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**SUBDIVISION REGULATIONS
of the
Madison County, Tennessee Planning Commission
(Hereafter referred to as the Planning Commission)**

ARTICLE I

PURPOSE, AUTHORITY, JURISDICTION AND DEFINITIONS

A. Purpose

These Subdivision Regulations provide for the coordination of streets within subdivisions, with other existing or planned streets, or with other features of the Comprehensive Plan of the Madison County, Tennessee Planning Region; for minimum standards of physical improvements in new subdivisions; for adequate open spaces for traffic, utilities, recreation, light and air; and for the distribution of population and traffic all of which are to improve the health, safety, and general welfare of the community.

B. Authority

These Subdivision Regulations are adopted under the authority granted by Section 13-3-301, and 13-3-401 through 13-3-411, Tennessee Code Annotated. The Planning Commission has fulfilled the requirements set forth in these statutes as a prerequisite to the adoption of such regulations, having filed a certified copy of the Major Road and Street Plan in the office of the Register of Madison County, Tennessee on July 18, 1950 and revised thereafter.

C. Jurisdiction

These regulations shall govern all subdivision of land within the Madison County, Tennessee Planning Region as now or hereafter established by a resolution of the Tennessee State Planning Commission.

D. Definitions

For the purpose of these regulations, certain words used herein are defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word “shall” is mandatory and not directory. The word “may” shall be deemed as permissive.

1. Block: A piece or parcel of land entirely surrounded by public streets, other than alleys.

2. Building Setback Line: The line indicating the minimum distance between any building and a lot line or right-of-way.
3. Construction Bond: A performance bond, cashier's check, or certificate of deposit from a commercial bank submitted to the Planning Commission by the developer in lieu of actual construction to insure that the required improvements will be made. The developer may file separate construction bonds to cover phases of construction, which would be equal to 110% of the estimated construction costs. Following construction and acceptance by the governing authority of each phase, the cashier's check or certificate of deposit will be returned to the developer. The bond, cashier's check or certificate of deposit shall have an effective period of not less than one (1) year.
4. Developer: Any person or corporation or duly authorized agent who undertakes the subdivision of land as defined herein.
5. Easement: The right granted by the owner of land to another party, (either public or private) for a specific, limited use of that land. The following are types of easements:

Easement, Drainage- The right to restore, maintain or repair ditches, drainage structures, pipes, weirs, catch basins or man holes for the management of storm water together with rights for ingress-egress for this purpose.

Easement, Travel (Residential) - The right granted by the owner of land to another party, by deed or prescription, to allow access across one parcel of land to another. Any easement thus created shall establish and maintain a minimum width of fifty (50) feet in its entirety, have access to a public street or road, serve as access to only one legally recorded lot of record and be permanently recorded in perpetuity. For the purposes of these Subdivision Regulations, any travel easement shall be considered a street whenever: 1) it serves more than one (1) lot; or 2) it serves any lot created through the subdivision process. All streets shall be improved in accordance with specifications outlined in the Madison County Planning Commission as specified herein.

Easement, Travel (Commercial & Industrial) - The right granted by the owner of land to another party, by deed, or prescription, to allow access across one parcel of land to another. Commercial lots may be created without frontage on a public street provided the following conditions exist:

1. The easement is shown on a plat, recorded in the office of the Madison County Register of Deeds either prior to, or concurrently with the platting of lots being served by said easement.

2. In approving commercial travel easements, the planning staff shall consider such factors as circulation, access, ingress and egress, parking, as well as maintenance of yard, area and other zoning requirements of any lot(s) affected by said easement.
3. The parcels involved in the easement agreement are all served internally by a common parking lot, as would be characteristic of a shopping center without parcels.
4. An adequate maintenance agreement between the property owners involved is established for the maintenance of said travel easement.

Easement, Utility - The right granted by the owner of land to the public, in form of dedication, to allow utility facilities to be constructed, installed, maintained or preserved. Any easement thus created should be recorded by deed or plat in the Madison County Register's Office. The term utility easement shall include but not be limited to: water, sewer, electric power lines, gas lines, pipelines, cable television lines, telecommunications, or other public utility systems.

6. Health Department: Wherever the term "Health Department" is used in these regulations it shall be deemed to refer to the Jackson/Madison County Health Department.
7. Improvements: Street pavements, curbs, gutters, sidewalks, walkways, water mains, sanitary and storm sewers, street name signs, drainage facilities, erosion control, landscaping, and any other such items as may be specifically designated by the Planning Commission.
8. Lot: A portion or parcel of land separated from other portions or parcels by description as on a subdivision plat of record or as described by metes and bounds, and intended for transfer of ownership or for present or future development or both. For the purpose of these regulations, the term does not include any portion of a dedicated right-of-way.
9. Major Road and Street Plan: An official map depicting the general locations and required widths of the major arterial and collector streets within the Planning Region.
10. Pedestrian Walkway: A right-of-way dedicated to public use adequate in width, intended primarily for pedestrians and from which motor propelled vehicles are excluded, and which is designed to improve or provide pedestrian access to adjacent streets or lots.
11. Planned Unit Development (PUD): A form of development usually characterized by a unified site design for a number of housing units, clustering buildings and providing common open space, density increases, and a mix of building types and land uses. It permits the

planning of a project and the calculation of densities over the entire development, rather than on individual lot by lot basis.

It also refers to a process, mainly revolving around site plan review, in which public officials have considerable involvement in determining the nature of the development. It includes aspects of both subdivision and zoning regulation and usually is administered either through a special permit or a rezoning process.

While Planned Unit Development (PUD) has most commonly been used for housing developments, it also is frequently applied to other forms of development such as shopping centers, industrial and office parks, and to mixed-use developments, which may be any combination, depending on local ordinance. PUD allows the unified, and hence potentially more desirable and attractive development of an area, based on a comprehensive site plan. PUD can have a number of advantages over conventional lot-by-lot development including: mixing building types and uses to create more heterogeneous and “alive” communities; combining unusable yard space on individual lots into larger common spaces; offering greater opportunities for incentives to lower building costs resulting from reduced frontage; and the possibility of increasing the density of a development while keeping desired amenities.

12. Planning Commission: Whenever the term “Planning Commission” is used in these regulations, it shall be deemed to refer to the Madison County, Tennessee Planning Commission.
13. Planning Region: The area of jurisdiction of the Madison County, Tennessee Planning Commission, as shown on the Official Planning Region Map on file with the County Register, for purposes of zoning and land subdivision.
14. Plat, Preliminary (Schematic): The preliminary or schematic plat is a topographic survey showing the layout of streets, lots, and other features in relation to existing conditions. The preliminary plat illustrates the way in which the developer intends to develop his land. (See Article II, Section B)
15. Plat, Construction: The construction plat represents the engineering data involved with the approved subdivision design. (See Article II, Section C)
16. Plat, Final: The final plat is a map showing the division of any tract of land into two or more lots, including the required signed certificates, prepared for the purpose of public recording. (See Article II, Section D)
17. Right-of-Way: The entire strip of land lying between property lines dedicated by plat for use as a street, alley, or pedestrian walkway.

18. Street: A way for vehicular traffic, which is for public use, and is maintained by the city, county, or state, whether designated as a street, highway, thoroughfare, lane, place or however otherwise designated.
- a. Arterial Streets are those which are used primarily for fast or heavy traffic and are those designated as such on the Official Major Road and Street Plan for the Madison County Planning Region.
 - b. Collector Streets are those which carry traffic from local streets to the network of arterial streets, and are those designated as such on the Official Major Road and Street Plan for the Madison County Planning Region.
 - c. Sub-Collector Streets are those through streets used primarily for access to abutting properties and which intersect with collector and/or arterial streets. They are designed to discourage their use by through traffic.
 - d. Minor Streets are those streets, which are used primarily for access to abutting properties, and which do not usually intersect with collector and/or arterial streets. They are designed to discourage through traffic. The following are types of minor streets:
 - 1. Connector Streets are those streets provided to regulate the lengths of blocks. Side yards rather than front yards will abut this street.
 - 2. Dead-end Streets (cul-de-sacs) are those that are permanently closed at one end and so designed that they cannot be extended in the future.
 - 3. Marginal Access (Frontage Streets) are minor streets which are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection of through traffic.
 - e. Alleys are minor public ways used primarily for service access to the rear or side of properties otherwise abutting a street.
19. Subdivision: The division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility service installations, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided.

END OF ARTICLE I

ARTICLE II

PROCEDURES FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of three (3) separate steps. The initial step is the preparation and submission to the Planning Commission of a preliminary or schematic plat of the proposed subdivision for their approval. The second step is the preparation and submission to the Authorized County Consulting Engineer, Jackson Utility Division and/or Madison County Health Department, State of Tennessee Health Department, and Planning Commission Staff, of a construction plat for the proposed subdivision or sections of the proposed subdivision for their approval. The third step is the preparation and submission to the Planning Commission of a final plat together with the required certificates. This final plat becomes the instrument to be recorded in the office of the County Register when duly signed by an authorized agent of the Planning Commission.

