

WALDEN

SUBDIVISION REGULATIONS

Approved by the Planning Commission June 9, 2014
with amendments to date
Amendments added: 12-08-2014, 1-13-2020

ARTICLE 1

General Provisions

ARTICLE 1

GENERAL PROVISIONS

101 TITLE

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

101.1 Short Title

These regulations shall be known as the:

Subdivision Regulations of the Town of Walden, Tennessee.

102 INTENT OF REGULATIONS

102.1 It is hereby declared to be the policy of the local government to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the local government pursuant to the General Plan of Hamilton County for the orderly, planned, efficient, and economical development of the local government.

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

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

103 PURPOSES

The regulations are adopted to provide for the harmonious development of the local government listed in Section 101.1;

For the coordination of streets within the subdivided land with other existing or planned streets or with the state or regional plan or with the plans of municipalities in or near the region;

For adequate open spaces for traffic, light, air and recreation;

For the conservation of or production of adequate transportation, water, drainage, and sanitary facilities;

For the avoidance of population congestion;

For the avoidance of such scattered or premature subdivision of land as would involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation or other public services or would necessitate an excessive expenditure of public funds for the supply of such services;

And for the requirements as to the extent to which and the manner in which streets shall be graded and improved and water and sewer and other utility mains, piping, connections or other facilities shall be installed or bonded as condition precedent to the approval of the plat.

104 AUTHORITY

The authority for these regulations has been established by virtue of the powers vested by the State of Tennessee in TCA Sections 13-3-401 through 13-3-411 and TCA Sections 13-4-301 through 13-4-309.

104.1 Approving Agency

In accordance with the provisions of TCA Section 13-4-302 (1) Pubic Acts of Tennessee, 1935 as amended, the provisions of these regulations shall be administered by the CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION and the CITY MANAGER.

104.2 Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid policy power delegated to by the State to the Regional Planning Commission and to the Municipal Planning Commissions in TCA 13-3-402 and 13-4-302. The developer has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economic development of the local government therein and to the safety and general welfare of the future lot owners in the subdivision and the community at large.

105 JURISDICTION

105.1 These subdivision requirements shall apply to all subdivisions of land, as defined herein, located within the limits of the local government listed in Section 101.1.

(1) The TCA Section 13-4-302 deals with Municipal Planning Regulations.

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

105.2.1 The regulations shall not apply to: (3)

- (a) Any subdivision, the plat of which has been recorded prior to February 14, 1935, or
- (b) The subdivision of land which will produce tracts of land, all of which are more than five (5) acres in size or are more than five (5) acres but less than ten (10) acres in size with depths no greater than four (4) times their widths when no street or utility is to be constructed.
- (c) The moving of a lot line to add property to a contiguous parcel of land, so long as the area being transferred is not necessary to create a buildable lot and the legally required frontage of the remaining parcel is not reduced to a level below regulation requirements, shall not constitute a subdivision as defined by the Tennessee Code Annotated, therefore a plat is not required."

106 INTERPRETATION, CONFLICT AND SEPARABILITY

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

106.2 Conflict with Public and Private Provisions

106.2.1 Public Provisions

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

106.2.2 Private Provisions

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

(2) See TCA 13-4-301

(3) See TCA 13-4-302 through 13-4-309

106.3 Separability

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

107 SAVING PROVISION

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

108 ENFORCEMENT, VIOLATIONS, AND PENALTIES

108.1 No plat of a subdivision of land lying within the limits of the local government listed in Section 101.1 shall be filed for record, or recorded, until it shall have been approved by the Planning Commission, and such approval be endorsed in writing on the plat by the secretary of the Commission or his duly appointed representative. (4)

108.2 The County Register shall not receive, file, nor record a plat of a subdivision without the approval of the Planning Commission, and the County Register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law. (5)

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

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

108.5 Whoever, being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such and without having submitted a plat of such subdivision to the municipal planning commission and obtained its approval as required by this chapter and before such plat be recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor, punishable as

(4) TCA 13-4-302
(5) TCA 13-4-306

other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The municipality, through its solicitor or other official designated by its chief legislative body may enjoin such transfer or sale or agreement by action for injunction. (6)

109 AMENDMENTS

These regulations may be amended by the Chattanooga-Hamilton County Regional Planning Commission at a regular or called meeting. Before the adoption of any amendment, a public hearing shall be held by the Planning Commission, thirty (30) days notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in Hamilton County. (7)

110 FEES FOR PROCESSING PLATS

The Planning Commission may require a fee for each subdivision plat submitted for review.

