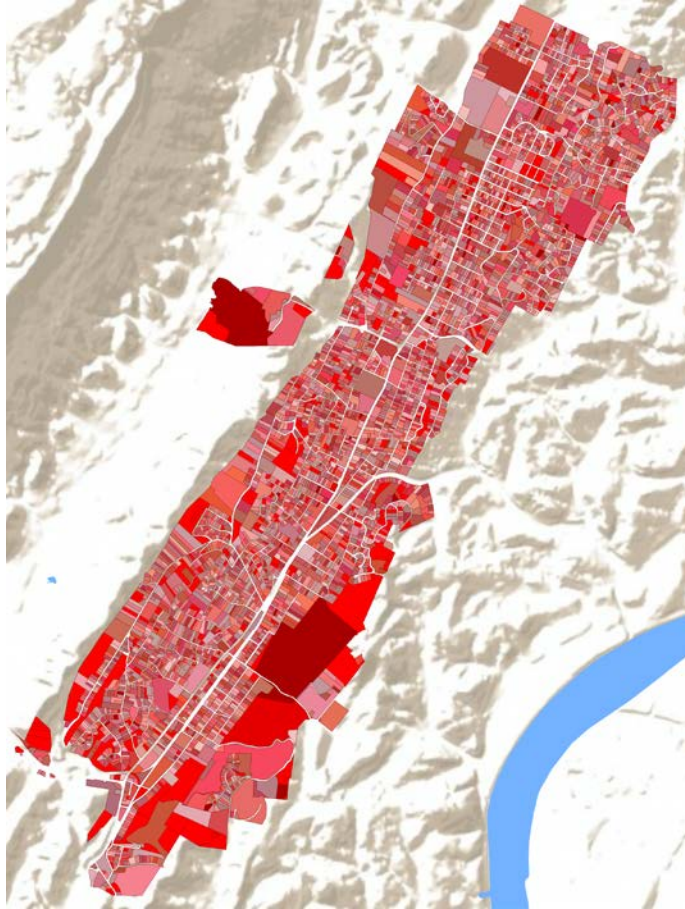


Subdivision Regulations for the City of Red Bank, Tennessee



Prepared by the Red Bank Municipal Planning Commission

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ARTICLE 1

General Provisions

ARTICLE 1

GENERAL PROVISIONS

101 **TITLE**

Regulations establishing minimum requirements for the design standards of subdivisions; for the surveying and platting requirements thereof; providing for certain preliminary and final plat requirements, and for the submission, review, and approval of same; for the recording of the final plat; defining certain terms used herein; providing for the administration and enforcement and the penalties for violation thereof; providing for the means of adoption and amendment; repealing all subdivision regulations, resolutions, ordinances, and/or codes in conflict herewith.

These regulations shall be known as the Subdivision Regulations of the City of Red Bank, Tennessee.

102 **INTENT OF REGULATIONS**

It is hereby declared to be the policy of the City of Red Bank to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the City of Red Bank for the orderly, planned, efficient, and economical development of the City of Red Bank.

Land to be subdivided shall be of such character that it can be used safely for building or other purposes without danger to health or peril from fire, flood, or other menace.

The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the General Plan, and the capital budget and program of Red Bank; and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, zoning ordinances, General Plan, and the capital budget and program of Red Bank, Tennessee.

103

PURPOSES

These regulations are adopted to provide for the harmonious development of the City of Red Bank; for the coordination of streets within the subdivided land with other existing or planned streets or with the state or regional plan or with the plans of municipalities in or near the region; for adequate open spaces for traffic, light, air and recreation; for the conservation of or production of adequate transportation, water, drainage, and sanitary facilities; for the avoidance of population congestion; for the avoidance of such scattered or premature subdivision of land as would involve danger or cause injury to health or safety by reason of the lack of water supply, drainage, transportation or other public services or would necessitate an excessive expenditure of public funds for the supply of such services; and for the requirements as to the extent to which and the manner in which streets shall be graded and improved and water and sewer and other utility mains, piping, connections or other facilities shall be installed or bonded as a condition precedent to the approval of the plat.

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AUTHORITY

The authority for these regulations has been established by virtue of the powers vested by the State of Tennessee in TCA Sections 13-4-301 through 13-4-309.

In accordance with the provisions of TCA Sections 13-4-302 (Public Acts of Tennessee, 1935) as amended and as enacted by Title 14 of the Red Bank Municipal Code, the provisions of these regulations shall be administered by the Red Bank Municipal Planning Commission.

The Planning Commission does hereby exercise the power and authority to review, approve, and disapprove plats for the subdivision of land within the corporate limits of Red Bank which show lots, blocks, or sites with or without new streets or highways.

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State to Municipal Planning Commissions in TCA Section 13-4-302. The developer has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economic development of the City of Red Bank and to the safety and general welfare of the future lot owners in the subdivision and the community at large.

105

JURISDICTION

These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the corporate limits of Red Bank, Tennessee.

'Subdivision' means "the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of subdividing or to the land or area subdivided." (See TCA 13-4-301)

106

INTERPRETATION, CONFLICT, AND SEPARABILITY

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction.

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Planning Commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

107

SAVING PROVISION

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, by lawful action of the City of Red Bank except as shall be expressly provided for in these regulations.

108

ENFORCEMENT, VIOLATIONS, AND PENALTIES

No plat of a subdivision of land lying within the corporate limits of Red Bank shall be filed for record, or recorded, until it shall have been approved by the Planning Commission, and such approval be endorsed in writing on the plat by the secretary of the Commission or his duly appointed representative. (See TCA 13-4-302).

The County Register shall not receive, file, nor record a plat of a subdivision without the approval of the Planning Commission, and the County Register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law. (See TCA 13-4-302).

Any plat of a subdivision recorded by the County Register without the appropriate approval of the Planning Commission shall be void.

No changes, erasures, modifications, or revisions shall be made on any plat of a subdivision after the plat has been endorsed by the Secretary of the Planning Commission or his duly appointed representative unless said plat is first resubmitted to the Planning Commission.

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 municipal 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, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The municipality, through its solicitor or other official

designated by its chief legislative body may enjoin such transfer or sale or agreement by action for injunction.(Tenn. Code Ann. § 13-4-306)

109 AMENDMENTS

These regulations may be amended by the Red Bank Municipal Planning Commission at a regular or called meeting. Before the adoption of any amendment, a public hearing shall be held by the Red Bank Municipal Planning Commission. (See TCA 13-4-303)

110 FEES FOR PROCESSING PLATS

The City of Red Bank may require a fee for each subdivision plat submitted for review.

111 APPLICATION FOR VARIANCES¹

The developer or surveyor or surveyor/engineer who wishes to request a variance from the requirements of these subdivision regulations shall submit a letter to the Red Bank Municipal Planning Commission with the plat. The letter shall:

- (a) state precisely the item(s) for which a variance is being requested;
 and
- (b) state the practical difficulty or unnecessary hardship that would be caused by adhering to these regulations; and
- (c) state the design alternative(s) that was considered to eliminate the need for the variance(s), and the reason(s) that the design alternative(s) is not practical; and
- (d) state the detrimental effect to the subdivision or the community if the variance is not granted.

111.1 Planning Commission Action on Variance Requests

In the Planning Commission’s actions on subdivision plats, the Planning Commission shall approve, approve with modifications, defer, or disapprove the request for variances before acting on the individual plat.

The Planning Commission may grant variances from these regulations in cases where the Planning Commission determines:

- (a) that unusual physical or other conditions exist which would cause practical difficulty or unnecessary hardship if these regulations are adhered to; and
- (b) that the granting of a variance will not be detrimental to the public interest; and
- (c) that the variance will not be in conflict with the intent and purpose of these regulations.

Any variance that is granted, and the justification for granting the variance, shall be in writing in the minutes of the Planning Commission.

In the event that a variance is denied, the reason(s) for denial shall be stated in writing in the minutes of the Planning Commission.

112

APPEAL²

Any person, firm, or corporation who believes that he/she has been aggrieved by a decision of the Planning Commission in approving, denying, deferring, or granting a conditional approval of a plat may present their petition to a court of competent jurisdiction.

¹ The Planning Commission realizes that it cannot write regulations that would cover every conceivable circumstance that could arise in the development of a subdivision. There is need to allow variances. However, the variances should not be granted just because the developer wants to do something contrary to the design standards established in these regulations. The procedures listed under Section 111 will help the Planning Commission to determine why a variance is necessary, what choices were considered to alleviate the need for a variance, and why the granting of the variance would not have a detrimental effect on the subdivision or the community.

² No Action by any governmental agency should be final without some method of appeal being granted to anyone who believes that he has been aggrieved by a decision of that agency; therefore, the method of appeal is spelled out here.

ARTICLE 2

Definitions

ARTICLE 2
DEFINITIONS

200 **WORDS AND PHRASES**

For the purposes of these regulations, certain terms, words, and phrases are defined as follows:

Words with a masculine gender include the feminine gender.

Words used in the future tense include the present.

Words used in the present tense include the future.

Words in the singular include the plural.

Words in the plural include the singular.

The word “may” is permissive.

The word “shall” is mandatory.

The words “ordinance” and “regulations” are used interchangeably.

The word “person” includes a firm, association, corporation, organization, partnership, trust, company, and an unincorporated association of persons such as a club, as well as an individual.

The words “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied.”

- 1 **ACCESS EASEMENT:** A recorded permanent easement which provides access to a publicly accepted municipal or county. Such permanent easement shall be open to public safety access and utility access. See Section 406.
- 2 **ALLEY:** A narrow public or private thoroughfare which provides only a secondary means of vehicular access to abutting properties.
- 3 **APPLICANT:** The owner of land proposed to be subdivided, or his representative. Consent shall be required from the legal owner of the premises.
- 4 **BLOCK:** A parcel of land that is normally bounded by streets or bounded by streets and the exterior boundary of a subdivision.
- 5 **BASE FLOOD:** The flood having a one percent chance of being equaled or exceeded in any given year-commonly referred to as the ‘100-year flood.’ (See

also, 'High Water Stage')

- 6 BOND: Any form of security (including a cash bond, surety bond, cashiers check, collateral, property, or instrument of credit) in an amount and form satisfactory to the City Manager for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement. (See Article 3, Section 307)
- 7 BUILDING INSPECTOR OR OFFICIAL: A qualified inspector from the Municipal Building Inspection's office who is designated by the the City Manager to enforce the Zoning Ordinance.
- 8 CAD: Computer-Aided drafting, a.k.a., computer-aided design.
- 9 CITY ATTORNEY: The licensed attorney designated to furnish legal assistance to the City Commission.
- 10 CITY MANAGER: The person appointed by the governing body to be the chief administrative official of the city. City Manager also includes any member of city staff as designated by the City Manager.
- 11 COLLECTOR STREET: See Street, Collector.
- 12 CONTROL MONUMENT: A survey marker used to position the remaining boundary survey corners on the surface of the Earth. A type of monument.
- 13 CORRECTIVE PLAT: A plat used to record minor changes to a recorded plat. (See Article 3, Section 305.)
- 14 CUL-DE-SAC: A local street with one (1) end open to traffic and the other end terminating in a vehicular turnaround. (See Appendix 7)
- 15 CUL-DE-SAC, SCHOOL BUS: Any cul-de-sac more than 1300' from an intersection. (See Appendix 7)
- 16 CUL-DE-SAC, SHORT: A cul-de-sac street which provides access to ten (10) or less lots provided the road is not an extension of a road with a wider right-of-way and the street cannot be extended due to topographic barriers. (See Appendix 7.)
- 17 DEED RESTRICTIONS: A private covenant among the residents of a subdivision or development limiting the use or conditions within the subdivision or development.

- 18 DEVELOPER: Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land here under for himself or for another.
- 19 EASEMENT: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
- 20 EASEMENT, ACCESS: A recorded permanent easement which provides access to a publicly accepted municipal street. Such permanent easement shall be open to public safety access and utility access. See Section 406.
- 21 EASEMENT, DRAINAGE: A perpetual, unobstructed easement across property reserved to carry surface water drainage along specified routes to natural water courses. Drainage easements shall not be filled or built upon in any way that will impede the flow of surface water.
- 22 EASEMENT, OVERHEAD POWER AND COMMUNICATION: An easement for the installation, operation, inspection, maintenance, repair or replacement of overhead electric power, telephone, cable T.V. and other communication lines, cables, poles, anchors, structures, etc., and the appurtenances thereto belonging.
- 23 EASEMENT, PERMANENT: See Easement, Access.
- 24 EASEMENT, POWER AND COMMUNICATION: An easement for the installation, operation, inspection, maintenance, repair or replacement of underground, ground level or overhead electric power, telephone, cable T.V., and other communication lines, cables, poles, anchors, ditches, pipes, duct, structures, manholes, etc., and the appurtenances thereto belonging.
- 25 EASEMENT, UTILITY: An easement for the installation, operation, inspection, maintenance, repair or replacement of the public utility lines, cables, poles, ditches, pipes, manholes, etc., and the appurtenances thereto belonging.
- 26 ENGINEER: Any person registered to practice professional engineering in Tennessee by the State Board of Examiners for Architects and Engineers.
- 27 FINAL PLAT: A subdivision plat prepared in accordance with the provisions herein, in which said plat is designed to be placed on record with the County Register after approval by the Planning Commission.