The developer shall consult early and informally with the Planning Commission Staff for advice and assistance before the preparation of the schematic plat. This will enable him to become thoroughly familiar with these regulations, the Major Road and Street Plan, and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.

A. GENERAL REQUIREMENTS

1. Any owner of land lying within the area of jurisdiction of the Planning Commission who wishes to subdivide such land shall submit a plan of such proposed subdivision to the Planning Commission for approval and shall obtain such approval prior to the filing of his subdivision plat for recording. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following sections of this article. It is unlawful within this planning jurisdiction, as specified in Article V, Section B(1) of this resolution, for anyone to file or any county register to record a plat without the approval of the Planning Commission.
2. In order to secure review and approval by the Planning Commission of a proposed subdivision, the prospective developer shall, prior to the making of any street improvements or installations of utilities:
 - a. Submit to and obtain approval from the Planning Commission of a schematic plat as provided in Section B of this Article.
 - b. Submit construction plats to and obtain approval from the

17 following applicable agencies as provided in Section C of this Article:

1. Jackson Utility Division;
2. Madison County Health Department;
3. Authorized County Consulting Engineer;
4. Southwest Electric Cooperative;
5. Planning Commission Staff;
6. E-911;
7. Appropriate Water District;

On approval of said plat by the agencies noted above, the developer shall then submit his construction plat to the Planning Commission Staff for review and final check-off. Following approval by the Planning Commission Staff the developer may proceed with his development in the manner prescribed.

B. PRELIMINARY (SCHEMATIC) PLAT

1. After consultation with the Planning Commission Staff, and at least twenty-one (21) days prior to the meeting at which it is to be considered, the developer shall submit to the Planning Commission Staff four (4) copies of a preliminary plat of the proposed subdivision for review by the Planning Staff, the Authorized County Consulting Engineer, and the Jackson Utility Division drawn to a scale of not less than one inch equals 100 feet (1"=100') along with a completed application, along with the appropriate application filing fee.
2. The preliminary plat shall include the entire extent of ownership of the tract or parcel being subdivided and the extent of the property and the design must be based on a current boundary and topographic survey made in accordance with the Standards of Practice, Rules of the Tennessee State Board of Examiners for Land Surveyors, Chapter 0820-3. The plat shall graphically and by annotation specifically show or otherwise address the following information:
 - a. The proposed name of the subdivision.
 - b. The name and address of the owner (or developer if other than the owner).
 - c. The name of the designer of the subdivision who shall be a registered engineer, landscape architect or land surveyor licensed in the State of Tennessee.
 - d. Names of all adjoining property owners with deed book and page numbers, and any adjoining subdivisions with plat book and page numbers.
 - e. The names and dimensions of proposed streets and easements.

- f. Proposed lot lines, with dimensions, lot numbers and lot area.
 - g. The total area of the land to be subdivided and the total number of lots proposed and phase lines if development will be in stages.
 - h. The location, area and zoning classifications of the proposed uses within the subdivision.
 - i. Location and extent of all areas subject to flooding as defined by the most current Federal Emergency Management Agency Flood Insurance Rate Maps for Madison County, Tennessee, dated January 21, 1998, or if from another source, state the source of information.
 - j. Location map of the proposed subdivision showing the relationship to the surrounding area and existing streets or highways.
 - k. Location, size and depth of existing sewer, gas, and water pipelines, and other public utilities within, adjacent to, or near the proposed subdivision.
 - l. The location of all existing structures, streets, easements, water courses, bridges or culverts on or adjacent to the property that will affect the property being subdivided.
 - m. The location of the property within the watershed and a general concept of management of storm water and drainage onto and from the site must be addressed.
 - n. The location and extent of environmental or cultural features, including significant trees, wooded areas, wetlands or historical sites on or adjacent to the proposed subdivision.
 - o. Any other information that may be necessary for the full and proper consideration of the site for a subdivision
 - p. North point of orientation shall be with the grid of the Tennessee Coordinate System of 1983 (TCA 66-6-101).
 - q. 1988 North American Vertical Datum should be used.
 - r. Computer drawing as outlined in the subdivision digital requirement document on file in the City of Jackson Planning Department.
3. If the developer plans to develop the subdivision in phases he shall show this phasing scheme on the preliminary or schematic plat.

4. If the developer contemplates requesting any waivers from the Subdivision Regulations those waiver requests will be made in conjunction with preliminary or schematic plat presentation and approval. Justification for variances are set forth in Article III, Section I. Requests for variances shall be explicitly described in writing on the Preliminary Plat.
5. Upon the approval of the preliminary plat by the Planning Commission, the developer shall submit to the Planning Commission Staff seventeen (17) copies of the preliminary plat as approved for distribution to the review agencies. Approval of the preliminary plat lapses unless the construction plat is filed within twelve (12) months of its approval.

C. CONSTRUCTION PLAT

1. After preliminary plat approval and prior to final plat approval by the Planning Commission, the developer shall submit to the Planning Commission staff two (2) copies of a construction plat with the signatures of all the review agencies of the proposed subdivision drawn to a scale of not less than one inch equals fifty feet (1"=50') and meeting all plat requirements.

Following Planning Commission Staff approval, the developer shall submit to the staff fourteen (14) copies as approved for distribution to the review agencies.

2. The construction plat, which shall meet minimum standards of design as set forth in Article III, and the general requirements for the construction of public improvements as set forth in Article IV, shall give the following information:
 - a. The proposed subdivision's name, location, section number, if applicable, and the name and address of the owner or developer if other than owner.
 - b. The signature of the designer of the plat, who shall be a Registered Engineer, registered in the State of Tennessee.
 - c. Date, north orientation, and scale.
 - d. The location of existing and platted property lines, existing streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements or lines, the present zoning classification on the land to be subdivided and the adjoining property owners or subdivisions with deed book and page numbers and/or plat book and page numbers. On all underground items, the location, pipe size, and direction of flow shall be

indicated. Ornamental street lights and ornamental street signs shall be located as set forth in Article IV, Section C (16) (17).

- e. Plans of proposed utility layouts (sewers and water) showing feasible connections to the existing or proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the Jackson Madison County Health Department or the Jackson Utility Division.
- f. The names, locations, and dimensions of proposed streets, alleys,
- g. Easements, parks, other open spaces, reservations, lot lines, building setback lines, and temporary street name signs.
- h. Existing contours in dashed lines and finished contours in solid lines at vertical intervals of not more than two (2) feet. Elevations shall be expressed in relation to mean sea level.
- i. The acreage of the land to be subdivided.
- j. Location sketch map showing relationship of subdivision site to the surrounding area.
- k. If any portion of the land being subdivided is below the one hundred year flood elevation, as determined by information on the most current Federal Emergency Agency's Flood Insurance Rate Maps, on file in the planning commission staff office, the limit of such flood shall be shown.
- l. Separate plan and profile sheets shall be required. These shall show all engineering data necessary for construction of proposed streets, storm drainage, and utility layouts (sewer and water) and shall show all connections to the existing and/or proposed streets, storm drainage, and utility systems. The profile sheet shall show centerline profiles on proposed streets showing existing and finished grades, and sewer locations, drawn to a scale of not less than one inch equals five (5) feet vertical and one inch equals fifty (50) horizontal. Elevations shall be expressed in relation to mean sea level.
- m. Typical street cross-section and cross section of ditches as needed.
- n. An authorized signature from the office of the authorized county consulting engineer for the approval of street and drainage improvements.
- o. An authorized signature from the State of Tennessee Health Department, Jackson Utility Division and/or Jackson Madison County Health Department, according to the respective jurisdiction

for the approval of water supply, wastewater collection, and/or sanitary sewerage disposal.