111 APPLICATION FOR VARIANCES (8)

The developer or surveyor or surveyor/engineer who wishes to request a variance from the requirements of these subdivision regulations shall submit a letter to the Chattanooga-Hamilton County Regional Planning Commission with his plat. The letter shall:

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

(6) TCA 13-4-306

(7) TCA 13-3-403 and 13-4-303

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

111.1 Planning Commission Action on Variance Requests

In the Planning Commission's actions on subdivision plats, the Planning Commission shall approve, approve with modifications, defer, or disapprove the request for variances before acting on the individual plat. The Planning Commission may grant variances from these regulations in cases where the Planning Commission determines:

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

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

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

112 APPEAL (9)

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

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

ARTICLE 2

Subdivision Procedure

ARTICLE 2
SUBDIVISION PROCEDURE

201 GENERAL PRINCIPLES

Any person desiring to subdivide any lot, tract or parcel of land, or to change or rearrange any line dividing two or more lots, tracts or parcels of land within the corporate limits of the municipalities listed in Section 101.1 shall comply with the procedures established in these regulations; except for those cases exempted in Article 1, Section 105.2.1.

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

201.2 Soil Study

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

201.3 The developer or surveyor or surveyor/engineer is urged to consult with the Hamilton County GIS Department regarding proposed street names, plat drafting guidelines, electronic filing requirements, and other aspects of plat production. The GIS Department cannot and will not provide guidance of the nature provided by the Planning Commission or Health Department staffs.

202 MAJOR SUBDIVISIONS

202.1 Standard Procedure

The developer or surveyor or surveyor/engineer shall submit the required number of preliminary and final plats to the Hamilton County GIS Department staff along with the computer-aided drafting (CAD) file used to produce the plat. The deadline for the submittal of both the preliminary and the final plat is the 10th calendar day of the month for the plat to be acted upon by the Planning Commission at the next month's Planning Commission meeting. If the 10th day of the month falls on a weekend or a holiday, the deadline is the next working day. The CAD file will be used only for the purpose of creating document images and updating official maps. The electronic file will be treated as a trade secret for purpose of protecting it from disclosure to competitors. It shall be delivered on a single 3.5-inch floppy disk formatted for use in computers utilizing the Microsoft Windows operating system. Acceptable CAD file formats are AutoCAD version 12 or later, MicroStation 95, and ArcView shapefile format. Failure to supply the required plat copies and electronic file will result in rejection of the filing. If the filing is rejected

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

202.2 Special Procedure

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

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

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

202.3 Planning Commission Action

The Planning Commission will act to approve, deny, defer or conditionally approve the preliminary and final plats. The developer and the subdivision surveyor or engineer/surveyor will be notified of the Planning Commission's action.

The Planning Commission cannot defer action on a subdivision unless the developer has agreed to such a deferral in writing. ¹

202.4 Effect of Approval of the Preliminary Plat Approval and Vested Rights

Approval of the Preliminary Plat does not constitute approval of the subdivision nor does it guarantee approval of the Final Plat. Approval of the Preliminary Plat indicates general approval of the arrangement of streets, lots, and drainage as a guide to the preparation of the Final Plat.

The developer shall not start grading or the construction of any improvements in a major subdivision without an approved and currently vested preliminary plat. (Added 1-13-2020)

¹ See T.C.A. 13-4-304

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Approval of Preliminary Plat as provided herein vests property rights as provided for a preliminary development plan as set forth in Tennessee Code Annotated Sections 13-3-413 and 13-4-310. Approval of Preliminary Plat shall become effective upon the date the Planning Commission votes to approve the Preliminary Plat.
(Amended 12-08-2014)

202.5 Reasons for Denial of a Plat

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

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

203 SPECIAL REQUIREMENTS

203.1 Streets Graded and Staked

If the method of sewage disposal is septic tanks, the streets in the subdivision shall be at least rough graded before the final plat is submitted. If the method of sewage disposal is sewers, the Governmental Engineer, City Manager or Planning Commission may require that the new streets in the subdivision be rough graded.

The Governmental Engineer, City Manager or Planning Commission may require any new street to have off-set stakes with station numbers, or corner stakes with lot numbers of every other lot corner on one side of the street.

