic improvements, when required.
- \_\_\_\_\_ Notation of restrictions for easements and rights-of-way.
- \_\_\_\_\_ Notation of street, warning and regulatory sign installation.
- \_\_\_\_\_ Notation of geotechnical study requirements regarding sinkholes and/or steep slopes, when applicable.
- \_\_\_\_\_ Notation of special requirements from the State Geologist and/or a representative of the Tennessee Division of Water Supply regarding Class V injection wells and/or stream alterations, when applicable.
- \_\_\_\_\_ Notation of wetlands mitigation disclaimer.
- \_\_\_\_\_ Lots having average slopes greater than fifteen (15) percent have been identified for further evaluation, prior to the issuance of building permits thereon.
- \_\_\_\_\_ Notation of right-of-way reversion regarding temporary turnarounds on cul-de-sac streets.
- \_\_\_\_\_ Prior to the approval of the final plat by the Planning Commission, or prior to the release of any posted surety instrument guaranteeing the construction of such improvements, as-built drawings of the water and sewer system, when required, have been given to the appropriate utility district and/or municipal department.
- \_\_\_\_\_ Previous and last conveyance; tax map group and parcel number of property being subdivided.
- \_\_\_\_\_ If all required physical improvements have not been made, surety instrument (bond) posted in the amount of \$ \_\_\_\_\_ for \_\_\_\_\_ days/months.
- \_\_\_\_\_ For bonding, developer has used escrow account or irrevocable letter of credit, and signed an agreement form as cited in Appendix G.
- \_\_\_\_\_ Construction plans of water and sewer lines and appurtenances have been forwarded to the Division of Water Supply and the Division of Water Pollution Control within the Tennessee Department of Environment and Conservation for approval.
- \_\_\_\_\_ Documentation has been obtained indicating that utilities' construction plans approval has been granted by the Divisions of Water Supply and Water Pollution Control, indicating that the installation of all on-site utilities may proceed without risk.

Approved \_\_\_\_\_, 20\_\_\_\_.

Disapproved \_\_\_\_\_, 20\_\_\_\_.

Notes:

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Signed: \_\_\_\_\_

Secretary, Tellico Plains Planning Commission

**APPENDIX F****SUBDIVISION INSPECTION FORM****TELLICO PLAINS MUNICIPAL REGIONAL PLANNING COMMISSION**

SUBDIVISION NAME \_\_\_\_\_

DATE OF INSPECTION \_\_\_\_\_

IMPROVEMENT INSPECTED \_\_\_\_\_  
(street, drainage, water, sewer, etc.)STAGE OF IMPROVEMENT \_\_\_\_\_  
(street subgrade, pavement base, prime coat,  
binder course, final surfacing, water/sewer  
line installation, pressure tests, etc.)

APPROVED \_\_\_\_\_

DISAPPROVED \_\_\_\_\_

REMARKS: \_\_\_\_\_

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\_\_\_\_\_  
Signature of Inspector\_\_\_\_\_  
Title of Inspector

\*Original submitted to the Tellico Plains Municipal Regional Planning Commission; one copy to developer, one copy to inspector.



## APPENDIX G

### ESCROW ACCOUNT AGREEMENT

This Escrow Agreement made and entered into on this \_\_\_\_ day of \_\_\_\_\_ by and between \_\_\_\_\_ (hereinafter referred to as developer) and the Tellico Plains Municipal Regional Planning Commission (hereinafter referred to as the commission) and the \_\_\_\_\_ of \_\_\_\_\_, Tennessee (hereinafter referred to as bank).

WITNESSETH:

WHEREAS, Developer has subdivided a tract of land in \_\_\_\_\_, Tennessee, containing \_\_\_\_\_ acres more or less, into \_\_\_\_\_ residential lots which subdivision is known as \_\_\_\_\_; and

WHEREAS, in accordance with the requirements of the commission, developer is required to insure the completion of certain improvements specified in the \_\_\_\_\_ Subdivision Regulations, specifically: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_; and

WHEREAS, Section 13-4-303 of Tennessee Code Annotated states that the construction and installation of such improvements and utilities shall take place within a period specified by the commission; and