- 28 FLAG LOT: An interior lot located to the rear of another lot but with a narrow portion of the lot extending to the street. The narrow portion of the lot that extends to the street shall be suitable for ingress and egress. (See Section 407)
- 29 FLOOD, 100-YEAR: (Base Flood Elevation) The flood having a one percent chance of being equaled or exceeded in any given year as defined by Federal Emergency Management Administration (formerly Federal Insurance Administration). The boundaries and general elevations of the 100 year flood are shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Administration.
- 30 FLOODWAY ZONE: The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood (100 year flood) without increasing the water surface elevation. The Floodway Zone is shown on the Municipal Zoning Maps.
- 31 FRONTAGE: See the Zoning Ordinance.
- 32 GENERAL PLAN: A plan, or any portion thereof, adopted by the Planning Commission, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community. This includes the Red Bank Land Use Plan 2036 and any subsequently adopted plans.
- 33 GEOLOGIC SURVEY: Involves study of the bedrock, regolith, and ground water. Requires a detailed mapping of the rock strata and structural relationships of these units. Also, may include nature and significance of possible metallic and non-metallic mineral deposits.
- 34 GIS DEPARTMENT: The agency designated by Hamilton County as the official source of electronic maps and related geographic information system support. The head of this agency is the Director of the GIS (Geographic Information System) Department.
- 35 GOVERNING BODY: The chief legislative body of the City Red Bank, commonly referred to as the "Board of Commissioners" and the "City Commission."
- 36 GRADE: The slope of a street, or the ground, specified in percentage (%) terms.
- 37 HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY (HCWWTA): An independent authority chartered by Hamilton County Government under sections of the Tennessee Code Annotated which

provides sanitary sewer service to parts of Hamilton County.

- 38 **HAMMERHEAD TURNAROUND:** A type of cul-de-sac that does not have the typical cul-de-sac bulb, but rather a hammerhead shape as shown in Appendix 8. Such a design may be approved by the Planning Commission, provided that such design can accommodate the turn-around of fire, solid waste collection, and delivery vehicles as determined by the City Manager.
- 39 **HIGH WATER STAGE (Base flood elevation):** See “Flood-100 Year.”
- 40 **IMPROVEMENTS:** Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.
- 41 **LOCAL STREET:** See Street, Local.
- 42 **LOT:** A parcel of land occupied or intended to be occupied by a principal use as permitted in the applicable zoning ordinance or regulation, together with their accessory building or uses and such access, yards, and other open spaces as required in these regulations and the applicable zoning ordinance. If on-site waste disposal systems are used, the lot must be capable of sustaining such a disposal system within the limits of the particular lot.
- 43 **LOT MEASUREMENTS:** Lots shall be measured and their dimensions calculated as given below.
- 44 **LOT FRONTAGE:** The width of the lot measured (a) along the right-of-way line of a dedicated and publicly accepted street or right-of-way, or (b) in the case of a lot fronting upon a cul-de-sac in an approved, platted and recorded subdivision, along the required front yard building set back line.
- 45 **LOT WIDTH:** The width of the lot measured along a straight line between side lot lines (generally parallel to the street) and measured at: (a) the rear of the front yard required by the local zoning regulations, or (b) the building setback line as shown on the plat.
- 46 **LOT DEPTH:** The depth of the lot measured along a straight line(s) perpendicular to the street and measured from the street right-of-way to the rear of the lot in accordance with the most applicable of the following conditions:

(See Appendix 9 for examples).

- (a) For rectangular lot; the length of the side lot line.
- (b) For lots that are generally rectangular or trapezoidal, except where either side lot line is less than fifty (50) feet; the average of the depths to the rear lot corner.
- (c) Lots that are generally rectangular, or trapezoidal where one side lot line is less than fifty (50) feet, or triangular; the average of the depth of the long side lot line and the length of a line perpendicular to the street but seventy-five (75) feet away from side measured above. (Note: The lot width must be at least seventy-five (75) feet to make this measurement.)
- (d) Lots with irregular front or rear lot lines; the average of the shortest side lot line and a line to the portion of the rear lot line that is closest to the street.
- (e) Flat lots; the depth of the major part of the lot, as measured above, but excluding the narrow portion of the lot that extends to the street.

47 LOT AREA: The area bounded by the lot lines of a lot with the following exception:

- (a) For lots served by septic tanks, drainage ways, easements and the area separated from the main portion of a lot by drainage way, or drainage easement shall not be considered part of the buildable area.

48 LOT OF RECORD: A designated tract of land as shown on a recorded plat or tax map on record in the Register's Office or the Assessor of Property's Office prior to the passage of the Zoning Ordinance.

49 LOT TYPES: Terminology used in these regulations with reference to corner lots, interior lots, and through lots, and reversed frontage lots is as follows:

- (a) CORNER LOT: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
- (b) INTERIOR LOT: A lot other than a corner lot with only one frontage on a street.
- (c) THROUGH LOT: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

(d) REVERSED FRONTAGE LOTS: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

- 50 MAJOR STREET PLAN: A plan that identifies the functional classification of roadways according to the character of service they provide relative to the overall road network.
- 51 MAJOR SUBDIVISION: See Subdivision, Major.
- 52 MINOR ARTERIALS: This system should interconnect with and augment the urban principal arterial system and provide service to trips of moderate length at a somewhat lower level of travel mobility than principal arterials. These facilities place more emphasis on land access than the higher system. Minor arterials, ideally, do not penetrate identifiable neighborhoods.
- 53 MONUMENTS: Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary lines, corners, and points of change in street alignment.
- 54 NON-RESIDENTIAL LOT: A lot intended to be used for purposes other than residential and accessory uses; such as for commercial or industrial development.
- 55 NON-RESIDENTIAL SUBDIVISION: A subdivision intended to be used other than residentially, such as for commercial or industrial development. Such subdivisions shall comply with the applicable provisions of these regulations.
- 56 OFFER OF DEDICATION: The act of granting land or streets to an entity, such as the government, association, person, etc. The offer of dedication shall not constitute the acceptance of such land or streets by the City of Red Bank.
- 57 ORDINANCE: A legislative action taken by the City of Red Bank Mayor and Board of Commissioners which has the office of law, including any amendment or repeal of any ordinance.
- 58 OWNER: Any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
- 59 PERFORMANCE BOND; See Bond and Article 3, Section 307.
- 60 PLANNING COMMISSION: The Red Bank Municipal Planning

Commission, created in accordance with Tennessee Code Annotated 13-4-101.

- 61 PLAT: The map, plan, or drawing on which the developer's plan of a subdivision of property is presented to the Planning Commission for approval and, after such approval, to the Register of Hamilton County for recording. "Plat" includes plat, plan, plot or replot.
- 62 PLAT DESIGNER: An individual or firm that surveyed and designed the preliminary plat, final plat, and mylar.
- 63 PRINCIPAL ARTERIALS: Streets for significant intra-area travel; such as between central business districts and outlying residential areas, between major inner city communities, or between major suburban centers should be served by this system. Principal arterials are not restricted to controlled access routes. For principal arterials, the concept of service to abutting land should be subordinate to the provision of travel service to major traffic movements.
- 64 PUBLIC RIGHT-OF-WAY: Land owned by a government, but developed and reserved for the public's use.
- 65 PUBLIC UTILITY: See "Utility, Public."
- 66 REGIONAL PLANNING AGENCY: The agency that serves as the staff to the Red Bank Planning Commission.
- 67 RESERVE STRIP: A remnant of land created by the subdivision of contiguous land.
- 68 RESIDENTIAL LOT: A lot intended to be used for residential and accessory uses.
- 69 RESIDENTIAL SUBDIVISION: A subdivision intended to be used for residential and accessory uses.
- 70 RESUBDIVISION: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map, or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
- 71 REVISED PLAT: A plat used to record minor changes to a recorded plat. (See Article 3, Section 305.)
- 72 RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage

of the term “right-of-way” for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included with the dimensions of areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm sewers, storm drains, shade trees, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the Plat on which such right-of-way is established.

- 73 R.O.H.C.: Register’s Office of Hamilton County.
- 74 SALE OR LEASE: Any immediate or future transfer of ownership or any possessory interest in land, including contract of sale, lease, devise, intestate succession, or transfer, or an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, device, intestate succession, or other written instrument.
- 75 SETBACK LINE: A line established by the subdivision regulations and/or zoning ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said codes.
- 76 STAGING: The development of tracts of land in phases to accommodate the construction of a large subdivision.
- 77 STREET: Any public right-of-way designed for vehicular movement, except alleys, dedicated to and accepted by the City of Red Bank “Street” includes the full width of the right-of-way between property lines as well as the traveled portion thereof. “Street” includes “road,” “highway,” or any other designation of a public right-of-way designed for vehicular movement.
- 78 STREET, DEDICATED: A street shown on a subdivision plat which has been dedicated to the City of Red Bank but which has not yet been accepted by the City..
- 79 STREET, COLLECTOR: This system provides both land access and traffic circulation within residential neighborhoods as well as commercial/industrial areas. It differs from the arterial system in that facilities on the collector system may penetrate through the area to the ultimate destination. In the central business district (CBD), and in other areas of like development and traffic density, the collector system may include the street grid which forms a logical entity for traffic circulation.
- 80 STREET, CUL-DE-SAC: A local street with one (1) end open to traffic and the

- other end terminating in a vehicular turnaround. (See App. 9.)
- 81 STREET, SHORT CUL-DE-SAC: (See Cul-de-Sac, Short.)
- 82 STREET, FREEWAY: A divided, multi-lane street with full control of access designed to move large volumes of traffic at high speeds.
- 83 STREET, FRONTAGE: A street adjacent to a freeway or a major arterial, separated therefrom by a median, and providing ingress and egress from abutting property.
- 84 STREET, LOCAL: The local street system comprises all facilities not on one of the higher systems. It serves primarily to provide direct access to abutting land and access to the higher order systems. It offers the lowest level of mobility and through traffic movement is usually deliberately discouraged.
- 85 STREET, MAJOR: A street which serves the major movements of traffic within and through the community as shown on the latest adopted Major Street Plan of the General Plan, or any other adopted by the Red Bank Municipal Planning Commission.
- 86 STREET, SPLIT: A street, designed to lessen road cross grades and lot grades, that has two one-way or street segments with a median that is a part of the right-of-way. Split streets shall have a paved turn-around of at least 40 feet in diameter at each end of the median to facilitate access to property on the reverse lane of the split street. The developer may be required to install facilities to reduce maintenance and erosion at the discretion of the Public Works Director. (See Appendix 4)
- 87 SUBDIVIDER: Any person who (1), having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2), directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot parcel site, unit, or plat in a subdivision, or who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease or development, a subdivision or any interest, lot parcel site, unit, or plat in a subdivision and who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing. (See also Applicant, and Developer.)
- 88 SUBDIVISION: Means the division of a tract or parcel of land into two (2) or more lots, sites; or other divisions requiring new street or utility construction, or any division of less than (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the

- context, relates to the process of subdividing or to the land or area subdivided.
- 89 SUBDIVISION, ADMINISTRATIVELY APPROVED: Subdivisions that do not require Planning Commission approval. See, Article 3 Section 304.
- 90 SUBDIVISION, CORRECTIVE PLAT: See Article 3, Section 305.
- 91 SUBDIVISION, MAJOR: Any subdivision in which new streets, public sewer lines or public water lines, are to be constructed and dedicated to the public.
- 92 SURVEYOR: A land surveyor properly licensed and registered in the State of Tennessee.
- 93 SURVEYOR/ENGINEER: Any person registered to practice professional engineering in the State of Tennessee and also licensed and registered to practice land surveying in the State of Tennessee.
- 94 UTILITY, PUBLIC: A public utility is a business, organization, or government entity which is regularly supplying the public with some commodity or service to include, but not be limited to, such commodities or services as natural gas, electricity, water, telephone, sewage collection, cable television, etc., which requires the extension of lines, poles, cables, wires, pipes, etc., to individual buildings and which is being regulated for the public convenience and necessity by Federal, State, or local government.
- 95 VARIANCE: A variance is a modification of the strict terms of the relevant regulations where such modifications will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. (See Article 1, Section 111 and 111.1.)
- 96 VESTED PROPERTY RIGHTS: With the approval of any development project, the right to complete that project is conveyed to the property for a certain vesting period. In this timeframe, the development standards in effect on the date of approval remain in effect until final completion of the project. See Section 310 for specific vesting periods.
- 97 WATERCOURSE, UNMAPPED: In all jurisdictions, except the City of Red Bank, an unmapped watercourse is any watercourse other than Chickamauga Lake and those watercourses for which 100 year flood elevations have been mapped by the Federal Emergency Management Administration or its successor on flood Insurance Rate Maps. In the City of Red Bank, this term refers to any watercourse

other than Stringers Branch or Mountain Creek.

98 ZONING ORDINANCE: The Zoning Ordinance of the City of Red Bank.

ARTICLE 3

Subdivision Procedure

ARTICLE 3
SUBDIVISION PROCEDURE

301 GENERAL PRINCIPLES

Any person desiring to subdivide any lot, tract or parcel of land, or to change or rearrange any line dividing two or more lots, tracts or parcels of land within the corporate limits of Red Bank shall comply with the procedures established in these regulations (see Appendix 1);

The developer or surveyor or surveyor/engineer is urged to consult with the City Manager and Planning Commission staff in the earliest concept stages of development to get advice concerning zoning regulations, flood regulations, the General Plan, etc., affecting the site and subdivision procedures.

The Health Department may require a soil study for any subdivision that is not proposed to be connected to a sanitary sewer system. The developer or surveyor or surveyor/engineer should consult with the Health Department to determine if a soil survey is needed.