- p. An authorized signature from the Planning Commission.
 - q. A Comprehensive Drainage Study that includes an Erosion Control Plan.
 - r. Computer drawing as outlined in the subdivision digital requirements document on file in the City of Jackson Planning Department.
 - s. If the developer intends to install ornamental street signs in the subdivision, the locations of such signs shall be indicated, after coordination with the Authorized County Consulting Engineer.
 - t. If underground electric service is proposed, the plan shall indicate proposed locations of streetlights. Street lights varying from the approved standards of construction shall be coordinated and approved by the authorized county consulting engineer, as set forth in Article IV, Section C (16).
 - u. Any other information that may be necessary for the full and proper consideration of the construction plat.
3. One copy of the construction should be filed with the Jackson Utility Division and one copy should be filed with the E911 Administrative Office and shall be for the purpose of assigning street address numbers to each lot in the subdivision. The Jackson Utility Division and E911 shall return to the developer the copy of the plat showing said numbers in order that they are shown on the final plat.
4. The approval of the construction plat shall be lapse unless a final plat based thereon is submitted within twelve (12) months from the date of such approval or an extension of time is applied for and granted by the Planning Commission.
5. Where the subdivision fronts on an existing public street, the construction plat requirement shall be waived by the Planning Commission if the following conditions are met:
- a. No street, drainage or other improvements are involved.
 - b. No conflict exists with the proposed subdivision and the recorded Major Road and Street Plan.
 - c. It is clear that the purpose of such development is not used for staging development of large parcels of land, thereby short cutting the normal subdivision procedure.

6. In reviewing the construction plat for approval, the planning staff shall consider the orderly staging of development. In particular, the staff shall consider:
 - a. Proper access to the requested area of development.
 - b. The feasibility of developing any served tract of land.
7. The appropriate following certificates, based on jurisdiction covering the area to be subdivided, shall be included on the construction plat:

CERTIFICATE OF APPROVAL OF STREET AND STORM DRAINAGE

I hereby certify that the plans shown on this construction plat regarding streets and storm drainage duly conform to the minimum requirements of the Subdivision Regulations. Failure of the designer to depict all requirements on the construction plat will not negate their completion in accordance with the Subdivision Regulations. This construction plat is hereby approved.

Date	Authorized County Consulting Engineer
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CERTIFICATE OF APPROVAL OF STREET LIGHT STANDARDS AND ASSOCIATED CONDUITS IN SUBDIVISIONS WITH UNDERGROUND UTILITIES

I hereby certify that the plans and specifications and lighting layout shown on this construction plat regarding street light standards and associated conduits fully meet the requirements of the Jackson Utility Division or Southwest Electric Cooperative and the City of Jackson Engineering Department are hereby approved as shown.

Date	Jackson Utility Division or Southwest Electric Cooperative
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Date	City Engineer
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CERTIFICATE OF APPROVAL OF WATER SYSTEMS

I hereby certify that the plans shown on this construction plat regarding water supply meet the requirements of the Jackson Utility Division and are hereby approved as shown.

Date	Jackson Utility Division
------	--------------------------

CERTIFICATE OF APPROVAL OF WASTEWATER COLLECTION SYSTEM

I hereby certify that the plans shown on this construction plat regarding sanitary sewerage supply meet the requirements of the Jackson Utility Division and are hereby approved as shown.

Date

Jackson Utility Division

CERTIFICATE OF ACCURACY OF DESIGN

I hereby certify that the plans shown and described on this construction plat, regarding engineering designs governing the construction of this subdivision are true and correct, and conform to the requirements and specifications as set forth in the Subdivision Regulations.

Date

Registered Engineer
Tennessee License # _____

CERTIFICATE OF QUALITY OF CONSTRUCTION

I hereby certify that I will construct or have constructed the improvements shown hereon and guarantee that they meet or will meet the requirements and specifications set forth in the Subdivision Regulations subject to the approval of the Jackson Utility Division, the Authorized Consulting County Engineer, the State of Tennessee Health Department, the Madison County Health Department, and the Planning Commission Staff.

Date

Owner or Developer

CERTIFICATE OF CONSTRUCTION PLAT APPROVAL

I hereby certify that this construction plat meets all Subdivision Regulations and is hereby approved.

Date

Authorized Representative of the Madison
County Planning Commission

D. FINAL PLAT

1. For final plat approval, the developer shall submit two (2) copies of the plat to the Planning Commission for review. The final plat shall meet all plat requirements and shall be drawn to a scale of not less than one (1) inch equals 100 feet (1"=100') on sheets not larger than 18 by 24 inches. When more than one sheet is required, an index sheet of the same size shall be included showing the entire subdivision with the sheets identified by a key.
2. The Planning Commission Staff is authorized to approve and record a final plat that is in accord with the Preliminary Plat as approved by the Planning Commission. Any significant deviation from that approved plat shall result in a review by the Planning Commission. The Planning Commission shall approve or disapprove the final plat within thirty (30) days from the meeting in which it was introduced to the Planning Commission. Failure of the Planning Commission to act on the Final Plat within the thirty- (30) day period shall result in the plat being deemed approved.
3. When notified of approval, the developer shall submit to the Planning Commission eighteen (18) copies of the final plat. An additional copy shall be recorded in the office of the County Register.
4. The final plat becomes the legal record that creates the lots that can be improved within a subdivision, makes dedications for street rights-of-way, easements and other public or private uses, and provides for other restrictions and limitations within the subdivision. The final plat must meet the Standards of Practice, Rules of the Tennessee State Board of Examiners for Land Surveyors, Chapter 0820-3 and specifically include the following:
 - a. Lots must be clearly and accurately shown with dimensions on all lines and arcs that mathematically close, be numbered sequentially, show street addresses from Jackson Utility Division or E911, and show the front building set back lines.
 - b. Street lines must be shown with names of the streets with dimensions sufficient to mathematically determine the relative location of all rights-of-way lines and arcs.
 - c. Reservations or dedications of areas for easements or other uses other than lots will be dimensioned the same as lots and clearly labeled stating their purpose and limitations.
 - d. All dimension and label data of curvilinear features that represent lot lines, street lines, easement lines, building setback lines or other will be sufficient to mathematically determine their relative

positions and geometry. All arcs must contain label data on three elements of the arc, preferably, radius, length of arc and bearing and distance of the chord.

- e. All dimensions will be expressed to the nearest 0.01-foot and bearings or angles to the nearest 10 seconds. The plat shall be based upon a Category I survey and comply with the accuracy required by the Standards of Practice for land surveyors in Tennessee.
- *f. North orientation for the bearings used will be in relation to the grid azimuth of the Tennessee Coordinate System of 1983. The north orientation for minor subdivisions with three or less lots shall be true north.
- g. All monuments will be shown and physically described. (See Article IV, Section B)
- h. Name and deed reference of adjoining property owners, name and plat reference of adjoining subdivisions with abutting lots shown or the name of all abutting streets.
- i. Name of the current title owner with record source of title.
- j. Name of subdivision, date of plat, graphic scale, county, state, city, and civil district (in county) or ward (in city).
- k. Location and extent of all areas subject to flooding as defined by the most current Federal Emergency Management Agency Flood Insurance Rate Maps for Madison County, Tennessee, or if from another source state source of information.
- l. Location map of the subdivision sufficient to show the area in relation to existing streets unless the site is tied by dimension to the intersection of two existing streets.
- m. Any deed restrictions, protective covenants or reference to protective covenants that affect the lots within the subdivision.
- n. The tax map and parcel number of the land being subdivided.

- *5. In addition to and accompanying the plotted copies of the Final Plat,
26 except for minor subdivisions with three or less lots, digital files that
27 represent this plat with an accurate record of all previously existing
and
28 currently installed improvements shall be submitted and shall include:

29

- a. The location of as-built locations of water and wastewater utilities (mains and stubs). The developer would bear the responsibility of

*Approved: June 26, 2001

verifying locations of water mains, fire hydrants, value services and appurtenances sanitary sewer manholes, mains, and laterals.

- b. Computer drawing as outlined in the subdivision digital requirement document on file in the City of Jackson Planning Department.

30 6. The appropriate following certificates shall be presented on the final plat, based on the jurisdiction covering the area to be subdivided:

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as recorded in Deed Book _____, page _____, in the office of the Register of Madison County, Tennessee, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open spaces to public use or to private use as noted.

_____ Date _____ Owner
 _____ Owner

ACKNOWLEDGMENT OF OWNER'S SIGNATURE

State of Tennessee:
County of Madison:

Personally appeared before me, the undersigned NOTARY PUBLIC in and for the State and County aforesaid, _____, within named bargainer with whom I am personally acquainted and who acknowledged that he executed the foregoing and attached instrument for the purpose therein contained. Witness my hand and notary seal of office in Madison County, Tennessee, this _____ day of _____, _____.

NOTARY PUBLIC _____
My Commission Expires _____

CERTIFICATE OF ACCURACY OF SURVEY

I hereby certify by placing my seal and signature on this plat that it was prepared in accordance with the specifications and requirements of the Jackson Municipal Regional Planning Commission and that the accuracy of the survey upon which it is based is in accordance with the requirements of the Standards of Practice as contained in the rules of the Tennessee State Board of Examiners for Land Surveyors for a Category I survey.

_____ Date _____ Registered Land Surveyor
 _____ License No. _____

CERTIFICATE OF APPROVAL OF WATER SYSTEM

I hereby certify that the water system installed or proposed for installation fully meets the requirements of the Jackson Utility Division.