See Sections 403.1 and 403.2 for Street and Profile requirements.

203.2 Deed Restrictions, Protective Covenants and Home Owners Association

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

203.3 Geologic Survey

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

204 ADMINISTRATIVELY APPROVED SUBDIVISIONS204.1 Limits of Applicability

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

1. The subdivision divides the tract into or more than two (2) lots.
2. The subdivision shall not require a variance from the adopted Town of Walden Subdivision Regulations or a variance from the frontage regulations of the Walden Zoning Regulations.
3. Unless access is permitted by means of an easement, the subdivision shall front on an existing accepted public street.
4. The subdivision shall not require construction of any new streets.
5. The subdivision shall not require the extension of public water or sewer lines.
6. The subdivision shall contain no adverse topography, drainage or soil conditions.
7. The staff shall have the right and responsibility to withhold administrative approval and refer plats to the Planning Commission in any situation where the various reviewing agencies, utilities, or other interested parties are in disagreement; or in cases involving unusual land features or patterns of development.

204.2 Procedure for Administratively Approved Subdivisions

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

204.2.2 The applicant can submit a filing in several ways. Submit two (2) paper copies if the plat was not prepared using CAD and is otherwise not available in electronic form. If the plat was prepared using CAD or is otherwise available in electronic form, submit either the CAD file on an acceptable computer medium or as an attachment to an electronic mail note. The applicant may choose to submit two (2) paper copies of any plat, but these are not required with CAD submittals. A CAD file submittal will be used for purposes of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors. It shall be delivered for use in computers utilizing the Microsoft Windows operating system on a single 3.5-inch floppy disk formatted or as an electronic mail attachment or on a DVD. Acceptable CAD file formats are AutoCAD version 2000 or newer. Failure to supply the required CAD file, delivery of fewer than two (2) paper copies if an electronic filing is not made, or delivery of unacceptable materials will result in rejection of the filing by the Hamilton County GIS Department staff. If the filing is rejected by the Hamilton County GIS Department staff, then there is no submittal of the plat under TCA 13-4-304. Since the plat is not considered to be submitted, the "30-day" deadline in TCA 13-4-304 does not apply.

- 204.2.3 The Hamilton County GIS Department staff reviews the paper copies, CAD file, or electronic file, as appropriate, to ensure that all required elements are present and legible, that the plat and electronic files, if submitted jointly, are consistent, and that the location data are correct. Any deficiencies or concerns will be noted on a paper or electronic copy of the plat and will be forwarded to the Planning Agency staff. The Planning Agency staff reviews the submittal. If paper copies are submitted, one paper copy is returned to the developer, surveyor, or other appropriate person by the Planning Agency staff. Planning Agency staff response to plats submitted only by electronic means shall be electronically transmitted.
- 204.3 **Vesting of Property Rights**
Approval of an administratively approved subdivision as provided herein vests property rights as provided for a final development plan as set forth in Tennessee Code Annotated Section 13-3-413 and 13-4-310. Approval date of administratively approved subdivision plats is the date of the last signature of approval required on the plat for recording. (Added 12-08-2014)
- 204.4 **Preliminary Plat Required**
The developer shall not start grading or the construction of any improvements in an administratively approved subdivision without an approved and currently vested preliminary plat. (Added 1-13-2020)
- 205 **ADMINISTRATIVELY APPROVED SUBDIVISIONS WITH VARIANCES**
- 205.1 The plat is drawn to final plat standards and submitted to the Hamilton County GIS Department staff by the 24th of a month for review at the next month's Planning Commission meeting. If the 24th falls on a weekend or a holiday, the deadline is the next working day. A variance request per Section 111 is submitted to the Planning Commission staff.
- 205.2 The applicant can submit a filing in several ways. Submit two (2) paper copies if the plat was not prepared using CAD and is otherwise not available in electronic form. If the plat was prepared using CAD or is otherwise available in electronic form, submit either the CAD file on an acceptable computer medium or as an attachment to an electronic mail note. The applicant may choose to submit two (2) paper copies of any plat, but these are not required with CAD submittals. A CAD file submittal will be used for purposes of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors. It shall be delivered for use in computers utilizing the Microsoft Windows operating system on a single 3.5-inch floppy disk formatted or as an electronic mail attachment. Acceptable CAD file formats are AutoCAD version 2000 or newer. Failure to supply the required CAD file, delivery of fewer than two (2) paper copies if an electronic filing is not made, or delivery of unacceptable materials will result in rejection of the filing by the Hamilton County GIS Department staff. If the filing is rejected by the Hamilton County GIS Department staff, then there is no submittal of the plat under

TCA 13-4-304. Since the plat is not considered to be submitted, the "30-day" deadline in TCA 13-4-304 does not apply.