302 MAJORSUBDIVISIONS

302.1 Standard Procedure

The developer or surveyor or surveyor/engineer shall submit the required number of preliminary and final plats to the Hamilton County GIS Department staff along with the computer-aided drafting (CAD) file used to produce the plat. The deadline for the submittal of both the preliminary and the final plat is the 10th calendar day of the month for the plat to be acted upon by the Planning Commission at the next month's Planning Commission meeting. If the 10th day of the month falls on a weekend or holiday, the deadline is the next working day. The CAD file will be used only for the purpose of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors. Consult with the Hamilton County GIS department regarding acceptable file formats and methods of delivery.

Failure to supply the required plat copies and electronic file will result in rejection of the filing. If the filing is rejected by the Hamilton County GIS Department staff as being incomplete, that agency, at its discretion, may either return the filing to the applicant without further review or forward it to the Planning Commission staff along with a note describing the deficiency. Only complete applications should normally be presented to the Planning Commission for approval or rejection; however, when it serves the public interest to present an incomplete application to the Planning Commission, this restriction may be waived at the discretion of the Hamilton County GIS Department staff. If the filing is rejected by Hamilton County GIS Department staff and returned to the applicant without further review, then there is no submittal of the plat under TCA 13-4-304. Since the plat is not considered to be submitted, the “30-day” deadline in TCA 13-4-304 does not apply.

For an outline of the procedure, see Appendix 1.

302.2 Special Procedure for Submitting Preliminary and Final Plat Simultaneously

In special situations the developer or surveyor or surveyor/engineer may elect to submit the preliminary plat and the final plat simultaneously. The two plats may be approved simultaneously if the Health Department, the City of Red Bank, the Planning Commission staff, and all other affected agencies and/or utilities have no objections. Generally, this procedure will apply only if:

- (a) the soil survey (if required) has been submitted with the plat, and
- (b) the streets (if any) have been staked.

Any developer proposing to use this Special Procedure should consult or have his surveyor or surveyor/engineer consult with the Planning Commission staff at an early stage.

302.3 Planning Commission Action

The Planning Commission will act to approve, deny, defer or conditionally approve the preliminary and final plats. For major subdivisions the Planning Commission will have a public meeting at which the applicant or his or her representative is to appear. The developer and the subdivision surveyor or surveyor/engineer will be notified of the Planning Commission’s action.

The Planning Commission cannot defer action on a subdivision unless the developer has agreed to such deferral in writing.

302.4 Effect of Approval of the Preliminary Plat

Approval of the Preliminary Plat does not constitute approval of the subdivision, nor does it guarantee approval of the final plat. Approval of the preliminary plat indicates general approval of the arrangement of streets, lots, and drainage as a guide to the preparation of the final plat. Approval of Preliminary Plat as provided herein vests property rights as provided for a preliminary development plan as set forth in Tennessee Code Annotated § 13-4-310. Approval of Preliminary Plat shall become effective upon the date the Planning Commission votes to approve the Preliminary Plat. See Section 310.1

After the approval of the preliminary plat, and after consultation with the City Manager, the developer may start construction of the streets and other improvements.

302.5 Reasons for Denial of a Plat

The Planning Commission may deny a plat for any of the following reasons:

- (a) failure of the plat to conform to the standards set out in these regulations,
- (b) approval of the plat would be detrimental to the public safety, health, or general welfare,
- (c) approval of the plat would not be in the best interest of the City of Red Bank.

303 REQUIREMENTS FOR FINAL PLAT APPROVAL

303.1 Streets Staked

The streets in the subdivision shall be at least center staked before the Final Plat is submitted. The streets will have center line, off set or lot corner stakes. An approved Performance Bond must be on file with the City Manager to cover the cost of all incomplete infrastructure improvements, see

Section 307.

303.2 Deed Restrictions, Protective Covenants and Homeowners' Association

If applicable, the Planning Commission may require that one copy of deed restrictions, protective covenants, and/or the document setting up a homeowners' association that the developer proposes to impose on the subdivision be filed with the final plat.

303.3 Geologic Survey

If applicable, the Planning Commission may require that a geologic survey be made of the subdivision and that the geologic survey be submitted to the Planning Commission staff before the Planning Commission proceeds with the review process.

304 ADMINISTRATIVELY APPROVED SUBDIVISIONS

304.1 Limits of Applicability

For a subdivision to qualify for an administrative review and approval, the following requirements must be met:

1. The subdivision must front on an existing accepted public street and must not require construction of any new public streets.
2. The subdivision must contain no adverse topography, drainage, or soil conditions.
3. The subdivision must not require the extension of public water or sewer lines.
4. The subdivision must not require a variance from these Subdivision Regulations.
5. The staff shall have the right and responsibility to withhold administrative approval and refer plats to the attention of the Planning Commission in any situation where the various reviewing agencies, utilities or other interested parties are in disagreement; or in cases involving unusual land features or patterns of development.

304.2 Procedure for Administratively Approved Subdivisions

304.2.1 The plat is drawn to final plat standards and submitted to the Hamilton County GIS Department staff. There is no deadline for this kind of plat.

304.2.2 The applicant shall submit two (2) paper copies if the plat was not prepared using CAD and is otherwise not available in electronic form. If the plat was prepared using CAD or is otherwise available in electronic form, submit either the CAD file on an acceptable computer medium or as an attachment to an email. Consult with the Hamilton County GIS department regarding acceptable file formats and methods of submittal. The applicant may choose to submit two (2) paper copies of any plat, but these are not required with CAD submittals. A CAD file submittal will be used only for purposes of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors.

Failure to supply the required CAD file, delivery of fewer than two (2) paper copies if an electronic filing is not made, or delivery of unacceptable materials will result in rejection of the filing by the Hamilton County GIS Department staff. If the filing is rejected by the Hamilton County GIS Department staff, then there is no submittal of the plat under TCA 13-4-304. Since the plat is not considered to be submitted, the “30-day” deadline in TCA 13-4-304 does not apply.

304.2.3 The Hamilton County GIS Department staff reviews the paper copies, CAD file, or electronic file, as appropriate, to ensure that all required elements are present and legible, that the plat and electronic files, if submitted jointly, are consistent and that the location data are correct. Any deficiencies or concerns will be noted on a paper or electronic copy of the plat and will be forwarded to the Planning Agency staff and utility providers. The Planning Agency staff reviews the submittal and the comments of Hamilton County GIS and utility providers. If paper copies are submitted, one paper copy is returned to the developer, surveyor, or other appropriate person by the Planning Agency staff. Planning Agency staff response to plats submitted only by electronic means shall be electronically transmitted.

After Staff reviews the plat and any required corrections are made, the applicant can obtain the required signatures (See Section 604). The Red Bank City Manager provides the final signature.

304.3 Vesting of Property Rights

Approval of an administratively approved subdivision as provided herein vests property rights as provided for a final development plan as set forth in Tennessee Code Annotated § 13-4-310. Approval date of administratively approved subdivision plats is the date of the last signature of approval required on the plat for recording. See Section 310.

305 CORRECTIVE PLATS AND REVISED PLATS

305.1 Purpose

To facilitate the re-recording of existing plats with minor corrections or amendments.

305.2 Qualifications for Corrective Plats and Revised Plats

Minor shifting of lot lines.

The addition or changing of easements.

Changes in notations on the original recorded plat.

Any other changes which will not increase the number of lots or their suitability for development.

305.3 Corrective Revised Plat Procedure

The plat is drawn to meet final plat requirements stated in Article 6 and submitted to the Hamilton County GIS Department staff. Submittal and approval follow the same procedure as Administratively Approved Plats (see Section 304). If construction of improvements has not been completed and inspected for the final plat, an active performance bond must be on file (see Section 307). There is no deadline for this kind of plat.

305.4 Effect of Corrective and Revised Plat Approval

Final approval, signing by the Planning Commission Secretary or City Manager, and recording of the plat in the Register's Office shall not be an acceptance by the public or the City of Red Bank of the offer of dedication

of any street, or other public way, or open space shown upon the Corrective Plat. (See TCA 13-4-305)

Recording enables the developer to sell lots subject to any conditions specified or referred to on the plat and subject to existing zoning, and subdivision regulations.

Approval of a corrective subdivision plat as provided herein vests property rights as provided for a final development plan as set forth in Tennessee Code Annotated § 13-4-310. Approval of corrective plat shall become effective upon the date the Planning Commission votes to approve the corrective plat.

305.5 Corrective and Revised Plat Requirements

Corrective Plats and Revised Plats must meet the requirements of Final Plats. See Article 6.

306 Recording of Final Plat

The transparent plastic film copy and other copies to be recorded for a Major Subdivision are submitted after the Planning Commission has approved the final plat. The transparent plastic film copy and other copies to be recorded for an Administratively Approved Subdivision, a Corrective Plat or a Revised Plat are submitted at any time after the approvals and changes required by the Planning Commission staff have been done.

306.1 Procedure

306.1.1 The Hamilton County GIS Department staff reviews the minimum .004" thick transparent plastic film copy made by xerographic methods and printed in reverse on the back side and other copies to be recorded and stamps them. The GIS Department staff review consists of checking the plat and electronic file to ensure that all required elements are present and legible, the plat and file are consistent, street names shown are correct and consistent, and location data are correct. Any deficiencies will be noted on a copy of the plat, which will be returned to the applicant for correction.

If acceptable, the plat will be signed by Director of the GIS Department or his designated representative.

306.1.2 The transparent plastic film copy and the other copies to be recorded are circulated for signatures by the Hamilton County Division of Groundwater Protection, if necessary, the Hamilton County Water and Wastewater Treatment Authority (HCWWTA) if necessary, and the Red Bank City Manager, or their designated representatives.

- 306.1.3** If all of the lots are served by existing, functioning public sanitary sewers or public sanitary sewers to be installed or bonded by the developer before the plat is recorded, the Health Department does not sign the copies to be recorded. If the above does not apply, the Hamilton County Division of Groundwater Protection must sign the transparent plastic film copy and other copies to be recorded before they can be recorded. If the Hamilton County Division of Groundwater Protection must sign the transparent plastic film copy and other copies to be recorded, then, before Division of Groundwater Protection can sign the transparent plastic film copy and other copies to be recorded, the Groundwater Protection Officer shall determine that all conditions necessary to protect the public health have been complied with, including, but not limited to, State Health Department Regulations and the Regulations of Hamilton County in relation to sanitary sewage disposal.
- 306.1.4** If available or bonded public sanitary sewers are maintained by the Hamilton County Water and Wastewater Treatment Authority (HCWWTA), the plats shall be signed by a representative of the Hamilton County Water and Wastewater Treatment Authority (HCWWTA).
- 306.1.5** Before the Red Bank City Manager or his designated representative can sign the transparent plastic film copy and other copies to be recorded, he or his designated representative shall determine that the improvements have been installed and accepted in accordance with the final plat and with the standards of the City of Red Bank; or that an appropriate bond has been posted with the City of Red Bank.
- 306.1.6** The transparent plastic film copy and other copies to be recorded are signed by the Secretary of the Planning Commission or his designated representative.
- 306.1.7** Before the Secretary of the Planning Commission or his designated representative can sign the transparent plastic film copy and other copies to be recorded, the Secretary or his designated representative shall determine that the transparent plastic film copy and other copies to be recorded have been duly signed by the Director of the GIS Department or his representative, the Division of Groundwater Protection, if necessary, the Red Bank City Manager or his designated representative, and a representative of the Hamilton County Water and Wastewater Treatment Authority (HCWWTA), if necessary, and that the transparent plastic film copy and other copies to be recorded are in substantial conformance with the approved corrective, revised or final plat.

306.1.8 The transparent plastic film copy and other copies to be recorded are taken to the Register's Office and recorded.

307 **PERFORMANCE BONDS**

If all improvements have not been installed or completed and the developer wishes to record the "mylar", the City Manager or at their discretion, may waive the requirement that the developer complete and dedicate all public improvements prior to the signing of the plat, and require the developer to post a corporate surety bond, a cash bond, a cashier's check, or a letter of credit with the City Manager in an amount as determined by the City Manager which will be sufficient to secure to the City of Red Bank the satisfactory construction, installation, and dedication of the uncompleted portion of the required improvements. The performance bond shall also secure all lot improvements on the individual lots of the subdivision as required in these regulations and on the plat. Such performance bond shall comply with all statutory requirements and shall be satisfactory to the city attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the City Manager and shall be incorporated in the bond or letter of credit, and shall not in any event exceed one (1) year from date of final approval by the Planning Commission.

Such bond and letter of credit shall be approved by the City Manager as to amount and surety and conditions satisfactory to the City Manager or the City Manager may extend the completion date set forth in such bond for a maximum period of one (1) additional year.

The performance bond shall be released when the street(s), water and sewer lines, and drainage have been inspected, meets the standards and is accepted by the City of Red Bank Board of Commissioners.

308 **INSPECTION**

The City Manager, or their designated representative, shall be responsible for inspecting roads, drainage structures, drainage ways or easements, etc., to assure proper completion and construction of all improvements in accordance with the plat and these regulations.

The City Manager may appoint such inspectors as they may desire. Inspection will be extended to all parts of the work and to the preparation and manufacture of the materials to be used. An inspector is placed on the work site to keep the City Manager informed as to the progress of

construction and the manner in which it is being done; also to call to the attention of the contractor any infringement upon the plans and specifications.

The inspectors will have authority to reject defective material and to suspend any construction that is being improperly done. The inspectors will not be authorized to revise, alter, enlarge or relax the provisions of these regulations; nor will they be authorized to approve or accept any portion of the completed work not in accordance with plans and specifications.