WHEREAS, Section 13-4-303 of Tennessee Code Annotated provides that in lieu of completion of such improvements, the commission may accept a bond, in form and amount and with conditions and surety satisfactory to it and providing for and securing to the public the actual construction and installation of such improvements within a period specified by the commission; and

WHEREAS, Section 13-4-303 of Tennessee Code Annotated states that the municipality in which said subdivision is located, is hereby granted the power and duty to enforce any such bond by all appropriate legal and equitable remedies. In addition, upon the order of the planning commission, the chief legislative body of the municipality shall apply monies collected on such bonds to the construction and installation of said improvements.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants, agreements and considerations thereafter set out, the parties hereto agree as follows:

1. In consideration of commission giving final approval to the final plat of \_\_\_\_\_, developer covenants and warrants to commission that he has placed in an escrow account with the bank the amount of \$\_\_\_\_\_, #\_\_\_\_\_. Copy of account card attached.
2. The funds placed in said escrow account shall be used solely for labor, materials, and other costs related directly to the installation of the following improvements required by the commission:

Streets: \_\_\_\_\_ linear feet at a cost of \_\_\_\_\_  
 Water lines: \_\_\_\_\_ linear feet at a cost of \_\_\_\_\_  
 Number of New Fire Hydrants: \_\_\_\_\_ at a cost of \_\_\_\_\_  
 Sewer lines: \_\_\_\_\_ linear feet at a cost of \_\_\_\_\_  
 Other improvements: \_\_\_\_\_ at a cost of \_\_\_\_\_

Total Cost: \_\_\_\_\_

3. Developer covenants with and warrants to commission that said amount has been deposited with bank and consists of the full amount of the estimated cost of improvement, plus an inflationary contingency of ten (10) percent per year (if the actual rate of inflation is greater than ten (10) percent, the actual rate of inflation will be used), as determined and approved by the Tellico Plains Municipal Regional Planning Commission. If this approval was based on a contractor's bid, that bid shall be attached to this document.
4. This agreement shall expire on \_\_\_\_\_ (date). Final approval given on \_\_\_\_\_.
5. The developer and the commission will mutually agree as to the type of savings account to be used for escrowed funds. Should the Developer prefer some type of C.D., the term of the C.D. cannot extend beyond date above.
6. Escrow Account Interest:
  - a. There will be no withdrawal of accumulated interest during the escrow period, unless the escrow agreement and account are released by the commission upon completion of and approval of improvements, at which time such funds belong to the developer.
  - b. Prior to expiration of the agreement and/or a declaration of default due to non-completion of improvements, accumulated interest belongs to the developer.
  - c. Upon expiration of the agreement and/or upon declaration of default due to non-completion of improvements, accumulated interest belongs to the planning commission.
7. Any withdrawal and/or reduction of funds from said escrow account shall require a majority vote of approval of the full commission and the joint written approval of developer and commission, signed by two officers of the commission, until the expiration of said period specified in this agreement, at which time only the approval of commission shall be required.
8. At such time of expiration of this agreement, commission shall undertake one of the two following courses of action:
  - a. If all improvements required by said subdivision regulations are completed within said period, Commission shall approve termination of the escrow agreement. Completion of improvements shall be determined by person(s) charged with responsibility for inspection of required improvements and such determination reported to commission in writing. This includes acceptance of roads by the town council.
  - b. If said developer can prove in writing that unusual circumstances have precluded the completion of required improvements by the expiration of the specified period, the commission may review the case and, if the situation warrants, may grant an extension of the specified time period.

- c. If upon the expiration of specified period, it is determined (as above) that required improvements have not been made, commission shall direct the town to enforce the escrow agreement, to withdraw the said funds from the escrow account, and forward funds to the appropriate jurisdiction for the construction of said improvements.
- 9. It is understood and agreed, however, that nothing herein contained shall relieve developer from completing the improvements required by commission, but said agreement shall be construed as being merely as assurance of creating a fund from which said improvements can be constructed and completed.
- 10. Bank agrees that it shall not allow the withdrawal of funds from said account except upon the conditions hereinabove set out in the preceding paragraphs.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on this day and date first above written, agreeing to all the terms herein.