Date

Jackson Utility Division

CERTIFICATE OF APPROVAL OF WASTEWATER COLLECTION SYSTEM

I hereby certify that the sanitary sewerage system installed or proposed for installation fully meets the requirements of the Jackson Utility Division.

Date

Jackson Utility Division

CERTIFICATE OF APPROVAL OF STREET LIGHT STANDARDS AND
ASSOCIATED CONDUITS IN SUBDIVISIONS WITH UNDERGROUND
UTILITIES

I hereby certify that the street lights and associated conduits installed or proposed for installation, fully meet the requirements of the Jackson Utility Division or Southwest Electric Cooperative and the City of Jackson Engineering Department.

Date

Jackson Utility Division or
Southwest Electric Coop.

Date

City Engineer

CERTIFICATE OF APPROVAL OF STREETS AND STORM DRAINAGE

I hereby certify that street and drainage improvements have been installed in an acceptable manner, as checked by visual inspection, and conform to the specifications set forth in the Subdivision Regulations. The street and drainage improvements and their rights-of-way shall be accepted by the Governing Authority in accordance with the existing policy of the Governing Authority relative to street acceptance.

-Or-

I hereby certify that a construction bond in the amount of \$_____ has been posted to insure completion and quality of all required improvements. Following satisfactory completion of all construction items, the street and drainage improvements and their rights-of-way shall be accepted by the Governing Authority in accordance with the existing policy of the governing authority relative to street acceptance.

Date

Authorized Representative of the Madison
County Planning Commission

Date

Authorized County Consulting Engineer

CERTIFICATE OF APPROVAL OF SUITABILITY OF SOIL FOR SEPTIC TANKS

I hereby certify that this soil is suitable for septic tanks. The certification is not to be construed as a septic tank installation permit. Septic tank installation requires a site plan and a permit approved by the Madison County Health Department. After the suitability of any area to be used for subsurface sewerage disposal has been approved, no change shall be made to this area unless the Health Authority is notified and a reevaluation of the area's suitability is made prior to the initiation of construction.

Date

Jackson Madison County
Health Department

CERTIFICATE OF STREET NAME AND NUMBERING

I hereby certify that the street names and numbers have been approved by the E911 District.

Date

E911 District Representative

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for the Madison County, Tennessee Planning Region with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the office of the County Register.

Date

Authorized Representative of the
Madison County Planning Commission

7. If the subdivision involves private streets rather than public streets, the following certificate shall be used in lieu of the Certificate of Approval of Streets and Storm Drainage on the plat in addition to the above certifications:

CERTIFICATE OF RECOGNITION OF PRIVATE STREETS

I hereby certify that the streets, drainage improvements and/or rights-of-way on the subdivision plat shown hereon are private and maintenance of said streets, drainage improvements and/or rights-of-way shall be the responsibility of the property owners as per covenants recorded in the Trust Deed Book ____, page ____, in the office of the Register of Madison County, Tennessee. It is stipulated that the streets and drainage improvements as depicted hereon do meet the specifications set forth in the current Subdivision Regulations at the time of this plat approval. Such streets, drainage improvements and/or rights-of-way shall remain private until they are inspected by the Authorized County Consulting Engineer as being compliant with the then prevailing Subdivision Regulations, dedicated, and accepted by the governing legislative body, and a revised plat is approved by the Planning Commission.

Date

Authorized County Consulting Engineer

Date

Authorized Representative of the
Madison County Planning Commission

-
-
- 31 8. If the subdivision does not involve the construction of new streets, the following certificate shall be used in lieu of the Certificate of Approval of Streets and Storm Drainage on the plat in addition to the above applicable certifications:

CERTIFICATE OF RECOGNITION OF EXISTING STREETS AND
RIGHTS-OF-WAY

I hereby certify that the streets on the subdivision plat shown hereon are existing and present and no new streets are needed.

Date

Authorized County Consulting Engineer

9. If the subdivision does not involve the construction of new septic tank systems, or if the subdivision will contain both existing septic systems and new septic systems, the following certificate shall be used in lieu of the Certificate of Approval of Suitability of Soil for Septic Tanks on the plat in addition to the above applicable certifications:

CERTIFICATE OF SUITABILITY OF SOIL FOR SEPTIC TANKS

Lot # _____ contains an existing house. Soil suitability, type of septic system, installation and/or past or future system performance is unknown. The Health Department does not warrant soil suitability, installation, or performance of this system.

Lot # _____ is suitable for septic tanks. This certification is not to be construed as a septic tank installation permit. Septic tank installation requires a site plan and a permit approved by the Madison County Health Department. After the suitability of any area to be used for subsurface sewage disposal has been approved, no change shall be made to this area unless the health authority is notified and a re-evaluation of the area's suitability is made prior to the initiation of construction.

Date

Jackson Madison County
Health Department

END OF ARTICLE II

ARTICLE III

GENERAL REQUIREMENTS AND STANDARDS OF DESIGN

A. GENERAL REQUIREMENTS

Land Subdivision design is a compromise among competing and often conflicting objectives. Users of these regulations should recognize that land subdivision is far more than a means of marketing land; it is primarily the first step in the process of building a community. Once land has been divided into lots, streets established, utilities installed and buildings constructed, correction of defects is costly and difficult. Moreover, the development pattern is permanently ingrained upon the community and unlikely to be changed. Ultimately, subdivided land becomes a public responsibility requiring the maintenance of improvements and the provision of public services. Additionally, for the sake of future owners and the community, subdivided land should not only be presently marketable, but should remain competitive with future developments, thereby presenting a stable and liquid investment. Therefore, the interests of the public, the developer, and future owners are served by adherence to sound concepts and standards of design. To achieve the desired objectives, all subdivisions within the Madison County Planning Region must conform to the following four (4) basic design concepts:

1. External Factors

Subdivision design must provide for external factors of community wide concern including the proper extension of major streets, extension of utilities, preservation of major drainage channels and related flood lands, and the reservation of needed schools and park sites. Additional external factors to be considered include proximity to local, community, and regional shopping centers; to places of employment; to educational and recreational facilities; and to public transportation.

2. Land Use

Subdivision design must be related to proposed and existing land uses. Layout of a subdivision is inseparable from the use to which the land is to be put. Moreover, adjacent land use patterns must be considered. Some uses, such as parks, certain institutional uses, and bodies of surface water, may be used in the design to create value. Others, such as railroads, power lines and associated easements, poorly subdivided lands, and unsightly strip commercial developments, may require special design techniques to minimize their deprecatory effect on property values.

3. Natural Environment

Subdivision design must give due consideration to the natural environment. Areas of natural beauty, such as fine stands of trees and prominent terrain, should be conserved by the design. Low areas subject to flooding or areas of unsuitable soil or ground water condition should not be put to residential use.

4. Internal Details

Subdivision design must give attention to internal design details including the proper layout of the streets, utilities needed, open spaces and adjustment of the design to topography and soil capabilities of the land. A major aspect of internal detailing is careful attention to drainage.

B. STREETS

1. Conformity to Major Road and Street Plan

The location and design of all streets shall conform to the Official Major Road and Street Plan as registered at the Madison County Court House which is also on file in the Office of the Planning Commission.

2. Relation to Adjoining Street System

The proposed street design shall provide for the continuation of existing streets at a width no less than the required minimum width.

3. Additional Width on Existing Rights-of-Way

Subdivisions that adjoin existing streets shall dedicate additional rights-of-way to meet the minimum street width requirements as set forth in Section 8, Tables 1 and 3 of this Article.

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

4. Restriction of Access

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

5. Lot Access and Reserve Strips

Every lot in subdivided property shall be served from an approved street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the Planning Commission.

6. Street Names

Proposed streets, which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name of proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, cove, boulevard, drive, place or court. Through its index list of street names on file in the Emergency 911 Administrative Office, the Planning Commission can assist the developer in avoiding duplications. Consideration in naming streets shall be given to limitations on the length of street name signs.

7. Alleys

Alleys shall not be provided except where the developer produces evidence satisfactory to the Planning Commission of the need for alleys.

8. Street Design Standards

All through collector, sub-collector, and minor level streets shall be designed to the standards depicted in the following tables. Design standards for arterial streets will be in accordance with TDOT design guidelines for the expected traffic volumes and speeds for the street under consideration and determined by the Authorized County Consulting Engineer or Planning Commission. The Planning Commission or Authorized County Consulting Engineer may require a traffic impact study to determine if higher standards should apply; considering expected land use, traffic volumes or other factors.

