

CHECKLIST FOR FINAL PLAT CONSIDERATION

NAME OF SUBDIVISION: _____

LOCATION: _____

OWNER OF RECORD: _____

Address _____ Tel. _____

DATE PRELIMINARY APPROVAL GRANTED: _____

DATE SUBMITTED FOR FINAL APPROVAL: _____

CHECKLIST:

- _____ Submitted within one year from date of preliminary approval.
- _____ 6 copies submitted 15 days prior to planning commission meeting.
- _____ Name of subdivision.
- _____ Drawn to a scale of one inch equals one hundred feet on sheets not larger than 22" x 33 1/2".
- _____ Name, address, and phone number of owner of record, subdivider, and surveyor.
- _____ North point, graphic scale, and date of drawing.
- _____ Bearings of property lines, and sufficient engineering data to locate all lines including radii, angles, and tangent distances.
- _____ Reservations, easements, or other non-residential areas.
- _____ Dimensions to nearest 10th of a foot and angles to nearest minute.
- _____ Lot lines, alleys, and building setback lines.
- _____ Location and description of monuments.
- _____ Names and locations of adjacent properties.
- _____ Lines, names, and widths of all streets and roads.
- _____ Lots numbered in numerical order.
- _____ Location sketch map with any floodable areas outlined.
- _____ Certificate of ownership and dedication.
- _____ Certificate of approval of water and sewerage systems and streets.
- _____ Certificate of engineer and/or surveyor.
- _____ Proposed deed restriction if not a zoned area.
- _____ Conforms to general requirements and minimum standards of design.
- _____ Required physical improvements have been made or bond posted in the amount of \$_____.

Date Approved

Secretary, Planning Commission

CHECKLIST FOR PRELIMINARY PLAT CONSIDERATION

NAME OF SUBDIVISION: _____

LOCATION: _____

OWNER OF RECORD: _____

Address _____ Tel. _____

SUBDIVIDER: _____

Address _____ Tel. _____

SURVEYOR: _____

Address _____ Tel. _____

DATE SUBMITTED FOR PRELIMINARY APPROVAL: _____

CHECKLIST:

- ___ 6 copies submitted 15 days prior to meeting.
- ___ Name of Subdivision.
- ___ Drawn to scale of not less than one inch equals 100 feet
- ___ Name, address and phone number of owner of record, subdivider, and surveyor.
- ___ North point, graphic scale, and date of drawing.
- ___ Vicinity map showing location and acreage of subdivision
- ___ Boundary lines by bearing and distances.
- ___ Names of adjoining property owners and/or subdivision(s).
- ___ Location of all existing physical features on land and nearby properties.
- ___ Names, locations, and dimensions of proposed streets, alleys, easements, parks and reservations, lot lines, etc.
- ___ Lot numbers.
- ___ Plans of proposed utility layouts showing connections to existing or proposed utility systems.
- ___ Minimum building front yard setback line.
- ___ Present zoning classification, if any, on land in subdivision and adjacent land
- ___ Cross-section and centerline street profiles at suitable scales as may be required by street superintendent and/or planning commission.
- ___ Conforms to general requirements and minimum standards of subdivision design.
- ___ Percolation tests have been made and proposed sewage systems have been approved.

Disapproved _____, 19____, because of incomplete items above or other reasons as stated: _____

Signed: _____

APPENDIX

ARTICLE 17
LEGAL STATUS OF PROVISIONS

Section 17.01 Separability. Should any section or provision of these regulations be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the regulations as a whole or part thereof which is not specifically declared to be invalid or unconstitutional.

Section 17.02 Conflict with Other Regulations. No final plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such ordinance.

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building codes, or other official regulations, the higher or more restrictive standard shall apply.

Section 17.03 Adoption and Effective Date. These regulations shall take effect and be in force from and after the first day of its adoption, the public welfare demanding it.

Adopted by the Planning Commission on: May 8, 1970

Amended: July 11, 1972

Amended: July 8, 1974

Amended: October 23, 1979

Amended: August 20, 1985

Amended: April 14, 1987

Amended: October 10, 1991

Amended: August 13, 1998

ARTICLE 16

VARIANCES AND AMENDMENTS

Section 16.01 Variances. Variances may be granted where the Planning Commission decides that there are topographical or other conditions peculiar to the site and a departure from these regulations will not destroy their intent. Any variances thus authorized shall be stated in writing in the minutes of the Planning Commission with the reasoning on which the departure is justified set forth.

Section 16.02 Amendments. These regulations may be amended from time to time by the Planning Commission. However, before enacting an amendment, the Planning Commission shall hold a public hearing thereon at least thirty (30) days notice of the time and place of which shall be published in a newspaper of general circulation within the county.

**Certification of Approval of Final Plat
By Planning Commission**

"All the requirements of approval having been fulfilled pursuant to the Subdivision Regulations of Polk County, Tennessee, this final plat was given final approval by the Polk County Regional Planning Commission and can be recorded after _____, 19 _____."

Date

Secretary, Polk County Regional
Planning Commission

"We the Polk County Governing Body Do Hereby Accept The Streets And Roads In This Subdivision On The Behalf Of The Public Of Polk County For Their Use And Maintenance."

Date

Chairman of County Commission

Certification of Ownership of Private Road

"It is hereby certified that the private road labeled on this plat is dedicated to the Homeowners Association and the responsibility for maintenance of said private road remains with the Homeowners Association. The Government of Polk County does not accept and will not maintain this road for public use.

Date

Developer

**Certification of Approval of Streets
and Drainage System**

"I hereby certify that the streets and drainage facilities shown on this plat have been installed in an acceptable manner in accordance to required specifications or that an adequate bond has been posted."

Date

County Road Commissioner

Certification of Approval of Sewage Disposal System

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

Date

County Health Department

Date

Public Sewer System Official

Certification of Approval of Water System

"I hereby certify that each lot shown is served

- a. By a private water supply fully meeting applicable regulations;

Date

County Health Department

OR

- b. By public water system extensions designed and installed in accordance to applicable local and state regulations."

Date

Local Water Utility

Section 15.02 Certifications Required.

Certification of Surveyor

"It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; and that all monuments shown hereon actually exist or are marked as "future" and their location, size, type, and material are correctly shown; and that all engineering requirements of the Subdivision Regulations of Polk County, Tennessee, have been fully complied with."

_____ By: _____
Date

Seal:

Certification of Owner

"The owner of the land shown on this plan and whose name is subscribed hereto in person or through a duly authorized agency, certifies that this plat was made from an actual survey, that all state, city, and county taxes or other assessments now due on this land have been paid."

_____ Owner: _____
Date

Address: _____

Certification of Dedication

"(I) (We) hereby dedicate the streets or roads in this subdivision to the public of Polk County, Tennessee, for their use and maintenance."

_____ Date

_____ Owner

ARTICLE 15

FINAL PLAT SPECIFICATIONS

Section 15.01 Final Plat Specifications. The final plat shall conform to and meet the specifications of the preliminary plat (Article 12) with the following additions:

- a. Bearings and distances to the nearest existing street lines or bench mark or other permanent monuments (not less than three (3) shall be accurately described on the plat);
- b. Municipal, county, and land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision;
- c. Exact boundary lines of the tract, determined by an engineering field survey, giving distances to the nearest hundredth, which shall be balanced and closed with an error closure not to exceed one (1) to five thousand (5,000);
- d. Name of subdivision, exact location, widths and names of all streets and alleys within the immediately adjoining tract;
- e. Street center lines showing angles of deflection, angles of intersection, radii, and lengths of tangents;
- f. Lot lines with dimensions to the nearest one-tenth (1/10) of a foot and bearings;
- g. Lots numbered in numerical order and blocks lettered alphabetically.
- h. Location, dimensions, and purposes of any easements and any areas to be served or dedicated for public use;
- i. Accurate location, material, and description of existing and proposed monuments and markers;
- j. A statement, either directly on the plat or in an identified attached document, of any private covenants;
- k. If any portion of the land being subdivided is subject to flood, as defined in these regulations, the limit of such flood shall be shown and
- l. Modifications, limitations, and approval by the health authority.

Polk County Regional Planning Commission. Provided there is no request for, or need for a variance of any type, and does not involve any new road construction or additional utility installations, both the preliminary and final plats can be approved at the same planning commission meeting provided all platting requirements, including soils tests, are met.

Section 14.06 Recording of Final Plat. Upon approval of a final plat, the Chairman of the Planning Commission shall with the developer or his agent have the final plat recorded in the office of the Polk County Register of Deeds.

"All the requirements of approval having been fulfilled pursuant to the Subdivision Regulations of Polk County, Tennessee, this final plat was given final approval by the Polk County Regional Planning Commission and can be recorded after _____, 19 _____."

_____ Date

_____ Secretary, Polk County Regional Planning Commission

NOTE: All certificates with appropriate signatures shall be placed on all six (6) copies of the plat and any others that may be deemed necessary. Certifications could possibly be placed on the plats by means of rubber stamps, leaving a blank for the appropriate signatures. No certifications or signatures should be placed on the reproducible copy.

Section 14.04 Creation of a Homeowners Association. Before the planning commission grants final approval on any subdivision of land on which a private road will be located, the following minimum requirements shall be met by the developer.

- a. There shall be a creation of a chartered homeowners association and it shall be noted on the plat.
- b. Membership into the homeowners association shall be noted in the individual deeds.
- c. There shall be a charter accompanying the final plat which states the responsibilities of the homeowners association. These responsibilities will include, but are not limited to the following.
 1. The ownership of the private road will remain in the homeowners association's name.
 2. Maintenance of this private road will be the homeowners association responsibility and not the responsibility of the government of Polk County.
 3. Maintenance of any common areas, parks, vacant property, unimproved or unkept lots will be the responsibility of the homeowners association.
 4. Taxes on this private road shall be paid by the homeowners association.
 5. Mechanisms to assure revenues for the homeowners associations to perform its duties and functions.
- d. These responsibilities of the homeowners association are the minimum requirements of the planning commission and are subject to any further requirements set forth by the homeowners association.