Tellico Plains Municipal Regional Planning Commission

\_\_\_\_\_ Developer

\_\_\_\_\_ Name of Financial Institution

BY: \_\_\_\_\_  
Chairman's Signature

#### ACKNOWLEDGEMENTS

Before me, the undersigned authority, a Notary Public, in and for said State and County, personally appeared \_\_\_\_\_ the within named Developer(s) with whom I am personally acquainted and who acknowledged that he/they executed the within and foregoing instrument as his/their free act and deed for the purposes therein expressed and contained. Witness my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
State of Tennessee, Monroe County

Before me, the undersigned authority, a Notary Public, in and for said State and County, personally appeared \_\_\_\_\_, with whom I am personally acquainted, and who, upon oath acknowledged himself to be the Secretary of the Tellico Plains Municipal Regional Planning Commission, and that as Secretary being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the Planning Commission by himself as Secretary.

Witness this my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
State of Tennessee, Monroe County

Before me, the undersigned authority, a Notary Public, in and for said State and County, personally appeared \_\_\_\_\_, with whom I am personally acquainted, and who, upon oath, acknowledged herself/himself to be (Officer) \_\_\_\_\_ of the (Bank) \_\_\_\_\_ located in \_\_\_\_\_, Tennessee, and that as such Officer, being authorized to so do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself/himself as (Officer) \_\_\_\_\_. Witness this my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
State of Tennessee, Monroe County

## IRREVOCABLE LETTER OF CREDIT AGREEMENT

This Irrevocable Letter of Credit Agreement made and entered into on this the \_\_\_\_\_ day of \_\_\_\_\_, by and between \_\_\_\_\_, (hereinafter referred to as the developer), the Tellico Plains Municipal Regional Planning Commission (hereinafter referred to as the commission), and the \_\_\_\_\_, (hereinafter referred to as the bank).

WHEREAS, the developer has proposed to subdivide a tract of land located in \_\_\_\_\_, Tennessee, containing \_\_\_\_\_ acres more or less, into \_\_\_\_\_ residential lots, which subdivision is known as \_\_\_\_\_, and

WHEREAS, in accordance with the requirements of the commission, developer is required to insure the completion of certain improvements required by the Tellico Plains Subdivision Regulations, and

WHEREAS, Section 13-4-303 of the Tennessee Code Annotated provides that in lieu of completion of such improvements, the commission may accept a bond, in form and amount and with conditions and surety satisfactory to it and providing for and securing to the public the actual construction and installation of such improvements within a period specified by the commission, and

WHEREAS, Section 13-4-303 of Tennessee Code Annotated states that the municipality in which said subdivision is located is hereby granted the power and duty to enforce any such bond by all appropriate legal and equitable remedies, and that upon the order of the planning commission, the chief legislative body of the municipality shall apply monies collected on such bonds to the construction and installation of said improvements.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants, agreements, and consideration thereafter set out, the parties hereto agree as follows:

- (1) In consideration of the planning commission giving final approval to the final plat of \_\_\_\_\_ Subdivision, the developer has obtained from the bank and the bank covenants and warrants to the commission an irrevocable letter of credit # \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ having been signed by two officers of said bank. Said irrevocable letter of credit is attached to this agreement.
- (2) The developer covenants with and warrants to the commission that said amount shall cover the full amount of the estimated cost of improvements, plus an inflationary contingency of 10 percent per year, as determined by bonded contractor's bids, or a written estimate from the municipality's designated representative, i.e., town engineer, superintendent of public works, or municipal utility director which shall accompany the final plat and be attached to this agreement.

- (3) Installation of the following improvements in the subdivision are required by the planning commission:

Streets: \_\_\_\_\_ linear feet at a cost of \_\_\_\_\_  
 Water lines: \_\_\_\_\_ linear feet at a cost of \_\_\_\_\_  
 Number of New Fire Hydrants: \_\_\_\_\_ at a cost of \_\_\_\_\_  
 Sewer lines: \_\_\_\_\_ linear feet at a cost of \_\_\_\_\_  
 Other improvements: \_\_\_\_\_ at a cost of \_\_\_\_\_  
 Total Cost: \_\_\_\_\_