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

205.4 Planning Commission Action

The Planning Commission will act to approve, deny, defer, or conditionally approve the plat. The developer and subdivision engineer/surveyor or surveyor will be notified of the Planning Commission's action.

The Planning Commission will not defer a subdivision unless the developer has requested this in writing.

205.5 Vesting of Property Rights

Approval of an administratively approved subdivision with variances as provided herein vests property rights as provided for a final development plan as set forth in Tennessee Code Annotated Section 13-3-413 and 13-4-310. No rights vest until a variance request is granted. Approval date of administratively approved subdivision plats with a variance is the later of (1) the date upon which the variance requested has been approved and (2) the date of last signature of approval on the plat for recording, provided as of such later date the other approval has already been obtained. (Added 12-08-2014)

205.5 Preliminary Plat Required

The developer shall not start grading or the construction of any improvements in an administratively approved subdivision without an approved and currently vested preliminary plat. (Added 1-13-2020)

206 CORRECTIVE PLATS AND REVISED PLATS

206.1 Purpose

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

206.2 Qualifications for Corrective Plats and Revised Plats

Minor shifting of lot lines.

The addition or changing of easements.

Changes in notations on the original recorded plat.

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

206.3 Corrective and Revised Plat Procedures

206.3.1 The plat is drawn to meet corrective and revised plat requirements stated below and submitted to the Hamilton County GIS Department staff. There is no deadline for this kind of plat.

206.3.2 The applicant can submit a filing in several ways. Submit two (2) paper copies if the plat was not prepared using CAD and is otherwise not available in electronic form. If the plat was prepared using CAD or is otherwise available in electronic form, submit either the CAD file on an acceptable computer medium or as an attachment to an electronic mail note. The applicant may choose to submit two (2) paper copies of any plat, but these are not required with CAD submittals. A CAD file submittal will be used for purposes of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors. It shall be delivered for use in computers utilizing the Microsoft Windows operating system on a single 3.5-inch floppy disk formatted or as an electronic mail attachment. Acceptable CAD file formats are AutoCAD version 12 or later, MicroStation 95, and ArcView shapefile format. Failure to supply the required CAD file, delivery of fewer than two (2) paper copies if an electronic filing is not made, or delivery of unacceptable materials will result in rejection of the filing by the Hamilton County GIS Department staff. If the filing is rejected by the Hamilton County GIS Department staff, then there is no submittal of the plat under TCA 13-4-304. Since the plat is not considered to be submitted, the "30-day" deadline in TCA 13-4-304 does not apply.

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

206.4 Corrective Plat and Revised Plat Requirements

The following are the minimum requirements for a corrective and revised plat:

- 206.4.1 Subdivision Name that reflects the change, (e.g. Re-subdivision of Lots 25 through 29 and Lots 43 and 44, Highland Estates).
- 206.4.2 Purpose statement that tells exact purpose of the plat and/or change (e.g. Purpose of Plat: To abandon and show new property lines between lots 25 through 29, and to abandon the drainage easement and relocate it as shown in lots 43 and 44. See ROHC book , Page , for previous recording and for other notes and restrictions).
- 206.4.3 Vicinity Map
- 206.4.4 Certification of ownership, address(es), telephone number(s), and signature(s) of all property owners involved.
- 206.4.5 Certification of Accuracy of Survey, seal, address and signature of plat surveyor.
- 206.4.6 Plat Labeled Corrective Plat or Revised Plat
- 206.4.7 The property lines of all adjoining property shall be shown with dashed lines. For adjoining subdivisions, show the full name of the subdivision, ROHC book and page numbers, and the lot numbers (dashed). For other adjoining property, show the owner(s) name(s) and the ROHC deed book and page number in which the property is recorded.
- 206.4.8 Dimensions, bearings, error of boundary closure, curve functions, source of water supply, utility easements, drainage easements, lot numbers, etc., if applicable.
- 206.4.9 Additional Information – (e.g. power, telephone, gas, water, environmental health service, etc.) may be required and/or approved prior to submittal of the “cronaflex” and/or recording.
- 206.4.10 Deed book and page number of the property subdivided.
- 206.4.11 Graphic Scale, North Point, Date
- 206.4.12 Show the parcel number, including map sheet number and group identifier, for all parcels which are being subdivided or joined in the platted area. This is generally referred to as the "Tax Map Number".
- 206.4.13 Show a measured distance to a recognizable point such as a street intersection, landmark, survey monument, ground positioning system reference, etc.
- 206.4.14 Show any road intersection within 100' of site.