Section 14.05 Procedure for Expeditious Certifications of Minor Subdivisions. A developer or property owner who wishes to divide a tract or lot into four (4) or less lots, all of which will have the required access to a publicly-maintained road, and does not involve any new roads or extensions of public water or sewer, may prepare a combined preliminary and final plat which meets all of the platting requirements and submit to the

ARTICLE 14

PROCEDURE FOR FINAL PLAT APPROVAL OF A SUBDIVISION

Section 14.01 Application for Final Plat Approval. After the preliminary plat of a proposed land subdivision has been given tentative approval by the Planning Commission, the subdivider may, within one (1) year from tentative approval, submit to the Planning Commission at least fifteen (15) days prior to the next regular meeting of the Planning Commission the following:

- a. A letter requesting review and approval of a final plat, giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the final plat shall be sent; and
- b. Six (6) copies of the final plat and other documents, as specified in Article 15, plus the original which shall be drawn in permanent ink on permanent reproducible material, equal to the standards required by the county register. Signatures and the required certifications shall not be placed on the reproducible copy but on all six (6) prints of the plat.

NOTE: The six (6) copies required here will provide: 1. one (1) original plat to be recorded in the files of the county register; 2. one (1) copy for the records of the Planning Commission; 3. one (1) copy for the governing body; 4. one (1) copy for the county engineer; 5. one (1) copy for return to the subdivider with inscriptions of the Planning Commission; and 6. one (1) copy for the health authority.

Section 14.02 Review of Final Plat. The Planning Commission shall check the final plat for conformance with the tentatively approved preliminary plat, and with the rules and regulations of this document, and shall afford a hearing on the final plat, notice of the time and place of which shall be sent by the Secretary of the Planning Commission by registered or certified mail to the person designated in the letter requesting final review and approval, not less than five (5) days prior to the date of the hearing.

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

Section 14.03 A Certificate of Approval of the Final Plat by the Planning Commission. If the subdivision is approved, the Secretary of the Planning Commission shall include a certificate of approval of the final plat directly on the copies of the plat as follows:

letter shall include the estimated cost of the improvements and the time period in which the improvements are to be made.

Section 13.11 Road Maintenance Bond. No road shall be accepted as a public road until a maintenance bond of not less than fifty (50) percent of the cost of installation of all roads in the subdivision is posted for a period of eighteen (18) months from the date of acceptance of said road by the County Commission.

outcroppings, gullies, natural storm rains, excessive slope, and the like. In view of topographic features and percolation test results, the maximum amount of available usable area for subsurface disposal is determined for each lot. By using the Recommended Guide for the Location, Design, and Construction of Septic Tanks and Disposal Field, 1967, Tennessee Department of Public Health, calculations are made to determine the maximum number of bedrooms for a home and/or the maximum daily flow of sewage from establishments or institutions allowable for each lot. These data limitations and restrictions will be entered on the preliminary plat by the health authority and shall be shown on the final plat. This does not preclude the developer from enlarging lot sizes, combining unsuitable lots with acceptable lots, or designating certain lots for uses not requiring sewage disposal facilities as long as other requirements of the Planning Commission and other agencies are satisfied and provided that the above named alternatives are reviewed and approved prior to the preparation of the final plat.

Section 13.09 Sidewalks. For the safety of pedestrians and of children at play or on approaches to community facilities (schools, parks, etc.), installation of sidewalks on both sides of the street shall be required of the developer when considered to be necessary by the Planning Commission.

When sidewalks are required, the following specifications shall be met:

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

Section 13.10 Guarantee in Lieu of Completed Improvements. No final subdivision plat shall be approved by the Planning Commission or accepted for recording by the county register until one of the following conditions have been met:

- a. All required improvements have been constructed in a satisfactory manner and approved by the Planning Commission; or
- b. The county attorney has approved and the Planning Commission has accepted a surety bond or a certified check in an amount equal to one hundred twenty-five (125) percent of the estimated cost of installation of the required improvements whereby improvements may be made and utilities installed without cost to the county or other responsible utility system in the event of default by the subdivider.

NOTE: The Planning Commission shall set the amount of the bond based upon the cost of improvements estimated by an official designated by the Planning Commission. Such a bond or a certified check shall be accompanied by a letter from the department head who must give approval to such improvements for which security is being posted; said

for the full depth of the course at locations selected by the superintendent. Samples shall be cut with a power saw or core drill and have a minimum surface area of at least ten (10) square inches or as required by the superintendent. Holes formed by the taking of samples shall be repaired with the same type of mixture that was removed, and compacted to conform to the surrounding pavement. Cutting and repairing of the sample holes shall be at the developers expense. The county road superintendent or his/her designee shall be present when the samples are taken.

Section 13.06 Storm Drainage. An adequate drainage system including necessary open ditches, pipes, culverts, intersectional drains, drip inlets, bridges, etc., shall be provided for the proper drainage of all surface water. All storm drainage contained in pipes or culverts under roadway shall have endwalls, headwalls, or rip-rap with concrete apron wall where necessary to prevent erosion. Where open trenches or ditches are used, the grades exceeding eight (8) percent shall be paved with three thousand (3,000) psi Portland Cement Concrete.

NOTE: Cross drains should be provided to accommodate all natural water flow and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Manning Formula, but in no case shall the pipe be less than fifteen (15) inches. Cross drains shall be built on straight line and grade and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the roadbed.

Section 13.07 Water Supply System. Water mains and appurtenances properly connected with the community water supply and approved by the State of Tennessee Department of Health Environment shall be constructed in each subdivision for both domestic use and fire protection for all lots shown on the subdivision plat.

Where public water systems are to be used, four, six, or eight inch cast iron or plastic water mains shall be required, except along cross streets of one thousand (1,000) feet or less and in permanent cul-de-sacs. The location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the Planning Commission, after conference with the public utility board or utility district and shall conform to accepted standards of good practice for water systems.

Section 13.08 Sewage Disposal. When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system.

When lots cannot be connected with a sewerage system, each lot shall be required to pass a soil scientist's review for the installation of approved septic tank and disposal fields and be approved in writing by the county health officer.

NOTE: Upon receipt of a preliminary plat, the health authority reviews the data and a field investigation of each lot is made. If soil science surveys are acceptable, other topographic features including lot sizes are considered. In addition to unsatisfactory percolation test results, lots may be deemed unacceptable because of rock

2. Should widths shall be as follows:
 - a. Arterial Roads..... 5 feet
 - b. Collector Roads 3 feet
 - c. Residential Roads 2 feet

3. Concrete Pavement

- a. Base. A minimum base of three (3) inches of compacted stone shall be placed over a sub-grade.
 - b. Concrete Mix Design. All concrete used shall develop four thousand (4,000) pounds per square inch compressive strength at twenty-eight (28) days, with a five percent (5%) air-entrainment. The concrete supplier shall furnish copies of the design mix to the developer and it shall be approved by the county road superintendent prior to any concrete being placed. The maximum allowable slump is four (4) inches. Samples of the concrete being used shall be taken for testing by a certified lab.
 - c. Concrete Road Thickness. The minimum thickness shall be five (5) inches, except as needed at formed and keyed construction joints. At least a #6 gage wire arranged in a 6" by 6" mesh grid or 1/2" steel reinforcing rods shall be required. A fiber mesh may be used in lieu of the above reinforcing steel.
 - d. Expansion/Contraction Joints. Traverse contraction joints shall be sawed or hand-formed at intervals of no more than fifteen (15) feet. The depth of the contraction joint shall be one (1) inch or one-fourth (1/4) the depth of the slab. The maximum width of the joint shall be one-fourth (1/4) inch.
 - e. Finish. The concrete finish shall be a medium broom finish to a gritty final surface.
 - f. Curing of Concrete. Curing shall be that obtained with a uniform coverage of white membrane curing compound, or by seven (7) day coverage with white polyethylene or water proof paper. The completed pavement shall be closed to passenger cart traffic for a minimum of three (3) days and to truck traffic for seven (7) days.
 - g. Shoulders. Shoulder requirements shall be the same as set forth for double bituminous and asphalt (Plant Mix-Hot or Cold).
- c. Pavement Failure. Where there is a pavement failure while the road is still under maintenance bond (see Section 13.11) the county road superintendent may require the contractor to cut samples from the compacted pavement for testing. Samples of the mixture shall be taken

d. Shoulders

1. In the case of double bituminous pavement surfaces, shoulders shall be required. Said shoulders shall be of the same aggregate size as the base aggregate material, and shall be compacted to the level of the final grade surface of the finish coat.
2. Shoulder widths shall be as follows:
 - a. Arterial Roads..... 5 feet
 - b. Collector Roads..... 3 feet
 - c. Residential Roads 2 feet

2. Asphaltic Surface (Plant Mix-Hot or Cold).

- a. Road Base. (Same as required for Double-Bituminous.)
- b. Prime Treatment. (Same as required for Double-Bituminous.)
- c. Surface Treatment

1. Coat applications shall be in compliance with the standards set forth in either Section 410 "Bituminous Plant Mix Surface Course (Cold Mix)" or Section 411 "Asphaltic Concrete Surface (Hot Mix)" of the Tennessee Department of Transportation's Standard Specifications for Road and Bridge Construction (March 1981), or subsequent editions, in regard to materials, equipment, and construction requirements.
2. The asphalt and mineral aggregate shall conform to said specifications Section 407 "Bituminous Plant Mix Pavements (General)." The bituminous material shall be of grade known as "Grade C or CW."
3. The plant mix shall be 200 pounds per square yard. Weight tickets shall be furnished to the county road superintendent.

d. Shoulders

1. In the case of asphaltic (plant mix-hot or cold) surfaces shoulders shall be required. Said shoulders shall be of the same aggregate size as the base aggregate material, and shall be compacted to the level of the final grade surface of the finish coat.