The Contractor may request written instructions from the City Manager upon any important items which lie within the inspectors' jurisdiction.

Where, in the opinion of City Manager, or called for in the specifications, tests of material shall be made by and at the expense of the Contractor unless otherwise provided. Tests, unless otherwise specified, are to be made in accordance with the latest standard methods of the American Society for Testing Materials. The Contractor shall provide such facilities as the City Manager may require for collecting and forwarding samples, and shall not use the materials represented by the samples until tests have been made. The Contractor, in all cases, shall furnish the required samples without charge.

The Contractor shall furnish the City Manager with every reasonable facility for ascertaining whether or not the work as performed is in accordance with requirements and intent of the approved subdivision plans. If required by the City Manager, the Contractor shall at any time before acceptance of the work, remove or uncover such portions of the finished work as may be directed for inspection. After inspection, the Contractor shall restore said portions of the work to the conditions required by the specifications. Any work done or materials used without suitable supervision or inspection by the City Manager (Inspector) may be ordered removed and replaced at the Contractor's expense. The City Manager shall inspect the work of the contractor as soon as practical after notice (written notice preferred) to the City Manager.

Work done without lines and grades having been given; work done beyond the lines or not in conformity with the grades shown on the plans or as given; work done without proper inspection will be done at the contractors risk and, at the City Manager's option, may be rejected. Upon failure by the contractor to satisfactorily repair or to remove and replace, if so directed, rejected or condemned work or materials immediately after receiving notice from the City Manager, the City Manager shall, after giving written notice to the contractor, have the authority to reject the work.

The City Manager shall make or cause to have made final inspection of all work in the contract or any portion thereof as soon as practicable after the work is completed and ready for acceptance. If the work is not acceptable to the Director of Public Works at the time of final inspection, he/she shall inform the contractor as to the particular defects to be remedied before final acceptance can be made.

309

EFFECT OF APPROVAL AND RECORDING OF FINAL PLATS

Final approval, signing by the Planning Commission Secretary, and recording of the plat in the Register's Office shall not be an acceptance by the public or the City of Red Bank of the offer of dedication of any street, or other public way, or open space shown upon the Final Plat. Acceptance of right-of-way requires final inspection by the City Manager of his or her designee and the release of all performance bonds. (See TCA 13-4-305).

Recording enables the developer to sell lots subject to any conditions specified or referred to on the plat and subject to existing zoning, and subdivision regulations.

Approval of a final subdivision plat as provided herein vests property rights as provided for a final development plan as set forth in Tennessee Code Annotated § 13-4-310. Approval of final plat shall become effective upon the date the Planning Commission votes to approve the final plat.

310

VESTING PERIODS AND EXPIRATION OF PLAT APPROVALS

310.1

Preliminary Plat and Final Plats

Upon the approval of a preliminary plat by the planning commission, the developer shall have three (3) years to obtain any necessary permits, commence site preparation, and secure final plat approval. "Site preparation" includes excavating, grading, demolition, debris removal, and work on physical improvements such as roads or utilities (TCA 13-3-413(k)(7)). If the necessary permits are not secured, site preparation does not commence, and final plat approval is not obtained within the three (3)-year vesting period, then the vesting period shall expire and preliminary plat approval shall become null and void.

For projects that require a preliminary plat, the vesting period is three (3) years from the date of preliminary plat approval. The final plat must be approved within this timeframe.

Approval of a final plat commences a vesting period of two (2) years, during

which construction must commence and permits must be maintained. The total vesting period is not to exceed ten (10) years per TCA §13-4-310.

For multi-phase developments, there shall be a separate vesting period applicable to each section or phase. The development standards which are in effect on the date of approval of the preliminary development plan for the first section or phase of the development shall remain the development standards applicable to all subsequent sections or phases of the development; provided, that the total vesting period for all phases shall not exceed fifteen (15) years.

The vested property rights do not apply to standards required by federal or state law; or building construction safety standards which are adopted pursuant to authority granted under TCA § 68-120-101. Vested property rights are subject to the requirements, limitations and provisions found in TCA §13-4-310.

310.2 Multi-Phase Developments

In the case of developments which proceed in two (2) or more sections or phases as described on the Preliminary Plat there shall be a separate vesting period applicable to each section or phase. The development standards which are in effect on the date of approval of the Preliminary Plat for the first section or phase of the development shall remain the development standards applicable to all subsequent sections or phases of the development, provided the total vesting period for all phases shall not exceed fifteen (15) years from the date of the approval of the Preliminary Plat for the first section or phase, unless the City of Red Bank grants an extension, provided further that the applicant maintains any necessary permits during the fifteen (15) year period.

310.3 Final Plat

Approval of Final Plats shall expire after two (2) years from the date of approval by the Planning Commission if action is not taken to complete construction of the improvements, obtain all appropriate signatures and record the plat.

ARTICLE 4

Design Standards

ARTICLE 4
DESIGN STANDARDS

401 GENERAL PRINCIPLES

Subdivisions should be planned to take advantage of the natural topography of the land to economize in the construction of drainage facilities, to reduce the amount of grading, to minimize the destruction of top soil and trees, and to preserve such natural features as water course, unusual rock formations, large trees, sites of historical significance, and other assets which, if preserved, will add attractiveness and value to the subdivision and community.

402 PUBLIC STREETS

Public streets shall be constructed in accordance with the typical cross section shown in Appendix 4. Public streets shall be constructed in accordance with the City of Red Bank standards as outlined in the Municipal Technical Advisory Service (MTAS) Standards Specifications Manual. Additional information in reference to the construction of public streets is available at City Hall.

403 STREET CLASSIFICATION, RIGHT-OF-WAY WIDTHS, AND PAVEMENT WIDTH

Streets are classified as major streets, collector streets, local streets, short cul-de-sacs and split streets. (See Article 2, Definitions)

The right-of-way for a street is the area between facing lots and offered to the City of Red Bank for use by the public.

The pavement width shall be measured from the inside face of the curb to the inside face of the curb.

All streets proposed by the developer shall be built at least to the standards specified in the chart below.

Classification	Right-of-Way Width in Feet	Pavement Width in Feet
Principal Arterials (Added 8-8-94)	100'	80' (two 33 foot roadways with six lanes of 11 feet with a 14' median/turn lane)
Minor Arterials	80'	58' (two 22 foot roadways with four lanes of 11 feet each with a 14' median/ turn lane)
Collector Street	60'	With no driveways – 30' With driveways on one side – 36' With driveways on both sides – 44'
Local Streets	50'	26'
Short Cul-de-sacs*	40'	22'
Split Streets (See Appendix 7)	Varies (60' min.)	18' each level

* 10 or less lots – See Article 2, Definitions

See the most recent map “Functional Classification System” from the Tennessee Department of Transportation to determine the classification of individual streets.

403.1 Cul-de-Sacs

Cul-de-sac turnarounds shall be designed and built according to at least the following standards (see Appendix 7):

Cul-de-sacs without a planted median:

	Right-of-way Radius	Pavement Radius
Regular Cul-de-sac	50'	40'
School Bus Cul-de-sac	60'	50'

Cul-de-sacs with a planted median: **

	Minimum radius for planted median	Pavement width on all sides of median	Width of ROW beyond edge of pavement	ROW radius
Regular	20'	20'	10'	50'
School Bus	22'	28'	10'	60'

**The developer may be required to install facilities to reduce maintenance, at the discretion of the City Manager.

If a cul-de-sac is of a temporary nature and a further extension into adjacent land (owned by the developer) is planned, then the roadway of the turnaround outside of the normal paving width may be gravel, and the property in the turnaround right-of-way outside of the normal right-of-way width shall be a temporary dedication to the City of Red Bank. The property shall return to ownership of the abutting property owners when the cul-de-sac is extended into the adjacent land and accepted by the City of Red Bank. When the temporary cul-de-sac turnaround is extended, the developer shall repair any broken pavement, install the required curbs and gutters on the regular paving width of the street and restore the shoulder (front yard).

403.2 Hammerhead Turnarounds

Hammerhead turnarounds offer an alternative configuration for a dead-end street. They should be used where possible to allow future road connectivity. The turnaround must provide a minimum of 60 feet in each direction along the portion perpendicular to the road and a minimum radius of 30 feet. The Planning

Commission may approve a “Y” or alternative to the hammerhead turnaround as illustrated in Appendix 8. The design of all turnarounds shall be approved by the Red Bank Fire Department.

403.3 Widths of existing streets

On existing streets, property lines shall be located with iron pins at the corners of all lots, at least 25 feet from the center line of roadway unless the Red Bank Municipal Planning Commission permits a narrower right-of-way.

- (a) If the subdivision is located on both sides of the existing street, fifty (50) feet shall be dedicated and the drainage facilities in the street shall be improved to the point that the increased runoff water caused by the development of the subdivision will be accommodated to the satisfaction of the City Manager.
- (b) If the subdivision is located on only one side of an existing street, twenty-five (25) feet measured from the center line of the existing right-of-way shall be dedicated and the drainage facilities in the street shall be improved to the point that the increased runoff water caused by the development of the subdivision will be accommodated to the satisfaction of the City Manager.

403.4 Street Extensions

The arrangements of streets in new subdivisions shall provide for the continuation of existing, proposed, or platted streets in adjoining areas, where feasible, as determined by the Planning Commission.

Street right-of-ways marked “future street,” “future right-of-way,” “proposed street,” or “proposed right-of-way,” etc., shall not be considered to be dedicated to the City of Red Bank. Ownership of these rights-of-way is retained by the developer. The developer of adjacent land who wishes to gain access through a future or proposed street shall negotiate to purchase the proposed street or right-of-way from the current property owner and shall construct said street.

Dedication of one-half (1/2) of the rights-of-way (half streets) for streets proposed along the boundaries of a subdivision shall be prohibited.

403.5 Horizontal Curves

Where a deflection angle in the alignment of a road occurs, a curve shall be introduced. On major streets the center line radius of curvature shall not be less than seven-hundred (700) feet; on collector streets, not less than three-hundred (300) feet; and on local and short cul-de-sac streets, not less

than one-hundred (100) feet.

403.6 Vertical Curves

Every change in grade shall be connected by a vertical curve. In general no sight distance of less than 30 ft. on vertical curves shall be allowed.

403.7 Street Intersections

The center line of all streets shall intersect at as nearly a ninety-degree angle as possible, but the angle of intersection shall not be less than seventy-five (75) degrees nor greater than one hundred five (105) degrees, unless approved by the Planning Commission in accordance with the recommendation of approval from the City Manager.

403.8 Centerline Offset of Adjacent Intersections

The use of four-way intersections of local streets with local streets shall be discouraged where possible, and the use of T-intersections shall be encouraged. Regardless of the type intersections employed, however, the centerlines shall be aligned (four-way intersection) or offset up to ten (10) feet or more than one hundred twenty-five (125) feet.

403.9 Corner Radii

Curb radii at street intersections shall not be less than fifteen (15) feet. Right-of-way radii at street intersections shall not be less than twenty-five (25) feet. If, because of exceptional conditions, a modification is granted permitting an angle of intersection, less or greater than the standards of Section 403.7 then the minimum radii shall be increased or decreased to afford good design and safety.

403.10 Grades Approaching Intersections

Street grades approaching intersections shall not exceed four (4) percent for a distance not less than that shown in the following table, measured from the edge of pavement of the intersecting street:

Types of Intersecting Streets	Distance in Feet
On local at local, includes all other street types not given below	30'
On local at collector	35'
On local at major	35'
On collector at local	35'
On collector at collector	60'
On collector at major	60'

403.11 Sight Distance at Intersections

In general, sight distances of less than 30 feet shall not be permitted at any street intersection including street intersections in the subdivision and the intersection of a subdivision street with any existing street.

403.12 Street Grades

In general, roads shall be planned to conform to existing topographic conditions. Grades on major roads shall not exceed 12 percent. Grades on other roads may exceed 12 percent for a distance up to 400'; but not over 15 percent. In extreme topographic conditions, grades above 15 percent may be allowed by the Planning Commission prior to construction. If necessary, a letter requesting road grade variances shall be submitted to the Planning Commission staff with the preliminary plat. The letter shall conform to the requirements for a variance letter listed in Article 1, Section 111.

403.13 Street Names

New streets that are in, or essentially in, alignment with an existing street shall be given the name of the existing street.

The name of a new street shall not duplicate or approximate, by means of spelling, pronunciation, or by use of alternate suffixes or prefixes (such as North, South, Lane, Way, Drive, Court, Avenue, or Street) any existing or platted street name in Hamilton County.

No street names shall be used unless approved by the G.I.S. Department. Street and Name Signs must be of a type approved by the City Manager, and signs shall be installed by the developer.

403.14 Curbs

Asphalt curbs are prohibited.

Concrete curbs shall be installed to meet the standards outlined in the Municipal Technical Advisory Service (MTAS) Standards Specifications Manual.

The homebuilder shall be responsible for repair of any damage to streets, roads, gutters, curbs, and drainage easements to the satisfaction of the Director of Public Works when the damage was caused during construction of the building.

403.15 Sidewalks and Pedestrian Ways

In residential and non-residential subdivisions, sidewalks or pedestrian ways are required along all new roads. Sidewalks or pedestrian ways shall meet the following requirements:

In residential areas, sidewalks or pedestrian ways shall be portland cement concrete, four (4) inches thick and four (4) feet wide.

In commercial areas, sidewalks shall be concrete, six (6) inches thick and six (6) feet wide or wide enough to meet ADA (Americans with Disabilities Act) Standards.