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

206.4.16 Show the individual areas of all lots.

206.4.17 Add the following note: "Local Government does not certify that utilities or utility connections are available.

207 TRANSPARENT COPY OF THE FINAL PLAT OR CORRECTIVE PLAT OR REVISED PLAT AND OTHER COPIES TO BE RECORDED

207.1 Requirements of Submittal

207.1.1 All plats shall have a minimum 0.004" thick transparent plastic film copy made by xerographic methods and printed in reverse on the back side of the material submitted to the Hamilton County GIS Department staff. Plats cannot be stamped unless this type of material is submitted.

207.1.2 In addition to the minimum 0.004" thick transparent plastic film copy made in the way specified in Section 207.1.1, above, the Register requires that there be at least three other copies with original signatures. One of these other copies can be on any transparent material and two can be black-line paper or xerographic copies, or all three other copies can be black-line paper or xerographic copies.

207.1.3 In addition to the transparent plastic film copy and other copies to be recorded, all major subdivisions and any other plats developed using CAD are to submit a copy of the Geo-referenced CAD file to the Hamilton County GIS Department. The CAD file will be used only for purposes of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors. It shall be delivered for use in computers utilizing the Microsoft Windows operating system on a single 3.5-inch floppy disk formatted or as an electronic mail attachment. Acceptable CAD file formats are AutoCAD version 2000 or newer.

207.2 Time of Submittal

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

207.3 Procedure

- 207.3.1 The Hamilton County GIS Department staff reviews the plats to be recorded and stamps them and signs them. The GIS Department staff review consists of checking the plat and electronic file to ensure that all required elements are present and legible, the plat and file are consistent, street names shown are correct and consistent, and location data are correct. Any deficiencies will be noted on a copy of the plat, which will be returned to the applicant for correction. If acceptable, the plat will be signed by the Director of the GIS Department or his designated representative. The GIS Department requests that the surveyor draw the appropriate signature block on the transparent plastic file copy and other copies to be recorded.
- 207.3.2 The copies to be recorded are circulated for signatures by the Hamilton County Groundwater Protection, if necessary, the Mayor, and the Hamilton County Water and Wastewater Treatment Authority, if necessary, or their designated representatives.
- 207.3.3 Before the Governmental Engineer, City Manager or their designated representatives can sign the transparent plastic film copy, they shall determine that the improvements have been installed and accepted in accordance with the final plat and with the standards of the local government; or that a performance bond has been posted with the local government.
- 207.3.4 If all of the lots are served by existing, functioning public sanitary sewers or public sanitary sewers to be installed or bonded by the developer before the plat is recorded, the Hamilton County Groundwater Protection does not sign the transparent plastic film copy. If the above does not apply, the Hamilton County Groundwater Protection must sign the transparent plastic film copy before it can be recorded. If the Hamilton County Groundwater Protection must sign the transparent plastic film copy, then, before the Hamilton County Groundwater Protection can sign the transparent plastic film copy, the Hamilton County Groundwater Protection Officer shall determine that all conditions necessary to protect the public health have been complied with, including, but not limited to, State Health Department regulations and the regulations of Hamilton County in relation to sanitary sewage disposal.
- 207.3.4.1 If available or bonded public sanitary sewers are maintained by the Hamilton County Water and Wastewater Treatment Authority (HCWWTA), the plats shall be signed by a representative of the Hamilton County Water and Wastewater Treatment Authority (HCWWTA).
- 207.3.5 The transparent plastic film copy or other copies to be recorded are signed by the Secretary of the Planning Commission, or his designated representative.
- 207.3.6 Before the Secretary of the Planning Commission or his designated representative can sign the transparent plastic film copy and other copies to be recorded, the Secretary or his designated representative shall

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determine that the transparent plastic film copy and other copies to be recorded have been duly signed by the Director of the GIS Department or his representative, the Hamilton County Groundwater Protection, if necessary, the Mayor or his designated representative, and a representative of the Hamilton county Water Wastewater Treatment Authority (HCWWTA), if necessary, and that the transparent plastic film copy and other copies to be recorded are in substantial conformance with the approved corrective, revised, or final plat.