Table 1
Residential

	<u>Minor & Sub-collector</u>	<u>Collector</u>
Right-of-Way Width (feet)	50	60
Pavement Width (feet)	26	36
Minimum Stopping ^a Sight Distance (feet)	200	250
Grades (% max)	10	7
Minimum Grade (%)	0.5	0.5
Maximum Cul-de-sac Length (feet)	1,000	n/a
Minimum Cul-de-sac Right-of-Way Width (feet)	40	n/a
Minimum Cul-de-sac Right-of-Way Radius (feet)	47	n/a
Minimum Cul-de-sac Pavement Radius (feet)	40	n/a
Minimum Marginal Access Road Right-of-Way Width (feet)	40	n/a
Design Speed (mph)	30	35
Minimum Centerline Radius ^{b d} Of Curves (feet)	100	300
Minimum Tangent ^c Between Reverse Curves (feet)	50	100
Minimum Spacing along major traffic route (feet)	n/a	1,300

^a Stopping site distance is to afford a minimum line of sight measured from a driver's eye, assumed to be three and one-half (3 ½) feet off the ground to an object six (6) inches high on the pavement.

^b Assumes no super elevation.

^c Tangent does not apply to super elevated curves. In those instances, the tangent is dictated by the transition line.

^d Where a street changes direction and the internal angle does not exceed 110°, a modified cul-de-sac design may be accepted in lieu of the 300' radius on curves on Minor and Subcollector Streets.

^e

Table 2
Intersection Design Guidelines

	<u>Residential Streets</u>	<u>Non-Residential Streets</u>
Clear Sight Distance length Along each approach leg (feet)	Refer to Site Triangle Diagram	Refer to Site Triangle Diagram
Maximum Grade Within Intersection Area	2%	2%
Minimum Angle of Intersection	70° (90° preferred)	70° (90° preferred)
Minimum Curb Radius (feet): ^a		
a. Local-local	20	30
b. Local-collector	25	40
c. Collector-major	30	40
Minimum Centerline Offset of Adjacent Intersection (feet):		
a. Local-local	150	150
b. Local-collector	150	200
c. Collector-collector (along major street)	200	1,300
Minimum Tangent Length ^b Approaching Intersection (feet each length)	50	100

^a Areas where it is anticipated that there will be substantial truck traffic may be required to introduce larger radii by the Planning Commission or the Authorized County Consulting Engineer.

^b Applies to intersection area and fifty (50) feet along all approaches to the intersection.

Table 3
Commercial/Industrial Design Guidelines

	<u>Local</u>	<u>Collector</u>
Right-of-Way Width (feet) ^a	50	60
Pavement Width (feet)	24	36
Minimum Stopping Sight Distance (feet)	200	300
Grades (% max)	7	7
Grades (% min)	0.5	0.5
Maximum Cul-de-sac Length (feet)	700	n/a
Minimum Cul-de-sac Right-of-Way Radius (feet)	55	n/a
Minimum Cul-de-sac Pavement Radius (feet)	48	n/a
Design Speed (mph)	30	40
Minimum Centerline Radius of Curves (ft) ^b	300	509
Minimum Tangent Between Reverse Curves (feet) ^c	100	100

^a Greater widths may be required at street intersections to accommodate left turn lanes.

^b Assumes super elevation.

^c Tangent does not apply to super elevated curves. In those instances, the tangent is dictated by the transition line.

Proposed intersections should not be situated on a short space crest vertical curve, or on a sharp horizontal curve. The following table and figure specify the required sight distance at proposed intersections.

Table 4
Site Distance

DESIGN SPEED (MPH) MAJOR STREET	D (FT)
50	515
40	415
30	310
20	210

Sight Triangle
Diagram

Corner sight distance (D) measured from a point on the minor road center line at least 15 feet from edge of the intersecting major road pavement and measured from a height of 3 ½ feet on a minor road and a height of 4 ¼ feet on a major road.

C. BLOCKS

1. Length

Blocks shall not be less than four hundred (400) feet nor more than twelve hundred (1,200) feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the Planning Commission may require one (1) or more public cross walks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major road and street is provided or where prevented by topographical conditions or size of the property; in which case the Planning Commission or Planning Staff may approve a single row of lots of minimum depth. A statement dissolving the right of rear access of individual double frontage lots shall be included on the final plat.

D. LOTS

1. Adequate Building Sites

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

2. Arrangement

In so far as practicable, side lot lines shall be at right angles to straight street lines. The depth of a lot shall not exceed three (3) times the width of the lot except as the Planning Commission or Planning Staff considers necessary to secure efficient use of land or desired features of street pattern. In the event that the Planning Staff denies the request, the request may be submitted to the Planning Commission for final review. Each lot must front upon a public street or road that has a right-of-way of not less than forty (40) feet in width.

3. Minimum Size

The size, shape and orientation of lots shall be such, as the Planning Commission deems appropriate for the type of development and use contemplated. The Planning Commission may require sizes above the minimum requirement if such is necessary to maintain harmony with the surrounding area. Minimum lot sizes shall conform to the requirements of applicable zoning laws; and, in addition, where lots are proposed with individual well and/or septic tank disposal fields, they shall conform to the standards of the Health Department.

4. Building Setback Lines

- a. The minimum depth of building setback lines from the street shall conform to applicable zoning laws.
- b. In the case of electric transmission and/or distribution lines where easement widths are not definitely established there shall be a minimum building setback line from the center of the transmission line as follows:

<u>Voltage of Line</u>	<u>Minimum building setback</u>
12 KV	15 feet
46 KV	37 ½ feet
69 KV	50 feet
161 KV	75 feet

E. PUBLIC USE AND SERVICE AREA

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

1. Public Open Space

Where a school, neighborhood park or recreation area, shown on an official map or in a plan made and/or adopted by the Planning Commission, is located, in whole or in part, in the applicant's subdivision, the Planning Commission may require the reservation for a period of two years of such open space within the subdivision up to a total of ten percent (10%) of the gross area of the plot, for park, school or recreation purposes.

2. Easements for Utilities

Except where alleys are permitted for the purpose, the Planning Commission may require easements of adequate width for poles, wires, conduits, storm and sanitary sewers, gas, water, cable TV, telecommunications, or other utility lines along all rear lot lines, along side lot lines, and along right of way frontages if necessary or if advisable in the opinion of the Planning Commission.

3. Community Assets

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

F. SUITABILITY OF THE LAND

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

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses that may increase flood hazard, endanger health, life, or property, or aggravate erosion. Such land within the plan shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions. In applying this provision, land below the 100-year flood elevation will be considered as land subject to flooding. The consulting engineer or land surveyor shall attest to flood conditions for the area under consideration.

Fill may not be used to raise land in an area located in an F-W (Floodway) district as depicted on the zoning maps of Madison County, Tennessee.

Subdivision proposals and other proposed new developments, including manufactured home parks or subdivisions, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

- d. Base flood elevation data shall be provided for subdivision proposals and other proposed developments, including manufactured home parks and subdivisions, which is greater than fifty (50) lots and/or larger than five (5) acres.

G. DRAINAGE STANDARDS

The standards and procedures for drainage, erosion and sediment control shall be those set by the Policy for Control of Erosion and Stormwater for the City of Jackson, Tennessee.

H. LARGE TRACTS AND PARCELS

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

I. VARIANCES

Variances to the general requirements or design standards or other improvements above the provisions of these regulations may be granted or imposed by the Planning Commission. All requests for variances shall be submitted in writing to the Planning Commission at least three (3) weeks prior to the meeting date at which the variance is to be reviewed. The Planning Commission may grant variances provided all of the following conditions can be complied with:

1. The variance will not be detrimental to the public safety, health, or welfare, or be injurious to other property or improvements in the neighborhood in which the property is located.
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property or subdivision proposals.
3. Because of the particular physical surroundings, shape, or topographical condition of the specific property involved, a particular hardship (not self-imposed) to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.
4. The variance will not in any manner alter the provisions of the Land Development Plan, the Major Road Plan, or any Zoning Resolution.

Where the Planning Commission concludes that the purpose of these regulations may be specifically served to an equal or greater extent by an

alternative proposal, condition, or circumstance, it may approve other variations to these regulations.

J. ZONING OR OTHER REGULATIONS

In addition to the requirements established herein, all subdivision plats shall comply with all applicable laws, ordinances, resolutions, rules, or regulations, including, but not limited to:

- a. All applicable provisions of Tennessee Law, regulations, or policy.
- b. Any Zoning Resolution, any Building and Housing Codes, and all other applicable laws or policies of the Planning Commission.
- c. The adopted General Plan and Major Road Plan.
- d. The rules of the County Health Department and the Tennessee Department of Environment and Conservation.
- e. The rules, as applicable, of the Federal Highway Administration or Tennessee Department of Transportation, if the subdivision or any lot contained therein abuts a non-local highway.
- f. The standards and regulations adopted by all other boards, commissions, and agencies of the Planning Commission, where applicable.