404 REQUIRED ACCESS FOR ALL LOTS

All residential lots in the City of Red Bank must have by means of an approved easement that meets the requirements of Section 406 or by frontage on an existing city-accepted and publicly maintained street or road.

All non-residential lots in the City of Red Bank must have frontage on a city accepted and maintained street except that the Planning Commission may permit, only with the recommendations of approval of the City Manager, any non-residential lot to obtain access by means of a private road or private easement.

405 REQUIRED FRONTAGE, DEPTH AND AREA FOR ALL LOTS

The minimum lot frontage for residential lots shall be as specified in the Zoning Ordinance.

The minimum lot frontage on the street for a residential flag lot shall not be less than twenty-five (25) feet. The Planning Commission may require that residential corner lots have such extra width as will permit the establishment of a building line at the minimum distance specified by the zoning ordinance from the side street.

Lot depth for residential lots in the City of Red Bank shall be specified in

the Zoning Ordinance.

The minimum lot area for residential lots shall be as specified in the Red Bank Zoning Ordinance.

The Division of Groundwater Protection may require additional lot area for any residential lot which uses a septic tank and field lines for sewage disposal.

Lots that do not have public water furnished must be a minimum of 25,000 square feet and be approved by the Hamilton County Division of Groundwater Protection.

406

Access Easements

(a) **Intent:** The intent of these standards is to encourage reinvestment in existing neighborhoods in a way that complements the neighborhood's established character. Access easements are intended to provide access to land in existing residential areas that is not suitable for large-scale residential subdivisions. Access easements are to provide economical but safe vehicular access to these residences while still meeting the standards of the underlying zoning.

(b) **Applicability**

- (1) Access easements may provide access to up to three (3) lots in subdivisions of up to five (5) total lots. The platting of the sixth (6th) lot will require that all easements to be paved to City standards and dedicated as public right-of-ways.
- (2) Access easements may only serve residential subdivisions in the following residential zones: R-1, R-1A, R-2, R-3, RT-1, RZ-1, and R-TZ or as otherwise specified in the Zoning Ordinance.
- (3) The proposed lots must abut existing single-family detached or single-family attached development lots that have been platted or otherwise legally recorded at the Hamilton County Register's Office prior to January 1, 2005, and are connected to one or more utilities.

(c) **Design Standards:** All access easements shall comply with the following standards:

- (1) Access easements may provide access for up to three (3) lots.
- (2) All access easements shall connect to a public road.
- (3) Easements shall be properly maintained to provide year-round access for emergency, public safety and utility vehicles.
- (4) Access easements shall be a minimum of 22 feet wide, and fully clear of any obstructions for the entire length of the easement allowing a 15-foot vertical clearance.
- (5) The driveway or vehicular pathway shall have a minimum width of 12

feet and shall be constructed of gravel aggregate or a hard surface made of asphalt, concrete or alternative pavers that have been approved by the City Manager. The apron of the driveway or vehicular pathway shall be constructed of a of asphalt, concrete or alternative pavers that have been approved by the City Manager. The apron must extend at least five (5) feet from the curb or edge of the pavement.

- (6) An additional five (5) feet of hard surface made of concrete, asphalt or alternative pavers approved by the City Manager, must be installed from the edge of any existing sidewalks on the side opposite the public right-of-way.
- (7) Access easements provide appropriate turn arounds as required by the Red Bank Fire Department.
- (8) Access easements shall provide adequate fire hydrants as required by the Red Bank Fire Department.
- (9) Plats for subdivisions served by access easements shall include an easement map showing the extent of the easement from its connection point on a public road to the lots presented on the subdivision plat.
- (10) Plats for subdivisions served by access easements shall show areas designated for public services including trash collection and mail delivery at the public right-of-way.
- (11) Subdivisions accessed by an access easement shall have the following notes added to the plat setting forth the limits of public liability and responsibility to properties and citizens which are served by the shared driveway:

“The access easement shown on this plat is to be privately constructed and maintained by the owners, not by the City of Red Bank. The property owners are responsible for providing all required utilities and services along the easement. Hamilton County and the City of Red Bank are not responsible for providing services other than fire protection beyond the limits of the governmentally maintained road or street.”

(d) **Review:** All subdivisions that are accessed by easement shall be reviewed by the Planning Commission and may not be staff approved. The Planning Commission must determine that the planned subdivision meets the intent of this section. They shall also be reviewed by the Red Bank Fire Department. Early consultation with planning staff, Hamilton County Water and Wastewater Authority, and all other utility companies is strongly advised.

- (a) A "Flag Lot" is a lot which is accessed by a strip of land of a width less than the required street frontage and which is located behind another lot which meets the required street frontage.
- (b) Flag lots shall be permitted by the Planning Commission subject to the following conditions:
 - (1) No access strip shall be less than 22 feet in width for its entire length.
 - (2) The access strip shall provide access for only one lot and shall be deeded and platted as a part of the building site. No building or structure shall be located in the access strip.
 - (3) Access strips shall exceeding 250 feet in length require approval from the Planning Commission. The Planning Commission may approve longer access strips for existing lots of record and approved access easements that require an access strip longer than 250 feet to reach the right-of-way. The Planning Commission may require additional width if it is determined that a wider access strip is needed to provide safe ingress and egress to the property.
 - (4) Access strips shall be located no closer than 120 feet from another access strip, measured along the right-of-way between the nearest corner of each access strip.
 - (5) The point where the access strip abuts the public street shall be safe for vehicular ingress and egress as far as visibility and grade are concerned since, unlike conventional lots, flag lots have no other alternatives for driveway locations.
 - (6) All required building setbacks shall apply and be measured from the boundaries of the portion of the lot excluding the access strip.
 - (7) All lot area, width and depth requirements shall apply and be measured from the boundaries of the portion of the lot excluding the access strip.
 - (8) The developer shall restrict the flag lot from further subdivision unless a street meeting all requirements, including right-of-way, is constructed. Said restriction shall be placed on the Final Plat.
- (c) A flag lot shall not be used to avoid constructing a street to the required standards.

408

MISCELLANEOUS REQUIREMENTS

Generally, side lot lines should be straight and perpendicular to the street, or radial to street curves or the center of the cul-de-sac turnarounds.

Side lot lines may be at an angle to the street (more nearly parallel to the contour lines on steep land) to reduce driveway and lot grades.

Lot lines should follow drainage ways or easements (where practical) rather than leaving a portion of the lot separated from the main body of the lot by a drainage way or easement.

Corner radii at street intersections shall be twenty-five (25) feet.

All lots shall have a usable building site area exclusive of the building setback (yard areas) as required by the local Zoning Ordinances, or as required by the Planning Commission.

There shall be no reserve strips controlling access to streets or any parcel of land. No remnants of property shall be left which do not conform to lot requirements, or which are not required for a private or public utility purpose, or which are not accepted by the City of Red Bank and/or any other public body, or homeowners' association for an appropriate use.

409

MONUMENTATION

All lot corners shall be marked with iron pins not less than one-half (1/2) inch in diameter and minimum of eighteen (18) inches long and driven so as to be flush with the finished grade.

All iron pins shall be permanently installed prior to the signing of the "mylar" copy by the City Manager. If pins are not installed prior to the time that the "mylar" copy is ready for signing, the developer may post a bond with the City Manager in an amount sufficient to ensure that the monuments and pins can be installed.

For residential subdivisions with more than 25 lots and any development over 25 acres, at least two of the concrete monuments required shall be designated as control monuments and located with a ratio of precision of no less than 1:20,000 in Tennessee State Plane coordinates in the North American Datum of 1983 (NAD83). The intent of these location coordinates is to position the subdivision on the surface of the Earth and the final plat on the official Hamilton County property maps. The monuments shall be separated by sufficient distance to allow them to locate the entire

boundary properly.

410 DRAINAGE

In reference to the design criteria for drainage systems refer to Red Bank Municipal Ordinance 97-744, Title 18 Chapter 4 of the Municipal Code, which adopted criteria for the construction and design of all drainage systems. A copy of the Design Criteria for Drainage Systems, is on file at City Hall.

411 EASEMENTS

The Planning Commission may require utility easements. Generally, the Planning Commission staff will consult with local utilities before requiring utility easements.

A five (5) foot drainage easement, unless a wider or narrower easement is specifically required, shall be reserved along the inside of all side and rear lot lines, except that a ten (10) foot drainage easement shall be reserved along the lot lines that are exterior boundaries of the subdivision plat.

In the event that two or more lots are combined or used as one lot, the drainage easements adjacent to the interior lot line(s) are considered to be eliminated, unless the drainage easement is shown on the plat.

The drainage easement shall not apply in cases where the zoning regulations do not require setbacks from the property lines.

Drainage easements shall be maintained by the developer until sold and from that time on maintained by the property owner.

The Planning Commission may require other easements to be shown on the plat, where necessary.

412 EROSION AND SEDIMENTATION CONTROL

The City of Red Bank adopted the State of Tennessee Best Management Practices Manual (BMP) in reference to erosion and sedimentation control.

413 SANITARY SEWAGE DISPOSAL SYSTEMS

(a) Connection to Existing Sanitary Sewer System

Wherever one of the conditions listed below exists the developer shall construct, at his own expense, a sewage collection system and connect

it to the existing sanitary sewer, except where sites are impacted by a sewer moratorium (see Section 413(c), below). The design and construction of sanitary sewers and appurtenances shall be in accordance with the regulations, standards, and specifications of the Hamilton County Water and Wastewater Treatment Authority and the City Manager.

- (1) An adequately sized sanitary sewer is on the site, or on the street abutting the site
- (2) An adequately sized sanitary sewer is readily accessible (as determined by the developer's financial feasibility study) without the need for off-site easements
- (3) A construction contract for a sewer to be located on or adjacent to the site has been signed,

(b) **Individual On-Site Subsurface Sewage Disposal Systems (Septic Tanks and Field Lines)**

Where an adequately sized sanitary sewer is not on the site, nor on the street adjacent to the site, nor readily-accessible to the site without the need for off-street easements, the developer shall have the option of one of the following methods of sewage disposal:

- (1) installing septic tanks and field lines in areas where soil conditions, geology and topography are favorable.
 - a. The design, construction and installation of the septic tanks and field lines shall be in conformance with the standards and regulations of the Hamilton County Division of Groundwater Protection and subject to the approval of the Division of Groundwater Protection.
- (2) Constructing, at the developer's expense, a sanitary sewage collection system and submain to the nearest adequately sized, functioning sewer line.

(c) **Sites impacted by a sewer moratorium**

Where a moratorium on sewer connections impacts a site and one of the following conditions exists, the developer may be issued a permit to install, at the developer's expense, a subsurface sewage disposal system. The subsurface sewage disposal system must meet the requirements of the Hamilton County Division of Groundwater Protection and subject to approval from the Division of Groundwater Protection. As stated in TCA 38-221-409, service to the subsurface sewage disposal system must be discontinued within 90 days of the

moratorium being lifted, and the property must connect to the public sewer system.

- (1) An adequately sized sanitary sewer is on the site, or on the street abutting the site
- (2) An adequately sized sanitary sewer is readily accessible (as determined by the developer's financial feasibility study) without the need for off-site easements
- (3) A construction contract for a sewer to be located on or adjacent to the site has been signed

These regulations do not supersede any other local regulations pertaining to the design, financing or installation of sewers, nor do they supersede any regulations pertaining to the payments of fees to the City of Red Bank to pay for the installation of sewers.

413.1 Individual On-Site Subsurface Sewage Disposal Systems (Septic Tanks and Field Lines)

In areas where public sewage systems are not available or required and where soil conditions, geology and topography are favorable, septic tanks and field lines may be used. The design, construction and installation of the septic tanks and field lines shall be in conformance with the standards and regulations of the Hamilton County Division of Groundwater Protection and subject to the Approval of the Division of Groundwater Protection.

414 WATER FACILITIES

Where a public water main is accessible the developer shall install, or cause to be installed, adequate water facilities (including fire hydrants) subject to the specifications and approval of the Division of Water Management, Tennessee Department of Health and Environment, the local water company or utility district, and the Red Bank Fire Department. All water lines installed in new subdivisions shall be a minimum of six inches in diameter.

Water supply lines are to be located at least ten (10) feet from septic disposal systems and sewer lines or as approved by a licensed engineer.

If a public water system is not available, as determined by the Planning Commission, individual wells may be used, subject to the standards and approval of the Chattanooga-Hamilton County Health Department. Wells are to be located uphill and at least fifty (50) feet from any septic disposal system and sewer lines.

414.1 Fire Hydrants

In Red Bank, the developer shall install fire hydrants on all new streets/roads

or access easements of all subdivisions except:

- (a) those served by individual wells
- (b) subdivisions that meet the requirements given below based on existing fire hydrants
- (c) subdivisions that meet the requirements given below based on proposed fire hydrant locations on existing streets

Fire hydrants shall be located no more than 1,000 feet apart (measured along the street) and within 500 feet (measured along the street) of any structure. The location of all fire hydrants shall be approved by the Red Bank Fire Department. The design and nozzle construction of any fire hydrant installed by the developer shall be approved by the Red Bank Fire Department. No fire hydrant shall be installed that has not been approved by the Red Bank Fire Department.

415

FLOOD HAZARDS

The subdivision shall conform to the flood requirements for both lots and subdivisions of the Zoning Ordinance.

Where appropriate, the Floodway Borders (Floodway line and the 100 Year Floodplain line) shall be shown on the plat. Also, a note shall be added to the plat stating the base flood (100 Year Flood) elevation.