207.3.7 The transparent plastic film copy and other copies to be recorded are taken to the Registrar's Office and recorded. The Registrar keeps the transparent plastic film copy and two paper copies and returns the other copy or copies.

207.3.8 The required number of additional paper copies (Presently this is five (5) copies, although this is subject to change) are made from the copy returned by the Registrar or other source and taken to the Planning Agency staff.

208 PERFORMANCE BONDS

208.1 If all the improvements have not been installed or completed and the developer wishes to record the cronaflex, the City Manager or Governmental Engineer, at his discretion, may waive the requirement that the developer complete and dedicate all public improvements prior to the signing of the plat, and require the developer to post a corporate surety bond, or a cash bond, or a cashier's check with the City Manager or Governmental Engineer in an amount as determined by the Governmental Engineer which will be sufficient to secure to the local government the satisfactory construction, installation, and dedication of the uncompleted portion of the required improvements. The performance bond shall also secure all lot improvements on the individual lots of the subdivision as required in these regulations and on the plat. Such performance bond shall comply with all statutory requirements and shall be satisfactory to the local government attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the City Manager or local Governmental Engineer and shall be incorporated in the bond, and shall not in any event exceed two (2) years from date of final approval by the Planning Commission.

Such bond shall be approved by the City Manager and Governmental Engineer as to amount and surety and conditions satisfactory to the City Manager and Governmental Engineer or City Manager may extend the completion date set forth in such bond for a maximum period of two (2) additional years.

The performance bond shall be released when the street(s) is accepted and when the other construction, installation and dedication is completed.

209 INSPECTION

- 209.1 The Governmental Engineer, or his designated representative, shall be responsible for inspecting roads, drainage structures, drainage ways or easements, etc., to assure proper completion and construction of all improvements in accordance with the plat and these regulations.
- 209.2 The Governmental Engineer may appoint such inspectors, as he may desire. Inspection will be extended to all parts of the work and to the preparation and manufacture of the materials to be used. An inspector is placed on the work to keep the Governmental Engineer informed as to the progress of construction and the manner in which it is being done; also to call to the attention of the contractor any infringement upon the plans and specifications.
- 209.3 The inspectors will have authority to reject defective material and to suspend any construction that is being improperly done. The inspectors will not be authorized to revise, alter, enlarge or relax the provisions of these regulations, nor will they be authorized to approve or accept any portion of the completed work in accordance with plans and specifications.
- 209.4 The Contractor may request written instructions from the Governmental Engineer upon any important items which lie within the inspectors' jurisdiction.
- 209.5 Where, in the opinion of the Governmental Engineer, or called for in the specifications, tests of material shall be made by and at the expense of the Contractor unless otherwise provided. Tests, unless otherwise specified, are to be made in accordance with the latest standard methods of the American Society for Testing Materials. The Contractor shall provide such facilities as the Governmental Engineer may require for collecting and forwarding samples, and shall not use the materials represented by the samples until tests have been made. The Contractor, in all cases, shall furnish the required samples without charge.
- 209.6 The Contractor shall furnish the Governmental Engineer with every reasonable facility for ascertaining whether or not the work as performed is in accordance with requirements and intent of the approved Subdivision plans. If required by the Governmental Engineer, the Contractor shall at any time before acceptance of the work, remove or uncover such portions of the finished work as may be directed for inspection. After inspection, the Contractor shall restore said portions of the work to the conditions required by the specifications. Any work done or materials used without suitable supervision or inspection by the Governmental Engineer (Inspector) may be ordered removed and replaced at the Contractor's expense. The Governmental Engineer shall inspect the work of the contractor as soon as practical after notice (written notice preferred) to the Governmental Engineer.
- 209.7 Work done without lines and grades having been given; work done beyond the lines or not in conformity with the grades shown on the plans or as given; work done without proper inspection will be done at the

contractors risk and, at the Governmental Engineer's option, may be rejected. Upon failure by the contractor to satisfactorily repair or to remove and replace, if so directed, rejected or condemned work or materials immediately after receiving notice from the Governmental Engineer, the Governmental Engineer shall, after giving written notice to the contractor, have the authority to reject the work.