* Any plat may be withheld if a subdivision is not in conformity with the above rules or with the provisions set forth in Article IV of these regulations.

END OF ARTICLE III.

ARTICLE IV

PREREQUISITES TO FINAL SUBDIVISION APPROVAL

A. GENERAL REQUIREMENTS

As a condition, previous to the final acceptance of any subdivision, subdivision addition or re-subdivision, every subdivision developer shall be required to grade and improve streets and other public ways, to install survey monuments, utilities, curbs, gutters, sidewalks, sewers, water mains, storm water inlets, surface and ground water drainage channels and structures, and buffer screens, and to prepare the plant landscaping in accordance with these regulations, or other applicable regulations or specifications of Madison County. In lieu of the completion of such improvements, prior to final subdivision acceptance, the Planning Commission may accept a surety instrument (performance bond) in an amount and conditions satisfactory to it, providing for and securing to the Planning Commission the actual construction and installation of such improvements within a period specified by the Planning Commission and expressed in the surety instrument (performance bond).

B. SURVEY MONUMENTS

Monuments are an essential part of the subdivision process. It is necessary for the protection of the public welfare that the boundaries created by plats of subdivision be perpetuated by the use of monuments installed at the time the lots were created. There are two types of monuments required for this purpose:

*1. Control Monuments

Control monuments provide the accurate and permanent base from which all of the features in the subdivision can be retraced by survey, including lot lines, rights-of-way, easements and replacement of lost or obliterated lot corner monuments. Control monuments must be permanent and shown and described on the final plat by label, and shall be tied to the subdivision boundary along with the coordinates of the position of the monument in the Tennessee Coordinate System of 1983 expressed in U. S. Survey Feet (TCA 66-6-102) except for minor subdivisions with three or less lots. These monuments must meet the following minimum specifications:

a. Consist of a 1-inch inside diameter by 24-inches long section of schedule 40 pipe or a 5/8-inch by 24-inch steel rod with a

*Approved: June 26, 2001

b. permanently attached brass or aluminum cap 1 1/2 inches in diameter with the precise position marked by indentation or cross.

- b. The monument must be driven flush in compacted soil or set in concrete so as not to be subject to movement from natural causes.
- c. These may be located on a corner of the exterior boundary of the subdivision, on a lot corner or at any random point within the subdivision provided that the monument must be situated so they will survive the construction phase of the subdivision and improvement of the lots.
- d. These monuments must be placed at least 200 feet apart, except, in special circumstances, where this is not practical or possible, otherwise, the longest practical separation will be used.
- e. Two monuments, preferably intervisible, will be installed for each subdivision containing three (3) or more lots and on larger subdivisions, two (2) monuments for each block created.

2. Lot Corner Monuments

Lot corner monuments are the basis for defining the boundaries of the individual lots created by the subdivision. To insure protection of the prospective lot owners, no lot will be transferred or improved before the lot corner monuments are installed. All exterior corners and lot corners of the subdivision will have adequate monuments found in place or installed prior to submittal of the final plat. The final plat will specify that monuments have been installed along with a physical description of the monuments. Lot corner monuments are considered permanent and must meet the following minimum specifications.

- a. Consist of a 1/2-inch inside diameter by 18-inch section of schedule 40 pipe or a 1/2-inch by 18-inch steel rod with identification cap or tag that meets to Standards of Practice for surveyors in Tennessee.
- b. Witness monuments may be set on or along a projection of the lot lines where the actual corner is not accessible, which monument must be shown on the final plat with label ties to the actual corner.

3. Monuments

- a. Prior to the installation of permanent lot corner monuments, and during the construction phases of the subdivision development, all lot corners in the subdivision shall be marked by one (1) or more flagged guard stakes.

- b. Upon completion of subdivision development, permanent metal rods shall be placed at all lot corners, as described above.

C. STREET IMPROVEMENTS

1. General Requirements

The developer shall construct all streets, roads, and alleys at his/her expense to the approved alignments, grades and cross sections. Minimum standards of design shall be utilized as outlined in Article III, Section B (8), unless a variance has been granted by the Planning Commission.

2. Grading

- a. The developer shall submit a grading plan to the Planning Commission for approval and shall implement said plan in conjunction with street construction.
- b. Lots shall be graded in such a manner as to insure that all drainage can be installed to meet the requirements set forth in these regulations.
- c. The developer shall grade all streets, roads, and alleys so that pavement and sidewalks can be constructed to the required cross-section.
 1. Preparation: Before grading is started right-of-way area shall be first cleared of all stumps, roots, brush, and other objectionable materials and all trees not intended for preservation.
 2. Cuts: All tree stumps shall be removed entirely. Boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade.
 3. Fill: All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Unsuitable organic material shall be removed from the development site. Other excess materials, soft clay etc., may be utilized elsewhere on the development site as approved by the Authorized County Consulting Engineer.
- d. Where streets are constructed or lot grading is modified under or adjacent to existing electric transmission/distribution lines or over gas transmission/distribution

lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission/distribution structure, except with approval by the utility concerned, and all grading from the street and/or lot shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric lines the clearance from the pavement to the nearest conductor shall meet the requirements of the National Electric Safety Code.

- e. Deviation from the above due to special topographic conditions will be allowed only with the approval of the Planning Commission.
- f. The developer shall comply with the requirements of the City's Erosion and Stormwater Control Ordinance and the Policy for Control of Erosion and Stormwater.
- g. The developer shall use methods and dust control materials to minimize dust from the construction operation and provide positive means to prevent airborne dust from dispersing into the atmosphere.

3. Storm Drainage

- a. The developer shall submit a comprehensive drainage plan for the entire development and contiguous areas. A comprehensive drainage system, including curbs and gutters, necessary open ditches, pipes, culverts, and intersectional drains, drop inlets, bridges, headwalls, etc. shall be provided in a manner that insures proper drainage of all surface water and meets all standard requirements as set forth in the City of Jackson, Tennessee Standards for Streets and the City of Jackson Policy of Erosion and Stormwater.
- b. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit the full width of the roadway and the required slopes. The size of openings to be provided shall be determined by the Rational Method, but in no case shall the pipe be less than fifteen (15) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base, but not on rock. Concrete headwalls shall be placed at each end of cross drainpipes, which do not empty into junction boxes or culverts.

Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched

to provide tight joints and a smooth uniform invert. The minimum depth of cover shall not be less than that allowed by Tennessee Department of Transportation Standards, and in no case shall the top of the pipe be less than one (1) foot below the roadbed.

- c. Streets with curb and gutter section shall have drainage flowing between lots piped from the street to the rear of the lot. Curb cuts with surface drainage will not be permitted.
- d. All drainage ditches within the subdivision shall be treated for erosion control. The following minimum treatment shall be made to the ditches with respect to the following criteria:

Grade	or	Quantity (Cubic ft./sec.)	or	Velocity (Ft./sec.)	Treatment
0.5%-1.99%		0-4.99		0.00-3.99	Grass Seeding
2.0%-4.99%		5-9.99		4.00-5.99	Grass Sodding
5% and above		10 and above		6.0 and above	Curb / gutter, concrete lining or underground pipe

- e. Where a lot abuts a drainage ditch, the developer, prior to final plat approval, shall treat the yard for erosion control by seeding gentle slopes and grass sodding sharper slopes. Where any grading operation removes the topsoil and leaves the terrain in such a condition that erosion will occur, the graded area shall be seeded, fertilized and covered with straw.
- f. If a major drainage ditch is located within or adjacent to the development, the developer shall either install the appropriate improvements as determined by the City of Jackson specifications or provide a 25-foot easement from the top of the bank. The Comprehensive Drainage Study will be utilized in determining appropriate improvements.

4. Pavement Base

After preparation and compaction of the subgrade to 95% of Standard Proctor Density and 100% in the top six (6) inches, the roadbed shall be surfaced with a base material that meets the City of Jackson, Tennessee specifications and shall be a minimum thickness of eight (8) inches of compacted base material to a Standard Proctor Density of 95%.

5. Double Bituminous Surface Treatment

After a thoroughly compacted base has been established, a double bituminous surface treatment shall be applied. The materials and application procedure shall comply with the Tennessee Department of Transportation Standard Specifications for Road and Bridge Construction. This surface must be in place before the final plat is approved.

6. Wearing Surface

A two- (2) inch bituminous plant mix-wearing surface (411-D or 411-E) shall be applied that meets the Tennessee Department of Transportation specifications and a minimum of two hundred and twenty pounds (220 lbs.) per square yard shall be required.