The Planning Commission or City Manager may require that all streets be at an elevation which is not lower than the base flood elevation (100 Year Flood elevation).

Per Article 5 Preliminary Plat Requirements base flood elevation (BFE) data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of fifty (50) lots or five (5) acres.

ARTICLE 5

Preliminary Plat Requirements

ARTICLE 5

PRELIMINARY PLAT REQUIREMENTS

501

SPECIFICATIONS FOR AND CONTENT OF THE PRELIMINARY PLAT

The Preliminary Plat shall be drafted so that good, clear, legible prints, copies, or negatives can be made. Special attention should be given to the selection of patterned films that may interact with some reproduction methods. Dot patterns or dot shading should not be used on plats.

The subdivider or surveyor or surveyor/engineer shall submit to the Hamilton County G.I.S. Office digital or paper copies of the Preliminary Plat as required by Hamilton County GIS. The Preliminary Plat shall be drawn to a minimum scale of one-inch equals one hundred feet, and shall contain the following information:

- (a) Proposed name of the subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in Hamilton County, or any PUD in Hamilton County. Plat labeled "Preliminary Plat." The most recent recorded deed book and page number for each deed constituting part of the property being plated.
- (b) The Full name and mailing address with zip code (telephone number requested) of the owner(s) and/or developer(s).
- (c) The name and mailing address with zip code, and telephone number of the person, firm, or organization preparing the Preliminary Plat.
- (d) North point, date and scale both written and graphic.
- (e) A vicinity map, showing the following features, if applicable, within an area large enough to locate the subdivision:
 - (1) Outline of proposed subdivision and north point.
 - (2) Location and name of all principal roads, streets, railroads, water courses, etc.
- (f) The boundary line of the proposed subdivision drawn to scale and showing all bearings and distances, including existing road curve functions and dimensional data.

- (g) The location of control monuments on the boundary line of the proposed subdivision showing the horizontal position in Tennessee State Plane coordinates.
- (h) Lots drawn and numbered in a logical numerical order, showing the approximate dimensions of lots. (Where parallel lot lines exist, the distances may be dittoed.) Every parcel of land within the subdivision should have a lot number. Subdivisions developed in phases or units are to continue numbering the lots, and not start with lot number 1 for each new unit. The use of lot numbers by block, in which lot numbers are repeated in each block, is prohibited.
- (i) The property lines of all adjoining property shall be shown with dashed lines.
For adjoining subdivisions, shown the full name of the subdivision, ROHC book and page numbers, and the lot numbers (dashed). For other adjoining property, show the owner's name.
- (j) Show the location, widths, and names of all existing, proposed, or recorded streets, public rights-of-way, or access easements, etc., intersecting or paralleling the subdivision, on or adjacent to the subdivision shall be shown.
- (k) Proposed street names shall not duplicate or closely approximate, phonetically or in spelling, the name of any other street in Hamilton County. The change of a street name prefix (East, North) or suffix (Road, Lane, Circle) shall not be construed as a different street name.
- (l) Show the station numbers for all proposed streets. Station numbers shall begin at a known existing and reproducible street centerline.
- (m) Split Road Cross Sections – A typical cross section of all split roads in the subdivision shall be shown on the preliminary plat, if applicable.
- (n) Any minimum building setback different from those required by the Red Bank Zoning Ordinance.
- (o) The Planning Commission or City Manager may require natural contours at five-foot intervals or less (sea level elevations only).
- (p) Contour line or limit of 100-year floodplain and/or Floodway Zone, if applicable. Also, a note shall be added to the plat stating the elevation of the property.
- (q) When applicable, show the location of cluster mailboxes.

501.1**Drainage**

- (a) Show the size, location, outline and direction of water flow at all high and low points of all existing and proposed drainage easements in and adjacent to the subdivision. Show the number of acres drained into the high point of the drainage easement.
- (b) Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in and adjacent to the subdivision.
- (c) Show location and label any other proposed drainage improvements such as catch basins, headwalls, rock and mortar or concrete drainage ditches, etc.
- (d) Show the location and label any proposed off-site drainage improvements which are made necessary by the construction of the proposed subdivision.

501.2**Utilities**

- (a) For all existing and proposed water lines, show size, location of lines, and outline and size and location of any water lines and water line easements in and adjacent to the subdivision.
- (b) Show location of existing wells, springs, or other natural sources of water supply within the subdivision and within fifty (50) feet of the boundaries of the subdivision.
- (c) Show the location of all existing and proposed fire hydrants in and within five hundred (500) feet of the subdivision.
- (d) For all existing and proposed gas lines and mains, show size, location, name of mains, and outline of easements (if applicable) in and adjacent to the subdivision.
- (e) For all existing electrical and telephone easements, show size, location, name of major easements, and outline of easements in and within fifteen (15) feet of the subdivision.

- (f) For all existing and proposed sanitary sewers and sewer easements, show sizes, locations, direction of flow, outlines of easements, manholes, and invert elevations in and adjacent to the site.
- (g) If sanitary sewers are not available on or adjacent to the site, but are required by the City of Red Bank, state the nearest location and size of line of nearest sanitary sewer.
- (h) If a public sewage treatment plant of any type is to be constructed on and/or to serve the subdivision, place the offer of dedication on the plat.

502

STATEMENTS TO BE INCLUDED ON THE PRELIMINARY PLAT

- (a) Present zoning of tract, and zoning applied for, if applicable.
- (b) Source of water supply. If public water supply is not available, state nearest location, size of line, utility company's name, and whether water supply will be from wells.
- (c) Number of acres subdivided and the size of the individual lots.
- (d) Tax Map and Parcel Number of the property being subdivided.
- (e) List the FEMA/FIRM panel number for the proposed subdivision.
- (f) Source of Topo Quotation

- (1) If the topo was obtained from a source other than an actual field survey, use the following quote:

“Topo was obtained from (source) and has been field verified to ensure its accuracy.”

Examples of (source): Interpolated TVA quadrangle, Chattanooga quadrangle, Daisy Quadrangle, etc.; aerial topo map-Atlantic Aerial Survey; etc.

- (2) If the topo was taken from an actual field survey, use the following quote:

“Topo was obtained from an actual field survey dated _____, conducted by _____. Elevations were

determined from benchmark or monument located at _____, elevation _____. (g) If

Community Lot(s) are shown, note the following:

“No building permit is to be issued for a residential, commercial, or industrial building on the Community Lot. Lot to be used for recreational purposes only. Maintenance to be assumed by the developer until lot is deeded to homeowners in the subdivision, or to a homeowners’ association.

(h) Certificate of Preliminary Plat Approval

Pursuant to the Subdivision Regulations of the City of Red Bank, Tennessee, all of the requirements of the preliminary approval have been fulfilled. Therefore, the “Preliminary Plat of _____” Subdivision” including the following pages: _____ has been approved by the Red Bank Municipal Planning Commission on _____ (Date), subject to the following modifications:

Preliminary approval shall be null and void on _____ (three years from approval).

Variances granted, if any:

Planning Commission Secretary

Date

A digital copy and five (5) paper copies of the vertical road profiles of all roads to be constructed in the subdivision shall be submitted with the preliminary plat. The vertical road profiles shall show the road name, station numbers, the existing ground lines, the proposed centerline grade, percent grades, vertical curves, street intersections, and drainage structures; all drawn to a scale not less than one inch equals one hundred feet (1" = 100') horizontal, and one inch equals ten feet (1" = 10') vertical.

A digital copy and five (5) copies of the vertical sanitary sewer profiles of all sanitary sewers to be constructed in and for the subdivision shall be submitted with the preliminary plat. The vertical sanitary sewer profiles shall show the identification of the sewer line, manhole locations and numbers, invert elevations, percent grades and direction of flow, underground utilities, drainage structures, and the natural and finished grades; all drawn to a scale not less than one inch equals one hundred feet (1" = 100') horizontal, and one inch equals ten feet (1"=10') vertical.

If the sewer line(s) go through an adjacent owner's property, include one of the following:

- (a) Put the deed book and page number (s) of the recorded easement that allows the developer and/or city to install and maintain a sewer line through the adjoining property and submit a copy of the recorded document to the Planning Commission staff with the rest of information required, or
- (b) Put a statement on the plat that allows the developer and/or city to install and maintain only a sewer line through the adjacent owner's property in the location as shown on the subdivision plat, which should be an approved easement and signed by the adjacent owner.

The sanitary sewer profiles and the vertical road profiles may be shown together. If this is done, a digital copy and five (54) copies of the combined vertical profiles shall be submitted with the preliminary plat.

503.1 Existing Utilities and Railroads

The Planning Commission may require that a letter be submitted with the preliminary plat from the affected utility or railroad approving the

proposed crossing of the utility, utility easement, or railroad by any street, driveway, field lines, or other utility, etc.

504

Planning Commission Approval and Signature

After approval by the Planning Commission, the Planning Commission Secretary will sign and date two copies under the “Certificate of Preliminary Plat Approval” (see Section 503(h)). One copy shall be returned to the developer, and the other shall be scanned and filed by Planning Commission staff.

ARTICLE 6

Final and Corrective Plat Requirements

ARTICLE 6

FINAL PLAT REQUIREMENTS

601

SPECIFICATIONS FOR AND CONTENT OF FINAL AND CORRECTIVE PLATS

The developer or his representative shall submit to the Hamilton County GIS Department copies of the Final Plat, drawn to a minimum scale one inch equals one hundred feet (1"=100'). Sheet size and stamp block shall conform to the specifications shown on Appendix 5. The format for electronic submission shall meet the requirements of Hamilton County GIS.

The Final Plat shall be drafted so that good, clear legible, prints, copies or negatives can be made. Special attention should be given to the selection of patterned films that may interact with some reproduction methods. Dot patterns or dot shading should not be used on plats. The Hamilton County GIS Department staff may refuse to accept any plat that it deems illegible or likely to generate inadequate reproductions or which fails to contain all required elements.

The Final Plat shall include the following information:

- (a) Proposed name of subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in Hamilton County, or any PUD in Hamilton County. The most recent recorded deed book number and page number for each deed constituting part of the property being platted. Plat labeled "Final Plat."
- (b) The full name and mailing address, with zip code, and telephone number of the owner(s) and /or developer(s) of record.
- (c) The name, full mailing address, zip code, and seal (to include license number) of the Registered Land Surveyor preparing the plat. Where drainage structures with stormwater flows in excess of the capacity of a 42" diameter concrete pipe or equivalent, as determined in Ordinance Number 97-744, are to be placed, these facilities shall be designed and the plat stamped by a registered engineer licensed to practice in the State of Tennessee. In no instance will a plat be

accepted that does not contain the seal of a Registered Land Surveyor licensed to practice in the State of Tennessee.

- (d) The date of plat preparation and revisions, north point, and scale-both written and graphic.
- (e) A vicinity map showing the following features, if applicable, within an area large enough to locate the subdivision:
 - (1) Outline of proposed subdivision and north point (oriented consistent with the north point of the plat, preferably pointing to the top of the plat).
 - (2) Location and name of all principal roads, streets, railroads, water courses, etc.
- (f) The boundary lines of the subdivision shall be determined by an accurate survey in the field, to include a closed traverse. The boundary survey shall close with an error of closure not to exceed 1:5000.
- (g) Show parcel number including map sheet number and group identifier for all parcels being subdivided. This is generally referred to as the "Tax Map Number."
- (h) The location of control monuments on the boundary line of the proposed subdivision.
- (i) Lots drawn and numbered in a logical numerical order. Every parcel of land within the subdivision shall have a lot number. Subdivisions developed in phases or units are to continue numbering the lots and not start with lot number 1 for each new unit. The use of lot numbers by block in which lot numbers are repeated in each block is prohibited.
- (j) Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every lot line and boundary line, whether curved or straight. This shall include the radius, central angle (delta), length of curve, and tangent distance for the curved property lines. The point of curvature and the point of tangency of all curves on all right-of-way lines shall be located by distance to the nearest lot corner. Chord bearings and dimensions may be used for irregular lines, such as creeks, shorelines, etc.

- (k) Any minimum building setback different from those required by the Red Bank Zoning Ordinance.
- (l) Show location of any boundary monument benchmark for major subdivisions.
- (m) The property lines of all adjoining property shall be shown with dashed lines. For adjoining subdivisions, shown the full name of the subdivision, ROHC book and page numbers, and the lot numbers (dashed). For other adjoining property, shown the owner's name and deed book and page number.
- (n) Show the location, widths, and names of all existing, proposed, or recorded streets, public rights-of-way, or access easements, etc., intersecting or paralleling the subdivision, in and adjacent to the subdivision.
- (o) Proposed street names shall not duplicate or closely approximate phonetically or in spelling, the name of any other street in Hamilton County. The change of a street name prefix (East, North) or suffix (Road, Lane, Circle) shall not be construed as a different street name.
- (p) Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every street line, whether curved or straight. This shall include the radius, central angle, (delta), length of the curve, and tangent distance for the center line of curved streets and curved property lines. The point of curvature and the point of tangency of all curves on all right-of-way lines shall be located by distance to the nearest lot corner.
- (q) Show a measured distance to a recognizable point, such as a street intersection, landmark, survey monument, global positioning system reference, etc.
- (r) Contour line or limit of 100-year floodplain and/or Floodway District, each labeled, if applicable. Also, a note shall be added to the plat stating the elevation of the property.
- (s) The boundaries of all property (including access to said property) which is to be dedicated for public use, with the purpose indicated thereon.