4. Said base shall be inspected by the county road superintendent prior to any additional surface treatment to assure proper compaction and roadway crown.

b. Prime Treatment

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

c. Surface Treatment

1. Coat applications shall be in compliance with the standards set forth in Section 404 "Double Bituminous Surface Treatment" Standard Specifications for Road and Bridge Construction (March 1981), or subsequent editions, in regard to equipment, seasonal limitations, surface preparation, material's application, rolling, and curing.
2. The first application shall be applied at the rate of .40 to .50 gallons per square yard. Immediately following this application, mineral aggregate (size 6) shall be applied at the rate of 30 to 40 pounds per square yard and rolled into the bituminous material.
3. The second application shall be applied at the rate of .35 to .45 gallons per square yard. The mineral aggregate (size 7) shall be applied at the rate of 30 to 40 pounds per square yard.
4. After the final surface has been rolled with a twelve ton roller, it shall then be dragged with a broom, or wire, until the seal chips are uniformly spread.

option of providing either a double bituminous, asphaltic (plant mix - hot or cold), or concrete pavement surface. These surface treatments shall be constructed to the specifications set forth in Section 13.05.1.

Section 13.05.1 Road Specifications.

- a. Gravel. Roads which serve any lots in excess of three (3) acres in size as a minimum standard and does not exceed a ten percent (10%) grade (slope) shall be constructed as follows:
 1. Crushed stone, number 19, or 33C, compacted to four (4) inches.
 2. Weight tickets shall be furnished to the county road superintendent to determine the gravel used. The crushed stone shall be dumped and windrowed uniformly along the center of the roadway compacted in such a manner as to construct a crown in the center of said roadway.
 3. There shall be two (2) foot dirt shoulders on each side of the road.
 4. There shall be a drainage ditch on each side of the road with a slope of one (1) foot in every two (2) feet for a minimum width of three (3) feet.
 5. The base shall be inspected by the county road superintendent to assure proper compaction and roadway crown.
- b. Double Bituminous, Asphaltic (Plant Mix - Hot or Cold, Concrete Pavement. Roads which serve one (1) or more lots less than three (3) acres in size, or exceeds a ten percent (10%) grade (slope), the developer has the option of providing a surface treatment according to the standards for double bituminous, asphaltic (plant mix - hot or cold), or concrete pavement. These roads shall be constructed as follows:
 1. Double Bituminous
 - a. Road Base
 1. The roadbed shall be inspected by the county road superintendent prior to the installation of any base material to assure proper compaction.
 2. A crushed stone base of 303-01 (pug mix) aggregate shall be applied at the rate of 110 pounds per square yard per inch of thickness. The minimum compacted thickness shall be six (6) inches.
 3. Weight tickets shall be furnished to the county road superintendent to determine the gravel used. The crushed stone shall be dumped and windrowed uniformly along the center of the roadway compacted in such a manner as to construct a crown in the center of said roadway.

- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches (in depth) loose and compacted to a degree acceptable to the county road department. The filling of utility trenches and other places not accessible to a roller shall be mechanically compacted.
- d. Specifications. Cut and fill slopes shall not be steeper than as follows:
- 0' - 4' slope of 4:1
 - 4' - 6' slope of 3:1
 - 6' - 8' slope of 2:1
 - 8' - up slope of 1 1/2:1

No slope shall be steeper than 1 1/2:1 unless authorized by the Polk County Regional Planning Commission.

- e. Compacting Subgrade. All vegetation on subgrades shall be removed and disposed of as directly by the County Road Superintendent prior to beginning reworking and compacting operations. The density of the finished subgrade shall be equal to not less than 90 percent Standard Proctor. When field tests show failure to meet the density requirement, the subgrade shall be loosened by discing, harrowing or other approved methods to a depth of not less than six (6) inches, then reshaped and compacted until the subgrade meets the required density. The subgrade material shall be moistened or aerated as necessary during mixing and compacting to provide optimum moisture content. All soft, yielding material which will not compact readily shall be reworked or removed and replaced and replacement material compacted in accordance with this section.

Section 13.04 Installation of Utilities. After grading is completed and approved and before any stone is applied, all of the required underground work--water mains, sewer lines, gas mains, etc.--and all service connections shall be installed completely and approved throughout the subdivision.

Section 13.05 Pavement Requirements Based on Lot Sizes.

- a. Gravel. Roads which serve any lot in excess of three (3) acres in size as a minimum standard shall be constructed in accordance with the specifications set forth in Section 13.05.1 of these regulations. Due to certain topographic conditions and erosion factors, these standards shall not apply to any section of road exceeding a ten percent (10%) grade slope. That section of road exceeding a ten percent (10%) grade (slope) must meet the specifications set forth for either double bituminous, asphalt (plant mix - hot or cold), or concrete standards. It shall be at the developer's option to decide which type of surface treatment method to provide.
- b. Double Bituminous, Asphaltic (Plant Mix - Hot or Cold) Concrete Pavement. Roads which serve one (1) or more lots less than three (3) acres in size as a minimum standard, or contains a section of road exceeding a ten percent (10%) grade (slope), the developer has the

ARTICLE 13

IMPROVEMENT STANDARDS

Prior to the approval of a final plat, an agreement shall be reached between the subdivider or his agent and the city or county government with regard to the installation of any street improvements or utility construction called for in the subdivision plat. The subdivider shall be required to have installed at his expense the following improvements.

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

Section 13.01 Monuments.

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

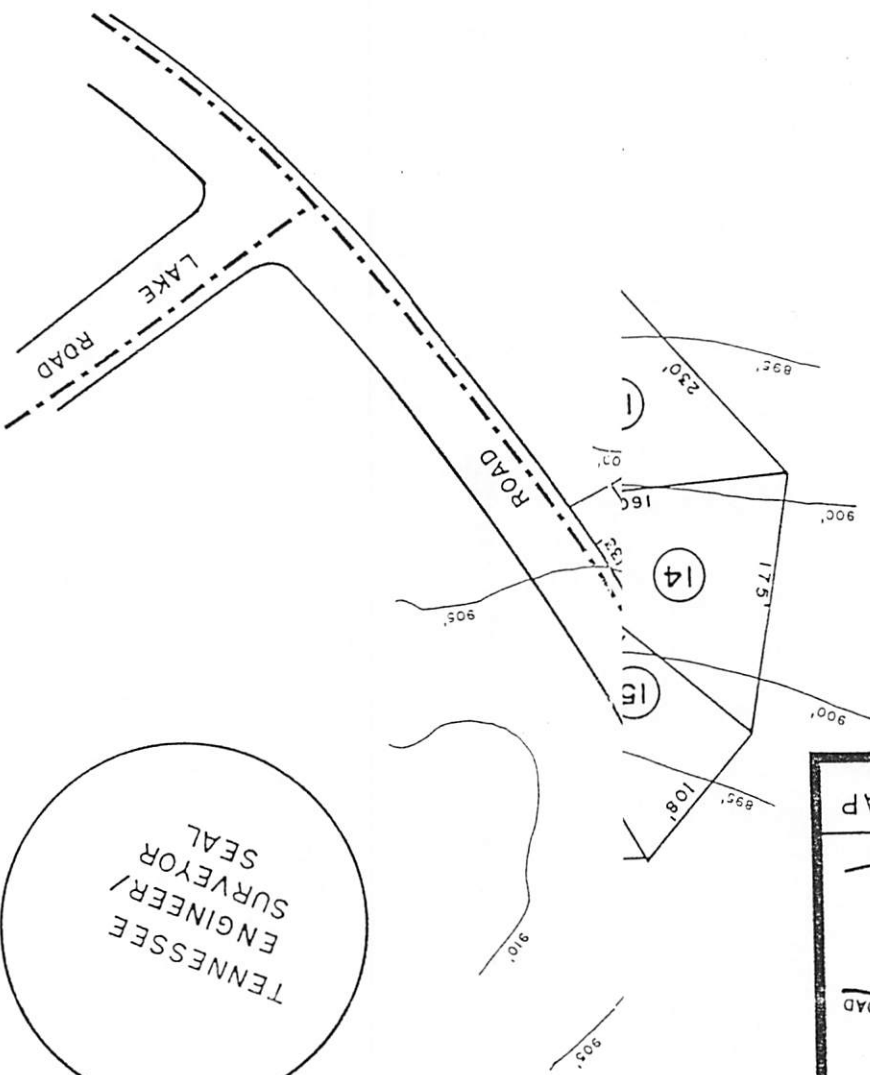
Section 13.02 Road Inspection Committee. A road inspection committee shall be formed by the planning commission chairman to assist the county road superintendent in the inspection of proposed roads. The three (3) members of this committee shall consist of the county road superintendent and two (2) planning commission members. This committee shall inspect the grading, the road construction, and the storm drainage system.

Section 13.03 Grading. All streets, roads, and alleys shall be graded by the subdivider to the required cross section. Due to special topographic conditions, deviation from the above will be allowed only with special approval of the Planning Commission. Where roads are constructed under or adjacent to existing electric transmission lines, the nearest edge of the roadway surface shall be a minimum of fifteen (15) feet from any transmission line structure and all grading for the road shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric transmission lines, the clearance from the road to the nearest conductor shall meet the requirements of the National Electric Safety Code.