7. Alternate specifications for items 5 and 6 listed above:

a) Bituminous Plant Mix Base

After a thoroughly compacted base has been established, a prime coat of bituminous material shall be applied and properly cured, followed by the application of two (2) inches of bituminous plant mix base (hot mix), 307-B or 307-BM. The materials and application procedure shall comply with the Tennessee Department of Transportation Standard Specifications for Road and Bridge Construction. This surface must be in place before the final plat is approved.

b) Wearing Surface

A one and one quarter (1 ¼) inch bituminous plant mix wearing surface (411-D or 411-E) shall be applied that meets the Tennessee Department of Transportation specifications and a minimum of one hundred thirty eight pounds (138 lbs.) per square yard shall be required.

8. Minimum Pavement Widths and Cross Sections

For specifications concerning the minimum pavement widths and typical cross sections for street design refer to Article III, Section B (8) and its subsequent tables.

9. Curbs and Gutters

The developer(s) shall provide curb and gutters on all streets proposed as a part of a subdivision development that will be served by both public water and sewer systems, or will be provided with public water and sewer within a twelve (12) month period to the following design specifications:

Six (6) inch concrete curbs with twenty-four (24) inch integral gutters and/or rolled curbs and valley gutters shall be required. However, rolled-type curb shall not be used on commercial or arterial type streets.

The developer shall not be required to install curbs and gutters on existing paved streets. However, undeveloped rights-of-way shall be improved with respect to curb and gutter by the developer.

10. Sidewalks

Concrete sidewalks shall be constructed by the developer on the following streets with curb and gutter:

- a. Collector Streets
- b. Street serving non-residential areas, excluding non-residential cul-de-sacs
- c. Sub-collector Streets

The sidewalks shall be located with the required width according to the accompanying street cross-section diagram depicted at the end of Article IV, Section C of these regulations. The thickness of all sidewalks shall be determined by City of Jackson specifications.

Sidewalks shall be required on both sides of arterial, collector, and non-residential streets. Sidewalks shall be required on one side of sub-collector streets.

11. Handicap Ramps

In both residential and commercial subdivisions where curb and gutter and sidewalks are required, the developer shall install handicap ramps at all crosswalks so as to make the transition from street to sidewalk easily negotiable for physically handicapped persons in wheelchairs and for other persons who may have difficulty making the required step up or down from curb level to street level. Said ramps shall be designed in accord with the diagram depicted at the end of Article IV, Section C of these regulations.

The term “ramps” means a sloping concrete surface, from the level of the sidewalk or curb to the level of the street at curbside,

extending outward and downward from the curb to the street for such a distance, at such an angle and width as will facilitate the movement up and down such ramps.

12. Installation of Utilities

After grading is completed and approved and before any base is applied all of the underground work: water mains, sewers, gas mains, underground electric conduit, etc., and all water/sanitary sewer service connections shall be installed completely and approved throughout the length of the road. The developer shall be responsible for ensuring that proper compaction is obtained in all utility trenches within street right-of-ways.

13. Water Supply System

A water supply system meeting the requirements of the Jackson Utility Division (or alternate supply approved by the Jackson/Madison County Health Department) shall be constructed in such a manner as to serve adequately for domestic use all lots shown on the subdivision plat. Where the water mains are connected with the community water supply system, they shall be constructed in such a manner as to serve adequately all lots shown on the subdivision plat for both domestic and fire protection use.

14. Sanitary Sewers

When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed meeting the requirements of the Jackson Utility Division and/or the Jackson Madison County Health Department, in such a manner as to serve adequately all lots shown on the subdivision plat with connection to the public sewerage system.

15. Temporary Street Name Signs

The developer shall install a temporary street name sign at all intersections in the subdivision. The temporary street sign shall remain in place until the local governing authority installs a permanent street name sign or the developer installs ornamental street signs as set forth in Article IV, Section C (17).

D. STANDARD SUBDIVISION CONTRACT

A Standard Subdivision Contract shall be executed between the developer and the appropriate governing authority when improvements, as described in these regulations, are required. The owner/developer shall provide the improvements as specified in the contract.

1. Expiration/Extension.

If the developer, due to unforeseen circumstances, is unable to complete all improvements required under the contract in the time specified, the developer shall submit a written request for an extension of the contract to the appropriate governing authority, at least sixty (60) days prior to the expiration of the existing contract. The request shall specify the reason for failure to complete the work as agreed, and a prospective date for its completion. Requests for extension shall be approved or rejected by the appropriate governing authority. If the performance bond and/or security, as required in Section C of Article IV, contained in these regulations, is inadequate to cover the cost of said uncompleted improvements at the time the extension is sought, the developer shall provide additional security to cover current cost projections as made by the appropriate governing authority. Failure to follow this extension procedure constitutes a breach of the contract and places the developer in violation of these subdivision regulations.

2. Property Transfer/Assumption Contract:

Prior to transferring the rights and obligations of all, or a portion of, a standard subdivision contract, the developer shall notify the appropriate governing authority when the transfer is to occur and the name and address of the transferee. The developer shall provide the appropriate governing authority with an assumption agreement by which the transferee agrees to perform the work required under the standard subdivision contract and to provide additional security needed to assure such performance. Said assumption agreement shall be subject to the review of the respective county attorney and subject to the approval of the appropriate governing authority.

3. Performance Bond and/or Security in Lieu of Completed Improvements

To assure performance of the Standard Subdivision Contract and in lieu of final completion of all improvements required by these regulations, the Planning Commission may accept a performance bond and/or security in the amount equal to 110% of the estimated costs of the uncompleted improvements, or not less than 10% of the total cost of the improvements whereby such improvements may be made and completed without cost to Madison County in the event of a default by the developer under the Standard Subdivision Contract or in violation of the subdivision regulations. Such bond and/or security

shall consist of a performance bond, as issued by a bonding company, a cashier's check, a certificate of deposit, an irrevocable letter of credit from an approved FDIC insured lending institution, or other means of security as may be deemed satisfactory to the Planning Commission. The performance bond shall secure the obligations under the standard subdivision contract to Madison County and shall require completion of all improvements within not more than twelve (12) months from the date of recordation of the final plat. Streets must be completed through the application of base and bituminous surface treatment or application of base and bituminous plant mix base before the final plat is approved and uncompleted improvements bonded.

- a. Cashier's Checks - If a cashier's check is posted as security, the check must be made payable to Madison County.
- b. Certificate of Deposit - If a certificate of deposit is to be posted as security, the original Certificate of Deposit must be ASSIGNED TO AND HELD BY MADISON COUNTY AND MUST REMAIN AUTOMATICALLY RENEWABLE.
- c. Letter of Credit - If a letter of credit is to be posted as security, it must be irrevocable and automatically renewable. A letter of credit will not be accepted unless the following statements/ conditions appear on the letter of credit:

“We hereby issue in your favor this irrevocable documentary credit which is available by negotiation of your draft at site drawn on (Bank's Name) and accompanied by an official statement from Madison County that (Developer's Name) has failed to comply with the terms of its standard subdivision contract in regard to the project known as (subdivision's name).

This letter of credit is valid for one calendar year from (date issued) and is automatically renewable for additional one year periods without any effort on the part of Madison County at (Bank's Name) option until the aforesaid standard subdivision contract is satisfied in full. Should (Bank's Name) decide not to renew this letter of credit, (Bank's Name) agrees to notify Madison County in writing ninety (90) days prior to the expiration date, by registered mail, return receipt requested, at which time Madison County can draw up to the full face value of the letter of credit.”

- d. Bond Reduction - A reduction in the amount of the bond and/or security may be approved as improvements are made and expected, but in no case shall the bond or security be less than ten percent (10%) of the estimated cost of the improvements.
- e. Release of Performance Bond - The performance bond or security posted by the developer shall not be released until the appropriate governing authority has inspected all of the improvements, and all

improvements have been deemed satisfactorily completed in accordance with the contract, and the has accepted the completed improvements and the developer has provided the appropriate maintenance bond as required and set forth in Section D of this Article IV.

4. Maintenance Bond

After the satisfactory completion of the improvements, as required under the Standard Subdivision Contract, the developer shall tender a Maintenance Bond to guarantee and warrant that all improvements in said subdivision were installed in a satisfactory manner, and that the same shall remain free from defects caused by faulty material or workmanship and same will not fail within twelve (12) months after official acceptance of the subdivision improvements by the appropriate governing authority. The said maintenance bond shall be in an amount equal to ten percent (10%) of the total construction costs as set forth in the Standard Subdivision Contract.

ARTICLE V

LEGAL STATUS PROVISIONS

A. POWERS OF THE PLANNING COMMISSION

These regulations are in accordance with the provisions of Chapter 4 Title 13, Tennessee Code Annotated, which grants to the Planning Commission the powers to regulate the subdivision of land within Madison County. In accordance with Section 13-4-102, Tennessee Code Annotated, The Planning Commission, its members and employees, in the performance of its work, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. The code further provides that, in general, the Planning Commission shall have powers as may be necessary to enable it to perform its purposes and to promote municipal planning.