- (t) The boundaries of all property (including access to said property) which is to be reserved by deed restrictions or protective covenants in the deeds for the common use of the property owners in the subdivision, e.g., "community lot." Show the ROHC book and page numbers on the plat for all appropriate recorded documents.
- (u) Location of cluster mailboxes when applicable

601.1 Drainage

- (a) Show the size, location, and outline of all existing and proposed drainage easements in and adjacent to the subdivision.
- (b) Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in the subdivision.
- (c) Show location and label any other proposed drainage improvements such as catch basins, headwalls, rock and mortar or concrete drainage ditches, etc.
- (d) Show the location and label any proposed off-site drainage improvements which are made necessary by the construction of the proposed subdivision.

601.2 Utilities

- (a) Show the location of all existing and proposed fire hydrants to be installed by the developer in the subdivision.
- (b) For all existing and proposed electrical, telephone, water, gas and other utility easements, show size, location, name of major easements, and outline of easements in and within fifteen (15) feet of the subdivision.
- (c) For all existing and proposed sanitary sewers and sewer easements, show sizes, locations, and outlines, in and adjacent to the site.
- (d) If sanitary sewers are not available on or adjacent to the site, but are required by the City of Red Bank, state the nearest location and size of line of nearest sanitary sewer.
- (e) If a public sewage treatment plant is to be constructed on and/or to serve the subdivision, place the offer of dedication on the plat.

- (f) For all existing and proposed water lines and water line easements, show the sizes, locations, and outlines, in and adjacent to the site.

602

STATEMENTS TO BE INCLUDED ON THE PLAT

- (a) Present zoning of tract.
- (b) Source of water supply.
- (c) Source of sanitary sewage disposal.
- (d) Plat labeled, "Final Plat" or "Revised Plat"
- (e) Number of acres subdivided, and the size of the individual lots shall be shown.
- (f) A statement, either directly on the plat or in an identified attached document, of any private covenants or deed restrictions.
- (g) List the FEMA/FIRM panel number for the proposed subdivision if any part is in the 100-year flood area.
- (h) Certification of Ownership and Dedication of Rights-of-Way

"I/we hereby adopt this as my/our plan of subdivision and certify that the rights-of-way are dedicated to the public use forever. I/we also certify that there are no encumbrances on the property to be dedicated and that I/we am/are the owner(s) of the property shown in fee simple."

- (i) Dedication of Land, if applicable:

Add to the above: "... and dedicate the lots so specified on the plat to the City of Red Bank."

- (j) "The owner/developer is to install all drainage structures and improved easements as shown. (Applies only to subdivisions where drainage improvements are required) "The maintenance of drainage easements is the responsibility of the property owner and not the City of Red Bank." (Applies only to subdivisions where drainage easements are shown).

(k) Special Setbacks, if applicable.

(1) "There is a minimum 25 ft. field line setback from all drainage easements shown." (Applies only where drainage easements are shown on the plat.)

(2) "There is a minimum 25 ft. field line and building setback from all sink hole(s) shown." (Applies only where sinkholes, depressions, etc., are shown on the plat.)

(l) Engineer's Statement of Design-on plat (If Applicable)

"I, hereby, certify that I have designed all drainage structures, with stormwater flows in excess of the capacity of a 42" diameter concrete pipe or equivalent as shown on this plat and that the design meets proper engineering criteria." (Signature) (Include Seal of Engineer.)

(m) Certification of Survey

"I hereby certify that I have surveyed the property shown hereon; that this survey is correct to the best of my knowledge and belief and that the ratio of precision of the unadjusted survey as 1 per _____ as shown hereon." (Signature of Surveyor)

(n) If Community Lot(s) are shown, note the following:

"No building permit is to be issued for a residential, commercial, or industrial building on the 'Community Lot.' The 'Community Lot' is to be used for recreational purposes only. The maintenance of the 'Community Lot' is to be assumed by the developer until the lot is deeded to the homeowners in the subdivision, or to a homeowners association."

(o) "This plat resubdivides deeds _____ R.O.H.C."

(p) "This subdivision has been developed according to the design standards of the Subdivision Regulations of the City of Red Bank.

(q) If available or bonded sanitary sewers are maintained by the Hamilton County Water and Wastewater Treatment Authority (HCWWTA) note: "Sewer available by HCWWTA".

(r) In the case of corrective or revised plats, purpose statement that tells exact purpose of the plat and/or change, (e.g., Purpose of Plat: To abandon and show new property lines between lots 25 through 29, and

to abandon the drainage easement and relocate it as shown in lots 43 and 44. See ROHC book , Page for previous recording and for other notes and restrictions.)

603

INFORMATION REQUIRED IN ADDITION TO THE FINAL PLAT FOR MAJOR SUBDIVISIONS

- (a) A letter from the Division of Water Management, Tennessee Department of Health and Environment, approving the design of the extension of the water lines, if applicable.
- (b) A letter from a Division of Sanitary Engineering, Tennessee Department of Health and Environment, approving the design of the sewer lines, if required by the Planning Commission.
- (c) New streets graded or staked as required by Section 203.

604

SIGNATURE BLOCK

The Hamilton County GIS Department requests that all subdivisions using a CAD have the appropriate signature block on the submitted final plats. The signature block must include space for the following signatures:

- (a) Hamilton County GIS
- (b) Hamilton County Wastewater Treatment Authority, if applicable
- (c) Hamilton County Division of Groundwater Protection, if applicable
- (d) Jurisdictional Authority
- (e) Red Bank Municipal Planning Commission

ARTICLE 7

Enactment and Repeal

ARTICLE 7
ENACTMENT AND
REPEAL

701 ENACTMENT, EFFECTIVE DATE

These regulations shall become effective from and after the date of its approval and adoption by the Red Bank Municipal Planning Commission.

702 REPEAL

Henceforth, any other subdivision regulations previously adopted by the Red Bank Municipal Planning Commission, shall be deemed to be repealed.

DATE OF ADOPTION: _____

Appendix 1: Subdivision Review Process

Planning and Design
Developers are encouraged to contact and consult with staff as needed prior to submitting plats. The Southeast Tennessee Development District Planner can be reached at redbank@sedev.org

Submission of Plat
<ul style="list-style-type: none"> ▪ Final and Corrective Plats should be submitted to Hamilton County GIS. CAD Files can be emailed to sdreview@hamiltontn.gov ▪ Preliminary Plats should be submitted to the SETD Planner, redbank@sedev.org

Plat Review
<ul style="list-style-type: none"> ▪ Plats are reviewed and forwarded to WWTA, EPB, and (when needed) Hamilton County Groundwater Protection. ▪ The SETD Planner compiles all reviews and makes a recommendation to approve, approve with corrections, or deny. The Planner also determines if the plat can be staff-approved. ▪ The SETD Planner sends the review to the City Manager, engineer, surveyor and/or property owner.

Administrative Approval	Planning Commission Approval
<p>Requirements:</p> <ul style="list-style-type: none"> ▪ All properties must be on existing streets ▪ Cannot require water or sewer extensions ▪ Cannot require a variance <p>Plat can be signed by staff without Public Hearing.</p>	<ul style="list-style-type: none"> ▪ All other plats must go before the Planning Commission ▪ Must be submitted by the 10th to be heard at next month's meeting ▪ Request for any variances must be submitted in writing

Public Hearing
<ul style="list-style-type: none"> ▪ Working meeting at noon on the Tuesday before the 3rd Thursday each month allows the Commissioners to review and any questions ▪ Regular meeting held on 3rd Thursday of each month at 6 PM at City Hall ▪ Surveyor, Engineer or Developer must attend Planning Commission working and regular meeting ▪ Planning Commission votes to approve, deny, defer or conditionally approve the plat <p>NOTE: Plats for PUDs require approval by the Board of Commissioners.</p>

Signatures and Recording
<p>For Preliminary Plats: Electronic and Paper Copy of approved plat with all corrections must be filed at City Hall</p> <p>For all other plats:</p> <ul style="list-style-type: none"> • Surveyor makes any required corrections • Surveyor collects all required signatures • City Manager or representative signs plat • Planning Commission Secretary or representative provides final signature • Surveyor takes plat to Hamilton County Register to be recorded

Appendix 2: Preliminary Plat Checklist

- Name of Subdivision
- Labeled "Preliminary Plat"
- Full Name, address, and phone number of the owner and/or developer
- Name, Address, Phone number of the person or firm preparing the plat
- North Arrow
- Date
- Scale, Minimum one-inch equals 100 feet
- Vicinity Map
- Boundary Lines showing all bearings and distances, including road curve functions and dimensional data
- Location of control monuments on the boundary line in Tennessee State Plane coordinates
- Lots drawn and numbered in a logical order (not repeated)
- Approximate dimensions of lots
- Property lines of adjoining property (dashed lines)
- Name and Plat Book and Number of adjoining subdivision
- Location, Width, and Names of all existing, proposed or recorded streets
- Station numbers for all proposed streets
- Spit road cross sections
- Minimum building setbacks from the Zoning Ordinance
- Natural contours at five-foot intervals or less, if required by the Planning Commission
- Contour line or limit of the 100-year floodplain
- Vertical Road Profiles (If applicable)
- Vertical Sanitary Sewer Profiles (if applicable)
- Cluster mailbox location (if applicable)

Drainage

- Size, location, outline and direction of water flow at all high and low points
- Drainage Easements
- Number of acres drained into the high point of the easement
- Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in and adjacent to the subdivision.
- Show and label proposed drainage improvements
- Show and label off-site drainage improvements that will be necessary

Utilities (Existing and Proposed)

- Water Lines and easements
- Wells, springs, or other natural sources of water within 50 feet.
- Fire hydrants within 500 feet
- Gas lines and easements
- Electrical and telephone easements within 50 feet
- Sanitary sewers, easements, manholes and invert elevations. If not available, state nearest sanitary sewer.

Statements

- Present Zoning
- Source of Water Supply
- Number of acres subdivided
- Tax Map and Parcel Number
- FEMA/FIRM Panel
- Source of Topography
- Community Lot statement
- Additional Drawings:
- Deed Book and Page Number of any recorded easements

Appendix 3: Final Plat Check List

- New streets must be graded or staked with appropriate performance bond posted (see Section 303)
- Name of Subdivision
- Labeled "Final Plat"
- Full Name, address, and phone number of the owner and/or developer
- Name, Address, Phone number of the person or firm preparing the plat
- North Arrow
- Date
- Scale, Minimum one-inch equals 100 feet
- Vicinity Map
- Lot Lines and Boundary Lines (Sufficient data to readily determine and reproduce on the ground the location, bearing, and length)
- Location of control monuments on the boundary line in Tennessee State Plane coordinates
- Lots drawn and numbered in a logical order (not repeated)
- Setbacks if different from Zoning Ordinance
- Property lines of adjoining property (dashed lines), Deed Book and Page
- Name and Plat Book and Number of adjoining subdivision
- Street Lines and Names
- Boundaries of all property dedicated to public use
- Deed Book and Page for any deed restrictions or protective covenants
- Contour line or limit of the 100-year floodplain
- Cluster mailbox location, if applicable

Drainage

- Size, location, outline and direction of water flow at all high and low points
- Drainage Easements
- Number of acres drained into the high point of the easement
- Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in and adjacent to the subdivision.
- Show and label proposed drainage improvements
- Show and label off-site drainage improvements that will be necessary

Utilities (Existing and Proposed)

- Fire hydrants within subdivision
- Electrical, telephone, water, gas and other utility easements within 15 feet
- Electrical and telephone easements within 50 feet
- Sanitary sewers and easements in adjacent to site
- Location and size of nearest sanitary sewer if not available

Statements

- Present Zoning
- Source of Water Supply
- Source of Sanitary Sewer disposal
- Number of acres subdivided
- Size of individual lots
- Private covenants and deed restrictions
- Tax Map and Parcel Number
- FEMA/FIRM Panel
- Source of Topography
- Community Lot statement
- Deed Book and Page Number of any recorded easements

- Certification of Ownership and Dedication of Rights-of-Way
- Dedication of Land
- Special Setbacks
- Engineer's Statement of Design
- Certification of Survey
- "This plat resubdivides deeds R.O.H.C."
- "This subdivision has been developed according to the standards of the Subdivision Regulations of the City of Red Bank."
- "Sewer available by HCWWTA" (If applicable)

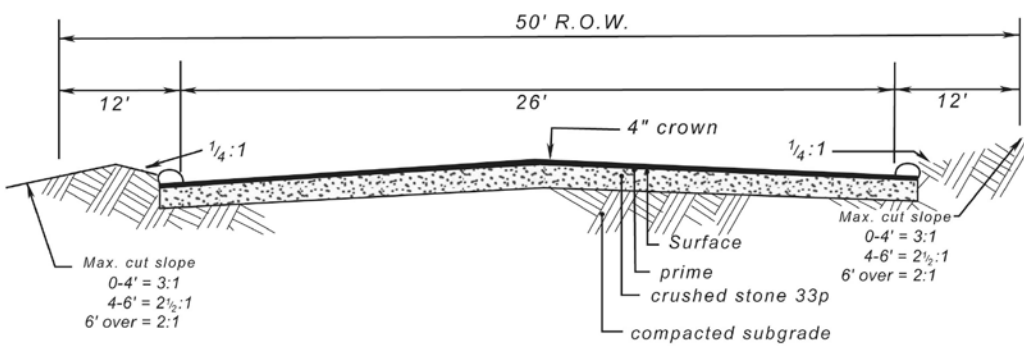
Signature Block (Approved for Recording)

- Hamilton County GIS
- Hamilton County WWTA (if connecting to sewer)
- Hamilton County Groundwater Protection (if installing septic)
- Jurisdictional Authority
- Red Bank Planning Commission