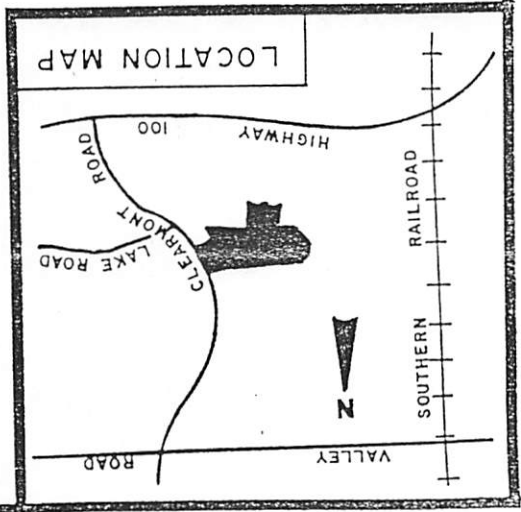
- a. Preparation. Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush, and other objectionable materials, and all trees not intended for preservation.
- b. Cuts. All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the subgrade. This provision applies to the roadway and not necessarily to the entire right-of-way width.

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

PRELIMINARY PLAT



TENNESSEE
 ENGINEER/
 SURVEYOR
 SEAL



Pursuant to the Subdivision Regulations of Polk County requirements of tentative approval have been fulfilled. Therefore, the "Preliminary Plat" of Subdivision has been approved by the Polk County Regional F 19, subject to the following modifications. constitute approval of a final plat. This Certificate of Tentative A be null and void on 19.

Secretary, Polk Planning

Expiration date shall be one (1) year from date of tentative approval

Where public sewerage and/or water are not available, the following shall be shown:

1. A soil map prepared by a soil scientist indicating types of soil and their limitations to individual septic systems (contact local health department);
 2. Areas to be used for sewage disposal on each lot;
 3. Water wells (existing and/or proposed); and
 4. Rock outcroppings, marshes, springs, sinkholes, natural storm drains, and other outstanding topographical features.
- l. Minimum building front yard setback line;
 - m. The present zoning classification, if any, on the land to be subdivided and on the adjoining land;
 - n. Contour lines at least every five (5) foot change in elevation;
 - o. Such street cross-section and center line profiles as may be required by the street superintendent and/or Planning Commission; and
 - p. If any portion of the land being subdivided is subject to flood, as defined in these regulations, the limit of such flood shall be shown.

ARTICLE 12

PRELIMINARY PLAT SPECIFICATIONS

FOR SUBDIVISIONS

Section 12.01 Scale. The preliminary plat shall be clearly and legibly drawn at a scale not smaller than one (1) inch to one hundred (100) feet. The planning commission will consider a different scale should the development contain very large lots.

Section 12.02 Sheet Size. Sheet size shall be twenty (20) by twenty (20) inches, or shall be the sheet size required by the county register for recording purposes. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

Section 12.03 Ground Elevations. Contours shall be shown at vertical intervals of not more than five (5) feet, except when specifically not required by the Planning Commission.

Section 12.04 Information to be Provided on Preliminary Plat. The preliminary plat shall contain the following information:

- a. Name of subdivision;
- b. Name and address of owner of record, subdivider, and surveyor;
- c. Surveyor's license seal;
- d. North point, graphic scale, and date;
- e. Vicinity map showing location and acreage of subdivision;
- f. Exact boundary lines of the tract by bearing and distances;
- g. Names of adjoining property owners and/or subdivisions;
- h. Existing streets, buildings, watercourses, railroads, culverts, utilities, and easements on and adjacent to the tract;
- i. Proposed design including streets and alleys with proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings;
- j. Block numbers and lot numbers;
- k. Plans of proposed utility layout and easements for sewers, water, gas, electricity, and telephone showing feasible connections to existing or any proposed utility systems. When connections to certain public utilities are not practical, any proposed individual water supply and/or sewage disposal system must be approved by the county health department.

copy for the subdivider or his agent and one (1) for the Planning Commission records. The certificate shall contain the following:

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

Therefore, the "Preliminary Plat" of _____ Subdivision has been approved by the Polk County Regional Planning Commission on _____, 19 ____, subject to the following modifications. This approval does not constitute approval of a final plat. This Certificate of Tentative Approval shall expire and be null and void on _____, 19 ____."

Secretary, Polk County Regional
Planning Commission

*Expiration date shall be one (1) year from date of tentative approval.

ARTICLE 11

PROCEDURE FOR PRELIMINARY PLAT

APPROVAL OF A SUBDIVISION

Section 11.01 Application for Preliminary Plat Approval. Following the pre-application review of a proposed subdivision, the subdivider shall submit to the Chairman of the Planning Commission, at least fifteen (15) days prior to the next regular meeting of the Planning Commission, the following:

- a. A letter requesting review and approval of a preliminary plat and giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the preliminary plat shall be sent, and
- b. Six (6) copies of the preliminary plat and other documents, as specified in Article 12.

NOTE: Six (6) copies of the preliminary plat and other documents are suggested to provide a review and record copy for: 1. Planning Commission (2 copies); 2. Subdivider; 3. Public Utility Department or Company (for record); 4. County health Officer; and 5. Street Superintendent.

Section 11.02 Review of Preliminary Plat. The Planning Commission shall check the plat for conformance to these regulations and shall afford a hearing on the preliminary plat, notice of the time and place of which shall be sent by the Secretary of the Planning Commission by registered or certified mail to the person designated in the letter requesting preliminary plat review and approval, not less than five (5) days prior to the date of the hearing.

Thereafter, the Planning Commission shall give tentative approval or disapproval of the preliminary plat. A notation of the action shall be made in the minutes of the meeting. Two (2) copies of a list containing the reasons for disapproval, if the preliminary plat is disapproved, shall be issued. One (1) copy shall be returned to the subdivider or his agent and one (1) copy added to the records of the Planning Commission.

Tentative approval of a preliminary plat does not constitute approval of a final plat. It indicates only approval of the layout as a guide to the preparation of the final plat. Tentative approval shall expire and be null and void after a period of one (1) year unless an extension of time is applied for by the subdivider or his representative and approved by the Planning Commission.

If action on a preliminary plat is not taken by the Planning Commission within thirty (30) days of the date of submittal, the preliminary plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 11.03 Certificate of Tentative Approval. Two (2) Certificates of Tentative Approval of the Preliminary Plat by the Planning Commission shall be issued; one (1)

Section 10.03 Steps for Obtaining Subdivision Approval. The procedure for having a subdivision plat approved in Polk County as follows:

Consider utilizing phase development to reduce the initial expenditures for improvements.

- a. The subdivider should consult early with any lending institution that will participate in the financing of his proposed development and with the Federal Housing Administration of the Department of Housing and Urban Development, local banks, or Farmers Home Administration that may be insuring mortgages on houses that may be built on this land subdivision.
- b. Consult the Polk County Health Department for sewage disposal requirements.
- c. Obtain a Tennessee licensed engineer or surveyor to prepare a preliminary plat.
- d. Have a preliminary plat approved by the Polk County Regional Planning Commission.
- e. Have water system plans approved by the Tennessee Department of Health and Environment.
- f. Construct roads and other necessary improvements.
- g. Have the Polk County Road Commissioner approve the roads in the subdivision and petition the county governing body for acceptance of the roads into the county system.
- h. After all improvements have been made or bonds posted, and all certifications obtained, submit the plat to the Polk County Regional Planning Commission for final approval.
- i. After final approval is given, the subdivider can record the plat and begin to sell lots.

ARTICLE 10

APPROVAL PROCEDURE FOR SUBDIVISIONS

Section 10.01 Who Must Plat. Any property owner, developer, or person who divides, splits, etc., a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of five (5) acres or less for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided (refer to definition of "subdivision" on page 4 for further guidance).

Section 10.02 Site Plan Required. When a subdivision is proposed, a site plan showing all improvements and the development scheme must be submitted to the planning commission before the preliminary plat is prepared.

The required site plan shall be drawn to scale and must include the following information:

- a. Name of development;
- b. Name and address of owner and applicant;
- c. Date, scale, north point;
- d. Site location map;
- e. Topographic map to accompany site plan;
- f. Total land area;
- g. Type of development: Conventional or Recreational
 1. individual lots,
 2. cluster;
- h. Surrounding land use;
- i. Proposed lot sizes;
- j. Proposed street location;
- k. Location of public water supply; and
- l. Sewage disposal system.

By submitting a site plan prior to preliminary platting, unnecessary expense can be avoided by the developer.

ARTICLE 9

RECREATIONAL SUBDIVISION REQUIREMENTS

The development requirements that are the same for either a conventional subdivision or a recreational subdivision are:

1. Street Design Requirements - Article 7
2. Improvement Standards - Article 13
3. Procedure for Preliminary Plat Approval - Article 11
4. Preliminary Plat Specifications for Subdivision - Article 12
5. Procedure for Final Plat Approval of a Subdivision - Article 14
6. Final Plat Specifications - Article 15

The development requirements that are specific to a Recreational Subdivision are:

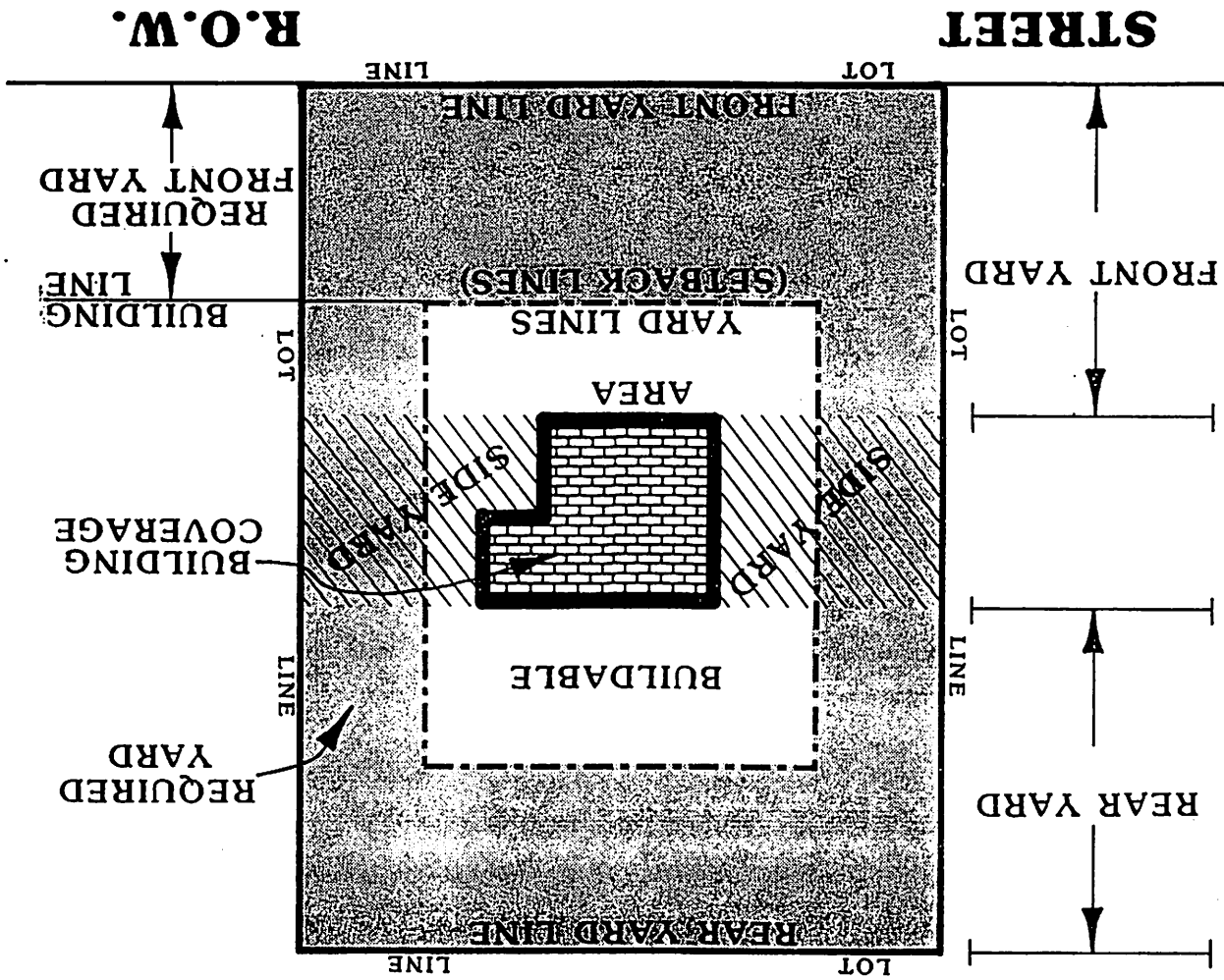
1. Approval Procedure for Subdivisions - Article 10, Section 10.02
2. Lot Size:

Recreational lots shall meet the lot area requirements of the Tennessee Department of Health and Environment. Lots on which individual housing units are constructed shall be no less than the requirements of Section 8.03b; if housing units are clustered (see definitions), then the requirements of the Tennessee Department of Health and Environment for adequate disposal systems for multi-unit complexes will be followed.

The planning commission will consider topographical limitations and other features in their review.

3. Building Setback Lines:
 - a. In no instance shall individual residential lots be less than one hundred fifty (150) feet wide at the building setback line.
 - b. The front yard setback shall be a minimum of seventy (70) feet from the street right-of-way line.
 - c. From the side property line.....30 feet
 - d. From the rear property line.....45 feet
 - e. From the side property line.....40 feet
(corner lot) or as may be required

SETBACKS AND YARDS



1. A site that does not unduly interfere with through traffic. (Each industrial subdivision or area shall utilize a single collector for all heavy traffic between the area and the general system of streets and roads. Minor industrial streets and individual industrial parcels shall be oriented at right angles with the collector and with adjacent railroads.)
2. An integrated parking area.
3. An insulation against any adverse effect on any present adjacent residences.
4. A parcel size sufficient in area to allow future expansion.

Section 8.04 Lot Lines. All lot lines shall be perpendicular or radial to street lines, unless impractical because of topographic or other features.

Section 8.05 Building Setback Lines. In the absence of a zoning ordinance, the front yard setback shall be a minimum of thirty-five (35) feet from the street right-of-way line. Other minimum setback lines shall be as follows:

- a. From the side property line..... 10 feet
- b. From rear property line..... 15 feet
- c. From side property line which 25 feet or as
abuts a minor street may be required
(Corner not)

Section 8.06 Lot Abutting Public Streets. Each lot shall abut upon a street constructed in accordance with the standards of these regulations.

Section 8.07 Double and Reverse Frontage Lots. Double frontage lots should be avoided, except where essential to provide separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. Reverse frontage lots shall have a depth of not less than one hundred fifty (150) feet. A planted evergreen screen easement at least ten (10) feet wide, across which there shall be no right of access, shall be provided along the line of lots abutting a traffic artery or other incompatible land use.

ARTICLE 8

DESIGN STANDARDS FOR BLOCKS AND LOTS

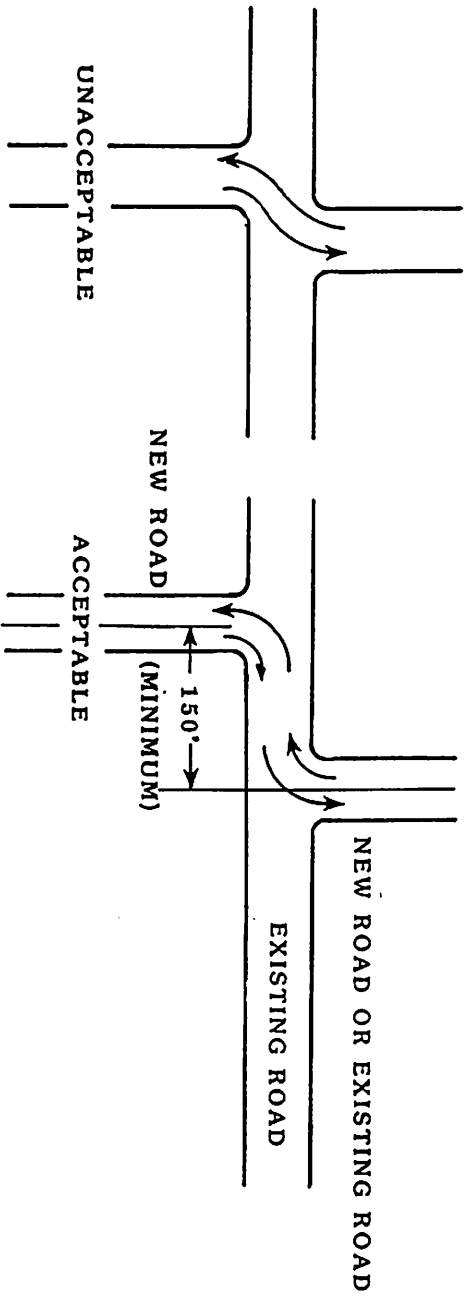
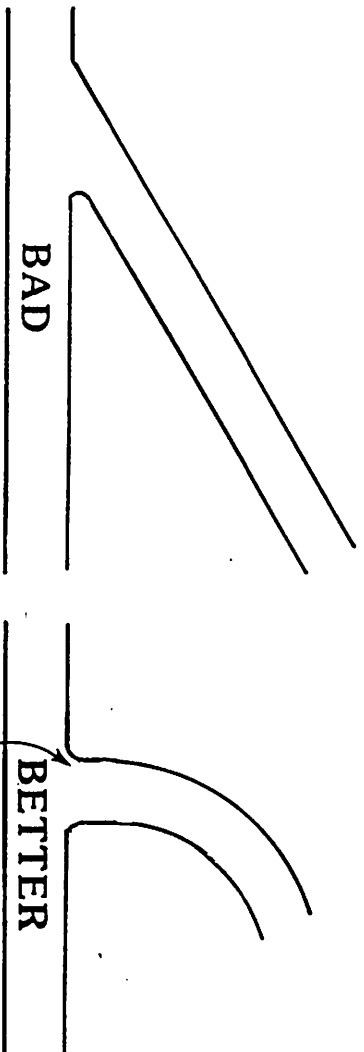
Section 8.01 Block Lengths and Widths. Block lengths and widths shall be as follows:

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

Section 8.02 Flood-Free Building Site. Each lot in a subdivision shall contain a flood-free building site outside of the limits of any existing easement or the building setback lines as required by these regulations.