- (4) Expiration Date of Agreement: \_\_\_\_\_  
 Expiration Date of Letter of Credit: \_\_\_\_\_
- (5) If all improvements required by the commission and its subdivision regulations are completed prior to expiration of this agreement, the commission shall approve termination of this irrevocable letter of credit agreement and return said irrevocable letter of credit to bank. Completion of improvements shall be determined by the superintendent of public works or his or her designee, the municipal utility director or town engineer, and/or utility district manager, and such determination reported to the commission in writing.
- (6) At the time of expiration of this agreement, the commission shall undertake one of the following courses of action:
- (a) If it is determined by the superintendent of public works or his or her designee, and/or utility district manager and/or municipal utility director or town engineer that required improvements have not been made, the commission shall direct the town attorney to enforce this irrevocable letter of credit agreement, to withdraw the said funds from said irrevocable letter of credit, and forward said funds to the appropriate jurisdiction for the construction of said improvements.
  - (b) If the developer can prove in writing that unusual circumstances have prevented the completion of required improvements by the expiration of this agreement, the commission may review the case and, if the situation warrants, may grant an extension, providing further that developer can secure another irrevocable letter of credit from bank. All parties will then execute an addendum to this agreement or another agreement.
- (7) There can be no withdrawal and expenditures of funds from said irrevocable letter of credit until the expiration of this agreement, at which time only the approval of the commission shall be required. The bank agrees that it shall not allow the withdrawal of funds from said irrevocable letter of credit except upon the conditions hereinabove set out in the preceding paragraphs.
- (8) It is understood and agreed, however, that nothing herein contained shall relieve the developer from completing the improvements required by the commission, but said irrevocable letter of credit shall be construed as being merely an assurance of creating a fund from which said improvements can be constructed and completed.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on this day and date first above written.

\_\_\_\_\_  
Developer Name

\_\_\_\_\_  
Officer/Developer Signature

\_\_\_\_\_  
Bank Name

\_\_\_\_\_  
Bank Officer's Signature

TELLICO PLAINS PLANNING COMMISSION

\_\_\_\_\_  
Secretary's Signature

#### ACKNOWLEDGEMENTS

[Corporate Developer Form]

Before me, a Notary Public, in and for said State and County, personally appeared \_\_\_\_\_, with whom I am personally acquainted, and who, upon oath, acknowledged himself/herself to be \_\_\_\_\_ (Officer) of the \_\_\_\_\_ (Corporation), located in \_\_\_\_\_, Tennessee, and that as such Officer, being authorized to so do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as (Officer) \_\_\_\_\_. Witness my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
State of Tennessee, Monroe County

[Bank Form]

Before me, a Notary Public, in and for said State and County, personally appeared \_\_\_\_\_, with whom I am personally acquainted, and who, upon oath, acknowledged herself/himself to be (Title)\_\_\_\_\_ of the (Bank)\_\_\_\_\_ located in \_\_\_\_\_ County, Tennessee, and that as such Officer, being authorized to so do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself/himself as (Title)\_\_\_\_\_. Witness my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
State of Tennessee, Monroe County

[Planning Commission Form]

Before me, a Notary Public, in and for said State and County, personally appeared \_\_\_\_\_, with whom I am personally acquainted, and who, upon oath, acknowledged herself/himself to be the Secretary of the Tellico Plains Municipal Regional Planning Commission, and that as secretary, being authorized to

do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the planning commission by herself/himself as (Title) \_\_\_\_\_. Witness my hand and seal of office on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires:\_\_\_\_\_

\_\_\_\_\_  
Notary Public  
State of Tennessee, Monroe County

[Individual Developer]

Before me, a Notary Public, in and for said State and County, personally appeared \_\_\_\_\_, the within named developer(s) with whom I am personally acquainted, acknowledged he/they executed the within and foregoing instrument as his/their free act and deed for the purposes therein expressed and contained. Witness my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires:\_\_\_\_\_

\_\_\_\_\_  
Notary Public  
State of Tennessee, Monroe County



**APPENDIX H**

**MUNICIPAL CORPORATE BOUNDARY MAP**

MAJOR THOROUGHFARE PLAN MAP OF THE TOWN OF TELLICO PLAINS