Appendix 4: Typical Cross Section for Streets

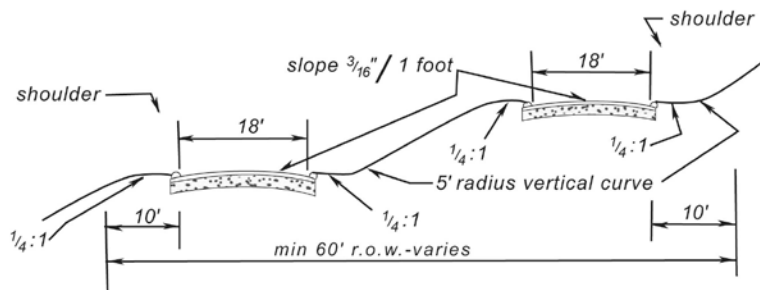
Typical Cross Section for Streets

LOCAL STREETS



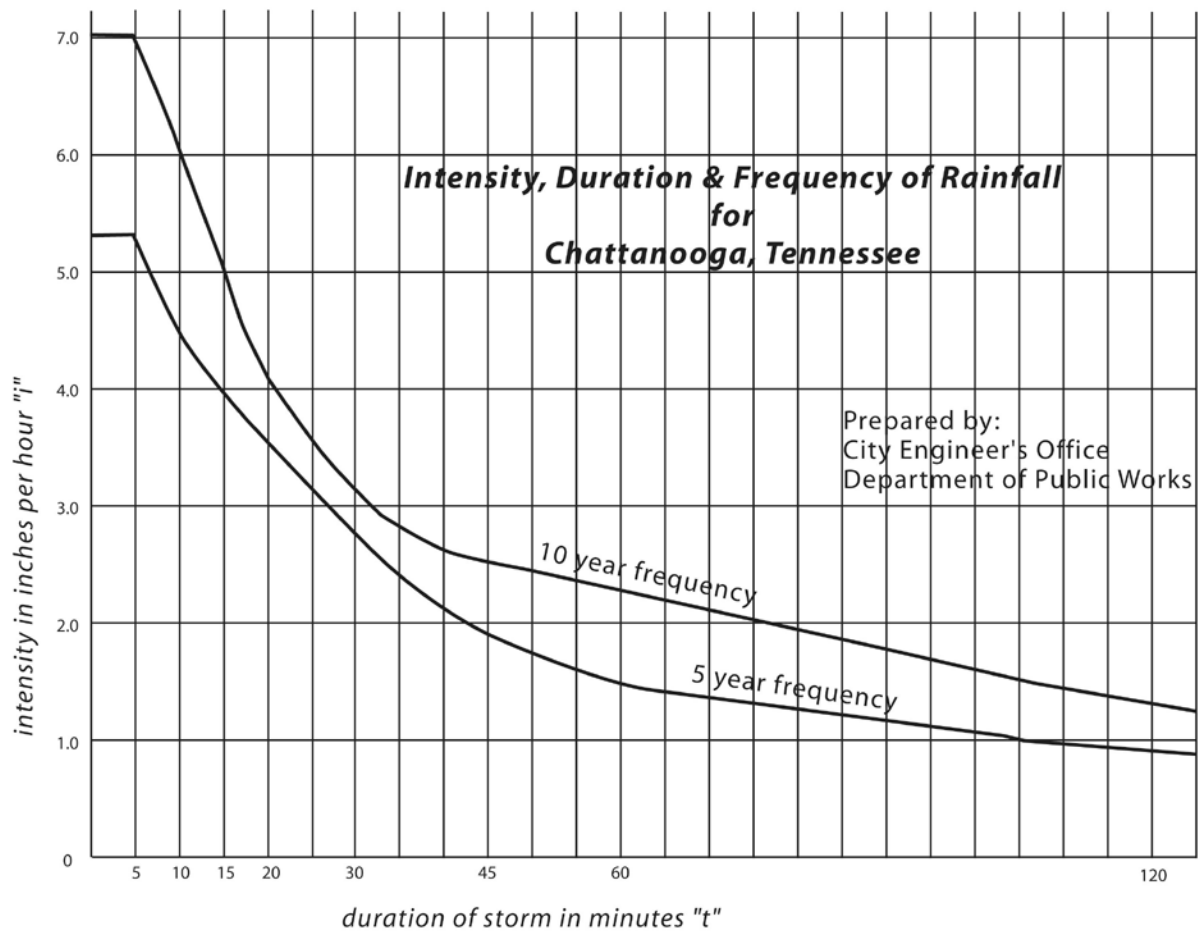
All other streets (except split streets) are similar to the above with the exception of right-of-way width and pavement width.

SPLIT STREETS



Max. cut slope
0-4' = 3:1
4-6' = 2½:1
6' over = 2:1

Appendix 5: Rainfall Intensity for Chattanooga, TN



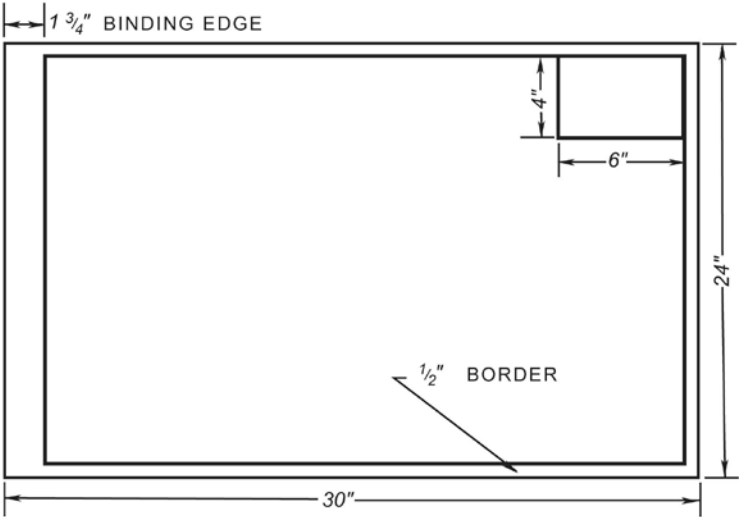
Appendix 6: Subdivision Plat Sizes Required

S/D PLAT SIZES REQUIRED

OVERALL SIZE

24" x 30"

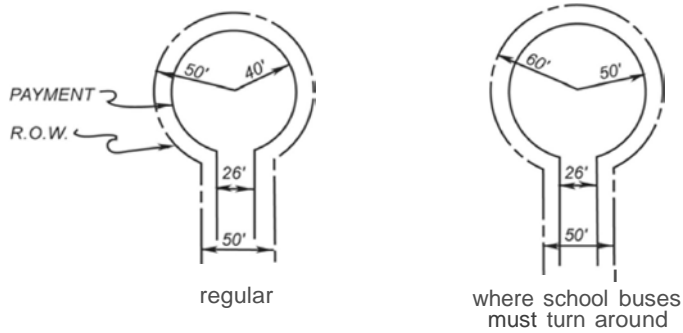
Binding edge 1 3/4"
Border 1/2"
Stamp block 4" x 6"



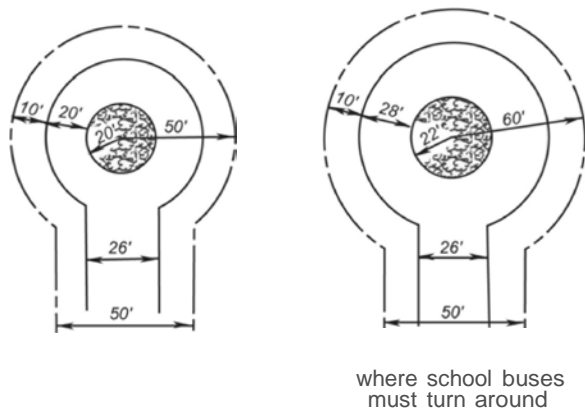
Appendix 7: Cul-de-Sac Dimensions

CUL-DE-SAC MINIMUM DIMENSIONS

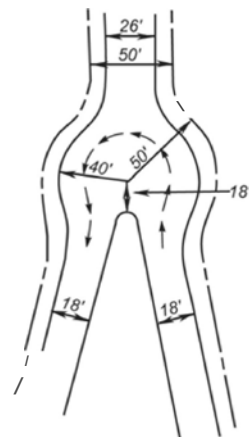
WITHOUT PLANTED MEDIAN:



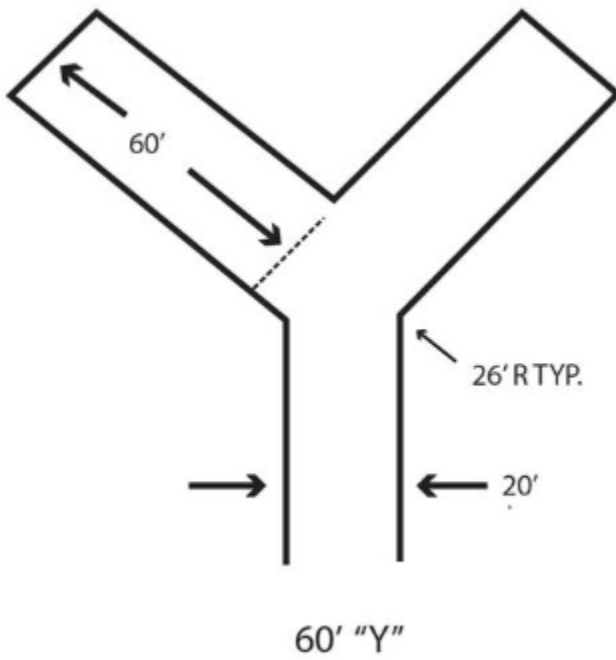
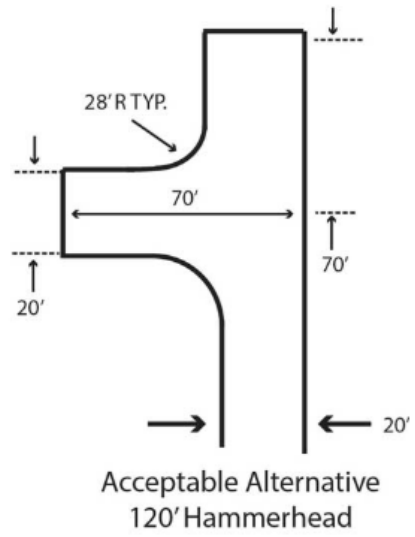
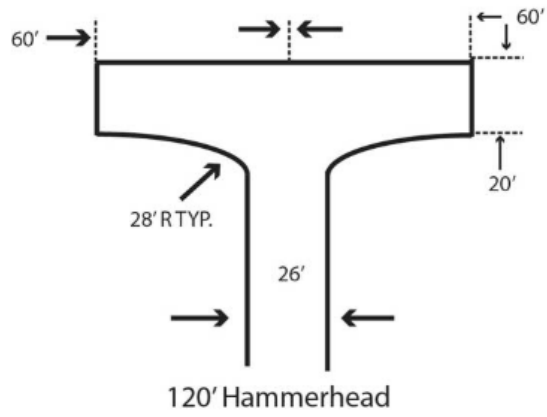
WITH PLANTED MEDIAN:



END OF SPLIT ROADS



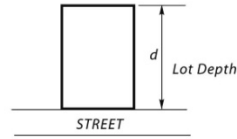
Appendix 8. Hammerhead Turnaround and Alternatives



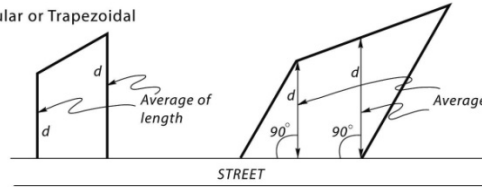
Appendix 9: Illustration of Lot Depth

EXAMPLES: LOT DEPTH d = depth

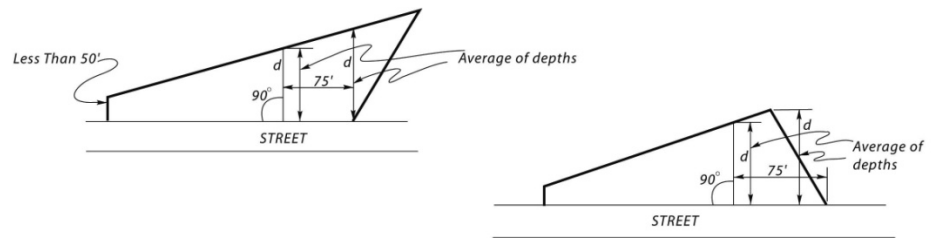
(a) Rectangular Lots



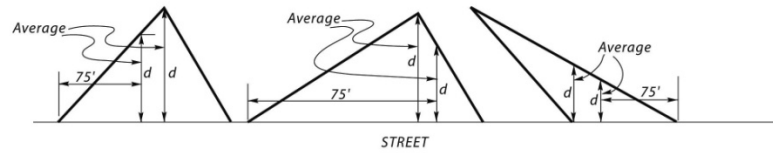
(b) Generally Rectangular or Trapezoidal



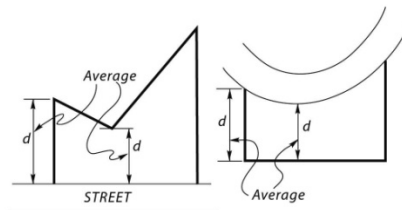
(c) Generally Rectangular or Trapezoidal, One Side Less Than 50'



Triangular Lot



(d) Irregular Front or Rear Lot Line



(e) Flag Lots