Section 8.03 Lot Sizes. Residential lots shall meet the lot area requirements of the Tennessee Department of Health and Environment. In no instance shall residential lots be less than seventy-five (75) feet wide at the building setback line. Other minimum requirements are as follows:

- a. Residential lots shall have a depth of not less than one hundred (100) feet and not greater than three (3) times the width of the lot at the building line, unless unusual circumstances make these limitations impractical.
- b. Lots not served by public water and sanitary sewer systems shall be at least twenty thousand (20,000) square feet in area or of a size specified by the county health authority to adequately accommodate both fresh water well and septic system on the same lot. The minimum distance between the septic system and fresh water well shall be one hundred (100) feet. Where individual septic systems are used on lots served by a public water system, minimum lot size shall be at least thirteen thousand (13,000) square feet. The health officer shall also prescribe minimum lot sizes to conform to health standards which may be greater than the standards contained herein.
- c. Residential corner lots shall have adequate width to meet building setback requirements for both abutting streets.
- d. Commercial and industrial lots shall be adequate in size to provide service areas and off-street parking suitable for the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- e. Land shall not be platted for commercial or industrial purposes unless the subdivider can demonstrate to the Planning Commission that each lot provides the following:



STREET JOGS

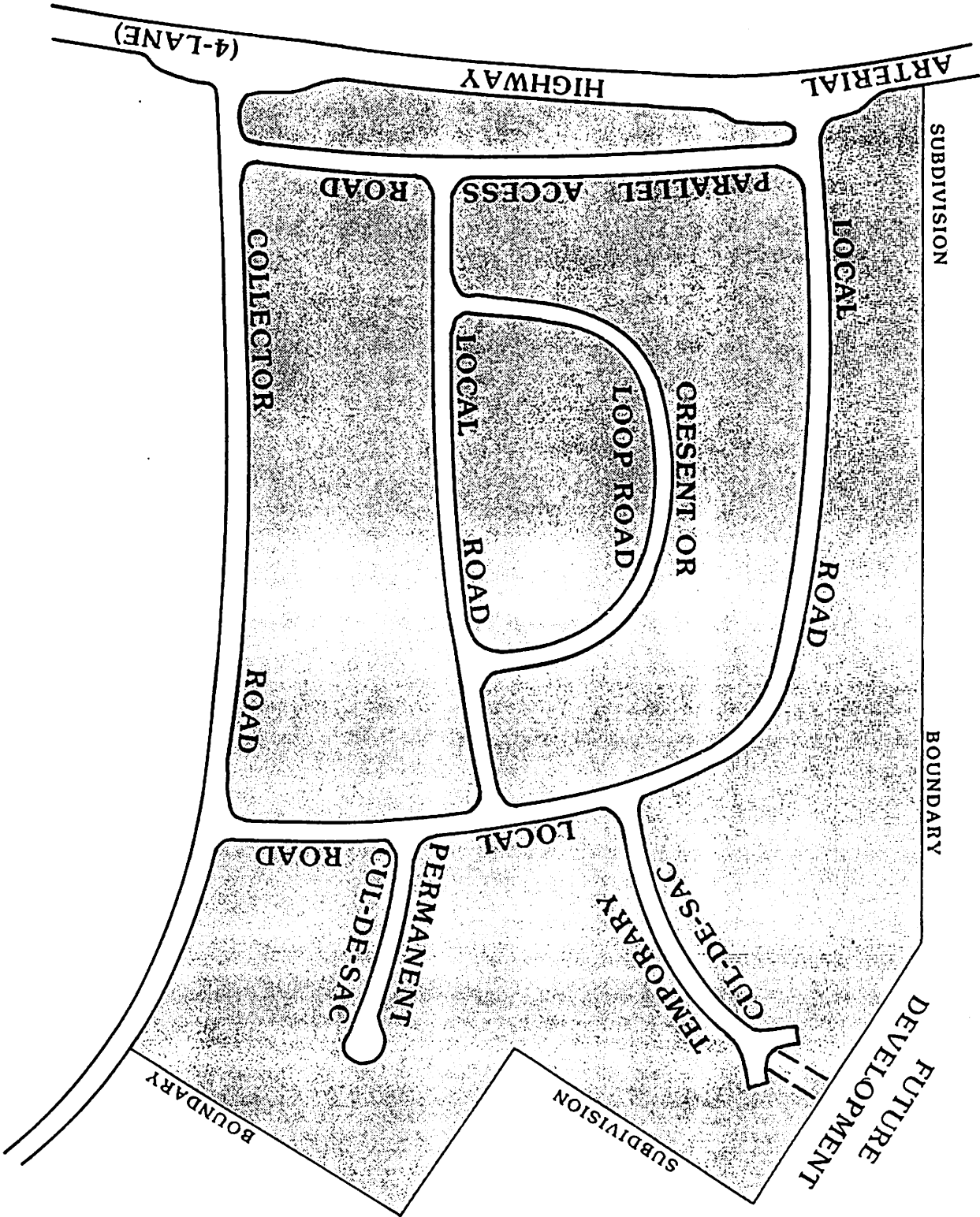
INTERSECTIONS

construction of a curb 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 setback sufficiently to permit such construction.

Section 7.08 Tangents. Between reverse curves there shall be a tangent having a length of not less than one hundred (100) feet.

Section 7.09 Street Jogs. Street jogs with center line offsets of less than one hundred fifty (150) feet shall not be allowed.

ROAD TYPES



movements of vehicles into and out of necessary off-street parking areas without interference to traffic.

NOTE: The pavement widths are considered the minimum necessary to accommodate modern traffic. Street parking must, of course, be considered in the pavement widths. Where no street parking is permitted or none is anticipated, allowances may be made. A parallel parking lane normally requires eight (8) feet. On secondary streets, a moving traffic lane should have a minimum of ten (10) feet. On neighborhood streets where the abutting property has adequate off-street parking and traffic moves slower, provision for one lane of parking and two nine (9) foot traffic lanes may be adequate. (Pavement widths for major streets are normally a responsibility of the governing body.)

Section 7.04 Street Grades. Maximum and minimum street grades shall be fourteen (14) percent and five-tenths of one (0.5) percent, respectively.

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

Section 7.05 Horizontal Curves. Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, the street shall have a center line radius of not less than the following:

- a. Major Thoroughfares..... 300 feet
- b. Secondary Thoroughfares..... 200 feet
- c. Local Streets 100 feet

Section 7.06 Vertical Curves. Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4-1/2) feet above the pavement, to an object four (4) inches high on the pavement. Where, in the opinion of the Planning Commission, topography warrants it, profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontally and one (1) inch equals twenty (20) feet vertically may be required.

Section 7.07 Intersections. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

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

streets shall be provided with a temporary turnaround having a property line radius of at least fifty (50) feet with an outside pavement radius of at least forty (40) feet.

Where deemed necessary by the Planning Commission, adequate rights-of-way shall be dedicated to connect with any temporary dead end streets adjoining the subdivision.

Section 7.02 Additional Width on Existing Streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the minimum street width requirements.

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

Section 7.03 Street Pavement Widths. Street pavement widths shall be as follows:

- a. Major Arterials 30 feet or greater or as may be required
- b. Minor Arterials 30 feet or greater or as may be required
- c. Primary Collectors 30 feet or greater or as may be required
- d. Secondary Collectors 30 feet
- e. Minor Streets 20 feet with two (2) foot
(Neighborhood or Local) dirt shoulders on each side
- f. Alleys 16 feet with two (2) foot dirt shoulders and a 40-foot radius for turn around
- g. Cul-de-sacs 26 feet with 50-foot radius for turn around
- h. Through proposed neighborhood or local business areas, the street widths shall be increased ten (10) feet on each side to provide for turning

ARTICLE 7

STREET DESIGN REQUIREMENTS

Section 7.01 Street Right-of-Way Widths. The right-of-way width shall be the distance across a street from property line to property line. Minimum right-of-way width shall be as follows:

- a. Major Arterial 140 feet, or as may
(See Transportation Plan, be required
Polk County, Tennessee)
- b. Minor Arterials80 feet
(See Transportation Plan)
- c. Primary Collectors80 feet
(See Transportation Plan)
- d. Secondary Collectors80 feet

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

- e. Local Streets (Neighborhood)50 feet
- f. Marginal Access Streets.....50 feet

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

- g. Alleys.....20 feet

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

- h. Cul-de-sacs50 feet

Cul-de-sacs are permanent dead end streets or courts designed so that they cannot be extended in the future. They shall be provided at the closed end with a turnaround having a property line radius of at least fifty (50) feet with an outside pavement radius of at least forty (40) feet. A cul-de-sac shall not be greater in length than one thousand two hundred (1,200) feet or have more than twenty (20) lots.

- i. Temporary Cul-de-sacs.....50 feet

Where in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary to such property. Such dead end

- b. The fact that the road is private shall be noted on the subdivision plat and in the individual deeds.
- c. The actual private road shall be marked with signs stating "Private Road."
- d. The private road shall meet the specifications set forth in Section 13.05.1 (a) of these regulations.
- e. An additional certification shall be added to the plat stating the dedication and ownership of said private road. This certification is found in Section 15.02.

Section 6.09 Reserve Strips. There shall be no reserve strips controlling access to roads except where the control of such strips is definitely placed with the county roads under conditions approved by the planning commission.

Section 6.10 Easements. Easements having a minimum width of ten (10) feet shall be provided where deemed necessary along each side or rear lot line for utility lines and underground mains and cables. Easements of the same or necessary greater width shall be required along the lines of or across lots, where necessary, for the extension of existing or planned utilities.

Where a subdivision is traversed by a watercourse, drainage way, channel, or stream there shall be provided a stormwater or drainage right-of-way of adequate width. Parallel streets may be required by the Planning Commission in connection therewith.

ARTICLE 6

GENERAL REQUIREMENTS FOR STREETS

AND OTHER RIGHTS-OF-WAY

Section 6.01 Conformance to Adopted Transportation Plan. All streets and other features of the Transportation Plan of Polk County, Tennessee, shall be platted by the subdivider in the location and to the dimensions indicated on the Transportation Plan adopted by the Planning Commission.

Section 6.02 Continuation of Existing Streets. Existing streets shall be continued at the same or greater width, but in no case less than the required width.

Section 6.03 Street Connections. Where proposed streets are to adjoin existing streets, the developer must make the connection at his expense and meet all street design requirements set forth in these regulations.

Section 6.04 Street Elevations. The Planning Commission may require, where necessary, profiles and elevations of streets in areas subject to flood, as defined in these regulations. Fill may be used for streets provided such fill does not unduly increase flood heights. Drainage openings shall be so designed as to not restrict the flow of water and unduly increase flood heights.

Section 6.05 Street Names. The street names shall require the approval of the Planning Commission. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street.

Section 6.06 Restriction of Access. When a tract fronts on an arterial or highway, the Planning Commission may require such lots to be provided with frontage on a marginal access street or may require reverse frontage lots.