B. ENFORCEMENT OF SUBDIVISION REGULATIONS

The enforcement of these regulations is provided for by State law in the authority granted by public acts of the State of Tennessee.

1. Submission of Subdivision Plat for Approval

No plat of a subdivision of land into two (2) or more lots or tracts located within Madison County shall be admitted to the land records of Madison County or received or recorded by the County Registrar of Deeds until such plat shall have been submitted to and approved by the Planning Commission and such approval entered in writing on the plat by the Secretary of the Commission as provided in Section 13-3-402, Tennessee Code Annotated.

2. Acceptance and Improvement of Unapproved Streets

No board, public official, or authority shall accept, layout, open, improve, grade, pave or light any street, or lay, or authorize water mains or sewers or connections to be laid in any street within Madison County unless such shall have otherwise received the legal status of a public street prior to adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission as provided in Section 13-3-406, Tennessee Code Annotated; however, the Madison County Commission may locate and construct or may accept any other street, provided that the Resolution or other measure for such location and construction for its acceptance be first submitted to the Planning Commission for its approval. If such is disapproved by the Planning Commission, a majority vote of the entire membership of the Madison County Commission can render such approved. A street approved by the Planning Commission or constructed or accepted by said majority vote shall have the status of an approved

street as fully as though it had been originally shown on a subdivision plat approved by the Planning Commission.

4. Access To Lots by Public Way or Private Easement

When a permanent easement to a public way is used as access to a lot or tract of land having been or being separated by deed or plat from other property, such easement shall be at least fifty (50) feet in width from and after the time of adoption of these regulations and shall not be used to provide access to more than one lot or tract of land.

The above section shall not be construed to prohibit the development of buildings on lots or tracts with permanent access provided by private ways when such development is in the form of condominium ownership and such private improvements have been approved by the Planning Commission and will be in private ownership and control in perpetuity.

C. PENALTIES FOR VIOLATION

The penalties for the filing or recording of a plat, transfer or sale of land, and erection of a building, in violation of these regulations, are provided for by State law in authority granted by Public Acts of the State of Tennessee.

1. Recording of an Unapproved Subdivision Plat

No County Registrar shall receive, file, or record a plat of a subdivision within the City of Jackson, or its planning region, without the approval of the Planning Commission as required in Section 13-3-402, Tennessee Code Annotated, and any County Registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided for by law.

2. Transfer or Sale of Land without Prior Subdivision Approval

Section 13-3-410, Tennessee Code Annotated, provides that 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 a plat of such subdivision of such land without having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required before such plat be recorded in the Office of the County Registrar, shall be deemed guilty of a misdemeanor punishable as other misdemeanors as provided for by law. A 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. Madison County, through its Attorney, or other official designated by the Madison County Commission may enjoin such transfer or sale or agreement by action or injunction.

3. Unlawful Structures

Any building erected or to be erected in violation of these regulations shall be deemed an unlawful structure, and the Building Inspector or the Attorney of Madison County or other official designated by the Madison County Commission may bring action to enjoin such erection or cause it to be vacated or removed as provided for in Section 13-3-411, Tennessee Code Annotated.

D. PROVISION OF REGULATIONS DECLARED TO BE MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements, adopted for the public interest and orderly development of Madison County. Wherever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or deed restrictions, the most restrictive, or that imposing the higher standards shall govern.

E. SUBDIVISION REVIEW FEES

No plat or plan of a subdivision of land divided into two (2) or more lots located within the area of the planning jurisdiction of Madison County shall be received or reviewed for recommendations or approval given thereon until the following schedule of uniform fees prescribed below have been received. Said fees offset the cost of field inspections, plat reviews, engineering services, and recording fees, etc., and shall be paid at the time of submission to the Planning Commission Staff.

The county fee structure shall be as follows:

1. Preliminary or Schematic plat fee -- \$200.00
- *2. Construction plat fee -- \$525.00
3. Final plat fee -- \$275.00 for subdivision plats where a schematic plat has been reviewed and approved by the Planning Commission, plus Courthouse recording fees.
4. Minor Subdivision plat fee -- \$150.00 for minor subdivision plats where no schematic plat has been reviewed and approved by the Planning Commission, plus Courthouse recording fees.

*Revised: 5/25/06

ARTICLE VI

ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these Subdivision Regulations, a public hearing, as required by Section 13-3-403, Tennessee Code Annotated, was afforded any interested person or persons and was held on _____. Notice of such hearing was announced in *THE JACKSON SUN*, being a newspaper of general circulation within the Madison County, Tennessee Planning Region, on _____ and stating the time and place for the hearing.

- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adopted: _____

Effective: _____

PRELIMINARY OR SCHEMATIC PLAT CHECK LIST

- ____ 1. Staff Consultation
- ____ 2. Submitted 14 days prior to meeting
- ____ 3. 3 Copies Submitted
- ____ 4. Scale not less than 1" = 100'
- ____ 5. Contours
- ____ 6. Name of Subdivision
- ____ 7. Name and Address of Owner
- ____ 8. Name of Designer
- ____ 9. Date, North Point, Scale
- ____ 10. Acreage
- ____ 11. Proposed Land Uses
- ____ 12. Location Sketch Map
- ____ 13. Current or Proposed Zoning
- ____ 14. Availability of Utilities
- ____ 15. Street Names
- ____ 16. Flood Information
- ____ 17. Names of Adjoining Property Owners or Subdivisions with Deed or Plat References
- ____ 18. Lot Dimensions
- ____ 19. Variances
- ____ 20. Construction Phasing Scheme
- ____ 21. Accurate Boundary Survey
- ____ 22. Application and Filing fee
- ____ 23. Submitted in correct computer format

CONSTRUCTION PLAT CHECK LIST

- ___ 1. Schematic Acceptance
- ___ 2. Complies with the Schematic Plat
- ___ 3. 2 Copies Submitted
- ___ 4. Scale Not Less Than 1" = 50'
- ___ 5. Meet Requirements of Article III
 - ___ a. Conforms to Major Road and Street Plan
 - ___ b. Provides for Continuation of Existing Streets
 - ___ c. Street Widths
 - ___ d. Street Grades
 - ___ e. Horizontal Curves
 - ___ f. Vertical Curves
 - ___ g. Intersections
 - ___ h. Tangents
 - ___ i. Street jogs
 - ___ j. Dead End Streets
 - ___ k. Temporary Turnaround
 - ___ l. Lot Access and Reserve Strips
 - ___ m. Street Names
 - ___ n. Block Length
 - ___ o. Block Width
 - ___ p. Lot Size
 - ___ q. Lot Arrangement
 - ___ r. Setback Lines
 - ___ s. Utility Easements
- ___ 6. Subdivision's Name, Location, Name & Address of Owner
- ___ 7. Signature of Designer
- ___ 8. Temporary Street Name Signs

- ___9. Date, North Point, Scale
- ___10. Zoning Classification
- ___11. Names of Adjoining Property Owners or Subdivisions with Deed or Plat References
- ___12. Utility Layout and Approval
- ___13. Contours
- ___14. Acreage
- ___15. Location Sketch Map
- ___16. Flood Elevation
- ___17. Plan & Profile Sheets
- ___18. Street Approval
- ___19. Street Cross-Section
- ___20. A Comprehensive Drainage Study
- ___21. Storm Drainage
- ___22. Highway Department Entrance Permit
- ___23. Notice to Contractor:

The Planning Engineer shall be notified before the placement of base and later
the placement of wearing surface.
- ___24. Submitted in correct computer format

FINAL PLAT CHECKLIST

- ___ 1. Conforms to Construction Plat and Schematic Plat
- ___ 2. Submitted 14 Days Prior to Meeting
- ___ 3. 2 Copies Submitted
- ___ 4. Scale of 1" = 100'
- ___ 5. Not larger than 18" x 24"
- ___ 6. Street Names
- ___ 7. Setback Lines
- ___ 8. Lots Numbered
- ___ 9. Street Address Numbers
- ___ 10. Utility and Telephone Easements
- ___ 11. Bearing and Lot Dimensions
- ___ 12. Curve Data
- ___ 13. Intersection Radius
- ___ 14. Monuments and Iron Pins
- ___ 15. Names of Adjoining Property Owners or Subdivisions with Deed or Plat References
- ___ 16. Date, Graphic Scale, North Point
- ___ 17. Name of Subdivision - Section Number
- ___ 18. Location Sketch Map
- ___ 19. Flood Elevation
- ___ 20. Deed Restrictions
- ___ 21. Certificates
- ___ 22. Bonds
- ___ 23. Submitted in correct computer form