Section 6.07 Alleys. Alleys may be required at the rear of all lots used for multi-family, commercial, or industrial developments but shall not be provided in one- and two-family residential developments unless the subdivider provides evidence satisfactory to the Planning Commission of the need for alleys.

Section 6.08 Private Roads. There shall be no private roads platted in any subdivision unless such roads are constructed to the same standards found in these regulations, as required for roads which are to be county-maintained. The planning commission shall have the right to decide if private standards are acceptable in recreational subdivision. Any further restrictions of private roads will be according to the standards set forth by any homeowners association as referred to in Section 14.04 of these regulations.

Section 6.08.1 Requirements for Private Roads. If private roads are to be constructed in any subdivision and has received the planning commission's approval, the following conditions shall be met:

- a. The private road must not connect between two (2) or more public roads.

NOTE: One of the primary purposes and advantages of planning for the dedication and reservation of property for public use is to indicate areas which may be presently acquired at acreage prices rather than at greatly increased prices in the future, where future improvements would increase the expense to the taxpayer and create inconvenience for the individual property owner and for the neighborhood.

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

ARTICLE 5

GENERAL DESIGN REQUIREMENTS

Section 5.01 Suitability of the Land. The Planning Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed.

If a subdivision is proposed within one hundred (100) feet of a stream for which detailed flood data has not been published, the Planning Commission shall require detailed flood information for the particular area before deciding whether or not such subdivision development can occur.

Land which is subject to flooding shall not be platted for residential occupancy or building sites unless such land is shown to be outside of the floodway of the river or stream causing flooding. Fill may not be used to raise land within the floodway. However, fill may be used outside of the floodway providing that the requirements of Article 6, Section 6.04 are satisfied and further provided that any fill shall extend twenty-five (25) feet beyond the limits of any structure erected thereon.

Section 5.02 Name of Subdivision. The name of the subdivision must have the approval of the Planning Commission. The name shall not duplicate or closely approximate the name of an existing subdivision.

Section 5.03 Access. Access to every subdivision shall be provided over a public street.

Section 5.04. Public Use Areas. When features of other plans adopted by the Planning Commission (such as schools or other public building sites, parks or other land for public use) are located in whole or in part in a land subdivision, land for such features shall be either dedicated or reserved by the subdivider for acquisition within one (1) year by the appropriate public agency.

Whenever a plat proposes the dedication of land to public uses that the Planning Commission finds not required or suitable for such use, the Planning Commission shall refuse to approve the plat, and shall notify the governing body of the reasons for such action.

Section 5.05 Large Scale Development. The requirements of these regulations may be modified in the case of large scale community or neighborhood units, such as a housing project, mobile home park, or shopping center which is not subdivided into customary lots, blocks, and streets. Plans for all such developments shall be presented to the Planning Commission for review and approval prior to the commencement of construction.

The requirements and regulations of the "Tennessee Trailer Court Act", Tennessee Code Annotated, Sections 13-7-201 through 13-4-210 and the Polk County Mobile Home Ordinance must be satisfied and the approval of the local health authority must be secured prior to approval by the Planning Commission.

Section 13-3-410, or on a street plat made and adopted by said commission, or unless such lot fronts upon a permanent easement with access to an existing public highway, street or thoroughfare, or with a street located or accepted by the legislative body of the county after submission to said planning commission, and, in case of said commission's disapproval, by the favorable vote required in Section 13-3-406. Any building or structure erected or to be erected in violation of this section shall be deemed an unlawful building or structure, and the building commissioner or the county attorney or other official designated by the county legislative body may bring action to enjoin such erection or cause it to be vacated or removed. Provided, however, that the provisions of this section relating to access shall not apply to subdivisions upon property zoned commercial and/or industrial tracts, and no building permit shall be withheld in such cases for noncompliance.

Section 4.06 Penalties for Transferring Lots in Unrecorded Subdivisions. Section 13-3-410 Tennessee Code Annotated, provides that whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the regional planning commission and obtained its approval as required by this chapter and before such plat be recorded in the office of the appropriate county register or who falsely represents to a prospective purchaser of real estate that roads or streets will be built or constructed by a county or other political subdivision, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. Provided, however, said owner or agent of any land may sell, transfer or agree to sell any lot or lots shown on a plan having been given tentative approval by said regional planning commission; and provided, further, said owner or agent post bond in form and amount and with conditions and surety satisfactory to said regional planning commission, providing for and securing to the public the actual construction and installation of such improvements and utilities within a period specified by the commission and expressed in the bond. The county, through its county attorney, or other official designated by the county legislative body, may enjoin such transfer or sale or agreement by action or injunction.

ARTICLE 4

PLATTING JURISDICTION, ENFORCEMENT

AND PENALTIES FOR VIOLATION

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

Section 4.01 Platting Authority. From and after the passage of these regulations, the Planning Commission shall be the official platting authority, and no plat of land subdivision shall be entitled to be recorded in the office of the Polk County Register of Deeds unless it shall have the approval of the Planning Commission herein inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the Planning Commission, as required by these regulations, is declared to be a misdemeanor, punishable by law.

Section 4.02 Use of Plat. The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a subdivision plat that has not been given final approval by the Planning Commission and recorded in the office of the Polk County Register of Deeds is prohibited, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

Section 4.03 Enforcement. No plat or plan of a subdivision located within the area of planning jurisdiction shall be filed or recorded by the Polk County Register of Deeds until said plat or plan has received final approval in writing by the Planning Commission as provided in Section 13-3-402, Tennessee Code Annotated.

Section 4.04 Opening and Improving Public Streets (Roads). No public officer, authority or county governing body shall accept, layout, open, improve, grade, pave, or light any street; lay or authorize the laying of water mains or sewers; or the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted*, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission, or on a street plan made and adopted by the Commission as provided in Section 13-3-406, Tennessee Code Annotated.

Section 4.05 Erection of Buildings. From and after the time when the platting jurisdiction of any regional planning commission shall have attached as provided in Section 13-3-402, no building permit or certificate of compliance shall be issued for or no building or structure shall be erected on any lot within the area of jurisdiction of the regional planning commission, unless the street giving access to the lot upon which said building or structure is proposed to be placed shall have been accepted or opened as or shall have otherwise received the legal status of a public street prior to that time or unless such street corresponds in its location and lines with a street shown on a subdivision plat tentatively approved by said planning commission as prescribed in

*Article 10, Section 10.03(g)

- c. **Cul-de-sac.** A local street with only one outlet, sometimes called a "dead end" street.
- d. **Local Street.** A neighborhood street used primarily for access to the abutting properties.
- e. **Marginal Access Street.** A minor street parallel and adjacent to major thoroughfares which offers access to abutting properties.
- f. **Secondary Collector.** A collector street which carries traffic from local streets to major thoroughfares.

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

Subdivision. The term "subdivision" means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose whether immediate or future, of sale or building development and includes resubdivision; and the definitions of such subdivision shall be restricted to the following:

- a. All such divisions where one (1) or more of the resulting tracts is less than five (5) acres in size.
- b. All such divisions where a new road or public utility installation (water or sewer) is required, regardless of the size of any or all of the parcels.

The following are EXCLUDED from the definition of a "subdivision:"

- a. Testamentary division of property;
- b. Partnership division of property between two or more owners of an undivided interest by court order or by deeds.
- c. Divisions where the resulting tracts are all over five (5) acres, all have frontage on an existing publicly-maintained road, and where none require the extension of public water or sewer lines.

Although a subdivision, the following shall be excluded from the planning commission review process: the sale or transfer of one (1) lot where no new road is required for access, and where there is no other sale or transfer from the same tract within six months of each other, unless it is the balance of the whole original tract. Where individual septic systems are proposed the subdivider shall still be required to obtain local Health Department approval of the newly created lot.

Subdivision Regulations. The 1991 "Polk County, Tennessee Subdivision Regulations" in its entirety and future amendments thereto.

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

Major Subdivision. A subdivision having five (5) or more lots, building sites, or other divisions, or a subdivision which involves a new road or public water or sewer extension regardless of the number of lots.

Minor Subdivision. A subdivision having four (4) or less lots, building sites, or other divisions and not involving a new road or public water or sewer extension.

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

Owner. Any person, group of persons, firm or firms, corporation or corporations, or any legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

Phase Development. The development of a subdivision or shopping center or other large scale land development project in two or more stages. (The developer may wish to use phase development in order to finance a later phase with the financial returns of the earlier phase. The planning commission will need to review preliminary plans of the entire development and will then grant final approval by stage.)

Planning Commission. The Polk County Regional Planning Commission.

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

Recreational Subdivision. An optional type of subdivision development for areas trying to remain remote and natural. (See Article 9 for additional qualification.)

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

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

Setback Line. A line established by the subdivision regulations, generally parallel with and measured from the lot lines, delineating the minimum allowable distance between the property line and a building on a lot within which no building or other structures shall be placed except as otherwise provided.

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

- a. **Alley.** A minor way used for service access to the bank or side of properties otherwise abutting on a street.
- b. **Arterial and Collectors.** The street designated as such in the Polk County, Tennessee Transportation Plan.

ARTICLE 3

DEFINITIONS OF CERTAIN TERMS USED HEREIN

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

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

Cluster Development. The development of four (4) or more housing units sited closely about a shared vehicular access and parking area and having the option of a shared sewage disposal system.

Easement. The right given by the owner of land to another party (either public or private) for specific limited use of that land.

Easement, Utility. The right granted by the owner of land to allow utilities to be constructed, maintained, or preserved. Utility Easement shall include, but is not limited to, easement for storm drainage, water lines, sewer lines, electric power lines, and pipe lines.

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

Flag Lot. A lot which lies behind other lots and which has its road frontage in the form of a narrow strip of land reaching the public road between other lots. The lots and its access often resembles a flag and its pole.

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

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

Floodway. One hundred (100) feet on each side, measured from the bank, of each river or stream--unless the developer demonstrates that a lesser distance, but not less than ten (10) feet, is adequate.

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

Health Authority. The director of the county or district health department having jurisdiction over the county health, or his duly authorized representative.

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

ARTICLE 1
PREAMBLE AND ENACTMENT CLAUSE

The pursuance of authority set forth in Sections 13-3-401 through 13-3-411, Tennessee Code Annotated, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the county; to encourage economically sound and stable land development; to assure the provision of required streets, utilities, and other facilities and services to land developments; to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land development; to assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes; and to assure that land is developed in conformity with the Comprehensive Plan of Polk County, the Planning Commission of Polk County, Tennessee, does ordain and enact the following articles and sections.

ARTICLE 2
SHORT TITLE

This document shall be known and may be cited as the "Subdivision Regulations of Polk County, Tennessee."

SUBDIVISION REGULATIONS

For

POLK COUNTY, TENNESSEE

TITLE

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

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 sooner or later 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, to the best interest of the public, the developer, and the future owner that subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards.

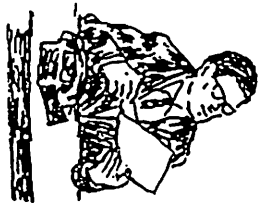
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OBTAIN CURRENT REGULATIONS

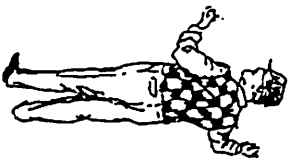


SUBDIVIDER

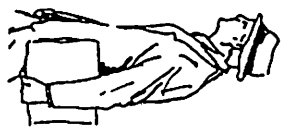
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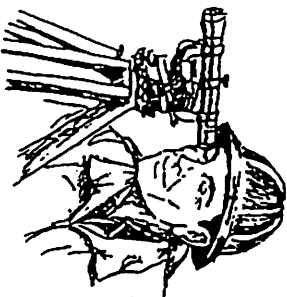
PLANNING STAFF



COUNTY ENVIRONMENTALIST



COUNTY ROAD OFFICIAL



ENGINEER OR SURVEYOR

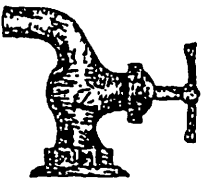
3. REVIEW

AND APPROVAL OF PRELIMINARY PLAT



PLANNING COMMISSION AND ITS STAFF

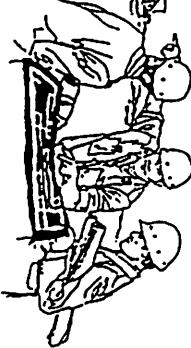
4. CONSTRUCTION



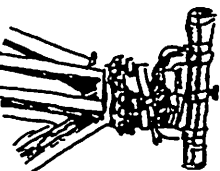
UTILITY DEPARTMENTS



ROAD BUILDER

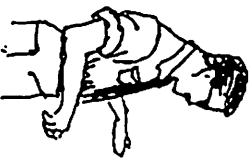


ENGINEER OR SURVEYOR

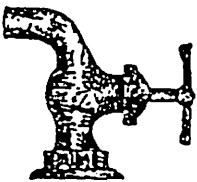


5. APPROVAL

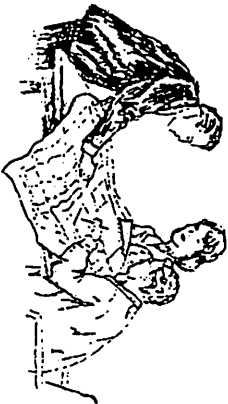
OF FINAL PLAT



COUNTY ROAD OFFICIAL

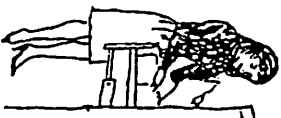


UTILITY DEPARTMENTS

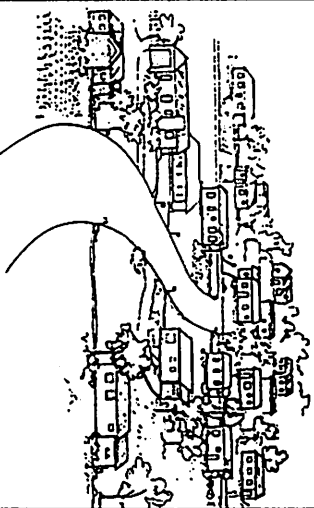


PLANNING COMMISSION

6. RECORDING



COUNTY RECORDER



SUBDIVISION PROCESS
HOW TO START AND WHOM TO SEE

- e. Where zoning is in effect, a building permit to construct any building will be withheld.
- f. Any building or structure erected in violation may be forced to be vacated or removed.
- g. The legislative body of a county or municipality may stop sales by injunction or other legal action.

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

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

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

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

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

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

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

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

ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

1. ARE SUBDIVISION REGULATIONS FAIR TO EVERYONE?

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

2. WHO IS AFFECTED BY THE REGULATIONS?

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

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

Yes. "Subdivision" means the division of a tract or parcel of land into two or more lots, sites or divisions for immediate or future sale or building development and includes resubdivision (see Definition of Subdivision in Article 3).

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

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

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

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

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

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

SUGGESTED STEPS FOR A DEVELOPER OF A SUBDIVISION

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

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

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

WHEN PRELIMINARY APPROVAL HAS BEEN GRANTED:

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

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

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

Prepare final plat.

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

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

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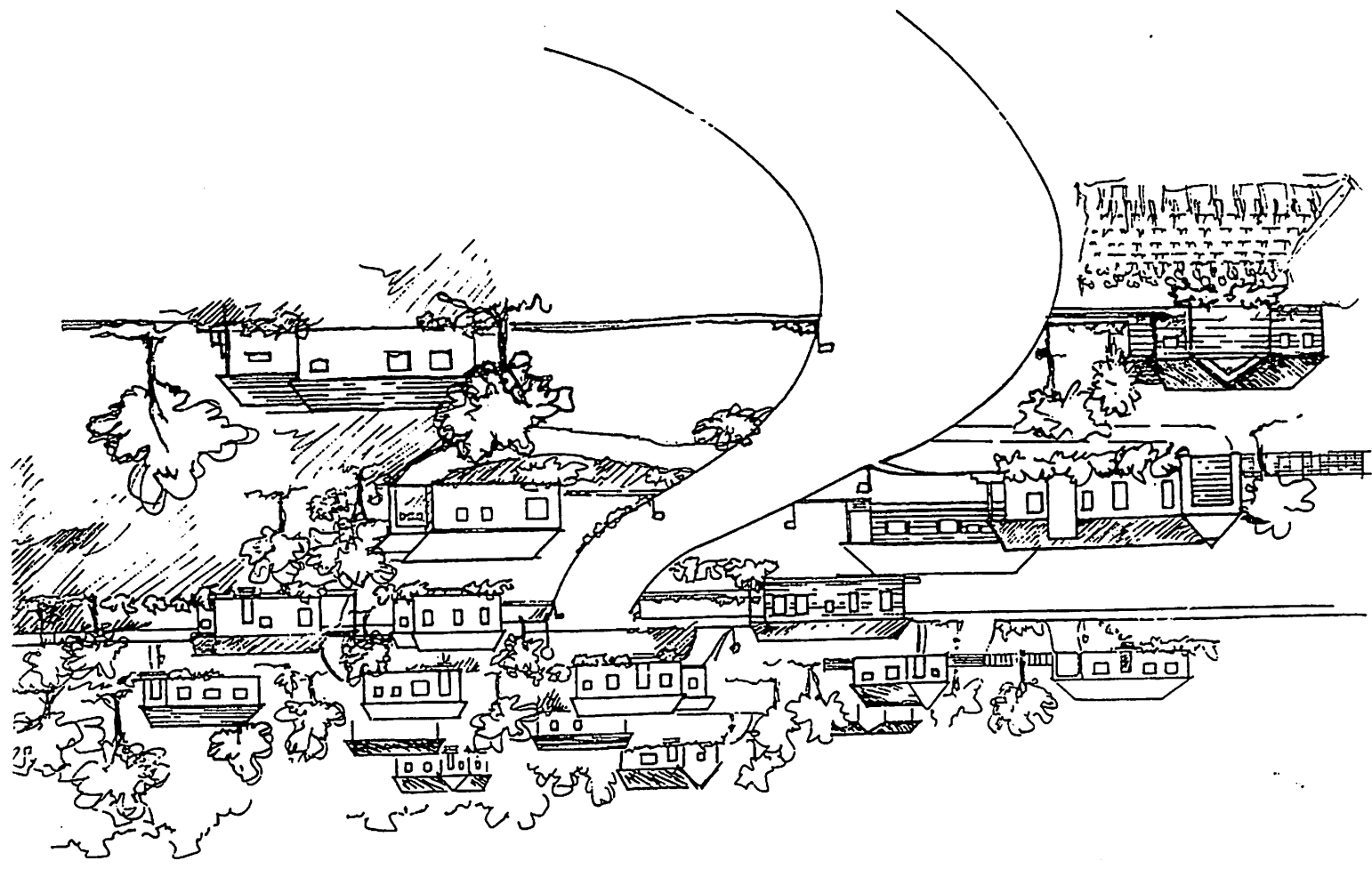
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**SUBDIVISION REGULATIONS
OF
POLK COUNTY, TENNESSEE**

Prepared for
the
Polk County Regional Planning Commission

Assisted by
the
Southeast Tennessee Local Planning Assistance Office
of the
Tennessee Department of Economic
and Community Development

1985
(As Amended & Re-printed Through August, 1998)



SUBDIVISION REGULATIONS
POLK COUNTY
TENNESSEE