209.8 The Governmental Engineer shall make or cause to have made final inspection of all work in the contract or any portion thereof as soon as practicable after the work is completed and ready for acceptance. If the work is not acceptable to the governmental engineer at the time of final inspection, he shall inform the contractor as to the particular defects to be remedied before final acceptance can be made.

210 EFFECT OF APPROVAL AND RECORDING OF FINAL PLATS

Final approval, signing the of "Mylar", and recording of the plat in the Registrar's Office shall not be an acceptance by the public or the Town of Walden of the offer of dedication of any street, or other public way, or open space shown upon the Final Plat.²

The effect of recording of the plat is for recording purposes only. Recording enables the developer to sell lots subject to any conditions specified or referred to on the plat and subject to existing zoning, and subdivision regulations.

Approval of a final subdivision plat as provided herein vests property rights as provided for a final development plan as set forth in Tennessee Code Annotated Section 13-3-413 and 13-4-310. Approval of final plat shall become effective upon the date the Planning Commission votes to approve the final plat.
(Amended 12-08-2014)

211. VESTING PERIONDS AND EXPIRATION OF PLAT APPROVALS

Preliminary PlatA Preliminary Plat for a subdivision shall be vested for a period of three (3) years from the date of Planning Commission approval.

² See T.C.A. 13-4-305

If all necessary permits are secured, site preparation commences, and Final Plat approval is obtained within the three (3) year vesting period following approval of the Preliminary Plat, then the vesting period shall be extended an additional two (2) years beyond the expiration of the initial three (3) year vesting period. During the two (2) year period the applicant shall commence construction and maintain any necessary permits to remain vested.

If Final Plat approval is obtained, construction commences within the original 5-year vesting period following preliminary plat approval and all permits are maintained, then the vesting period shall be extended until construction is completed, provided, however, that the vesting period shall not exceed ten (10) years in the aggregate from the date of preliminary plat approval.

If all necessary permits are not secured, site preparation does not commence, and Final Plat approval is not obtained within the three (3) year vesting period from the approval date of the Planning Commission then the vesting period shall expire and Preliminary Plat approval expires three (3) years from approval by the Planning Commission.

Multi-Phase Developments

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

Final Plat

Approval of Final Plats shall expire after two (2) years from the date of approval by the Planning Commission.

(Added 12-08-2014)

ARTICLE 3

Design Standards

ARTICLE 3

DESIGN STANDARDS

301 GENERAL PRINCIPLES (1)301.1 Design with the land

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

302 PUBLIC STREETS (1)302.1 Street Construction

Public streets shall be constructed in accordance with the typical cross section shown in Appendix 1.

302.1.1 Grading

Before grading is started, the areas between the proposed slopes shall be cleared of all trees, stumps, roots, weeds, logs, heavy vegetation, and other objectionable matter, and shall be grubbed to a depth below the proposed grade in cuts and the natural ground in fills so as to expose suitable subgrade. The objectionable matter shall be removed from within the right-of-way limits and disposed of in such a manner that it will not become incorporated within the fills, nor in any manner hinder proper operation of the storm drainage system.

All suitable material may be used in the construction of embankments or at any other place needed. If rock is encountered, it shall be removed to a depth of not less than 12" below the subgrade of the road bed. Where boulders are encountered, they shall be removed 6" below the proposed subgrade.

Prior to road construction, all underground work that is to be within the roadway shall be completed. This includes all drainage, sewerage, water, telephone, electrical, and other utility mains to the end that the completed roadway will not be disturbed for the installation of any utility main. All utilities under paved areas are to be backfilled with stone.

(1) The Town of Walden on May 8, 1009, by Ord. #90-120 deleted Sections 301,302,302.1 through 302.11.3 and 306 of Article 3 of these regulations and substituted for them the New Street Criteria adopted by the Town of Signal Mtn. dated July, 1988.

302.1.2 Subgrade

The subgrade shall be prepared to the lines and grades as designed and staked by the Subdivision surveyor or engineer/surveyor to correspond to the cross section of the bottom of the base as indicated on the typical cross section approved by the Governmental Engineer.

After the subgrade has been appropriately prepared and shaped, it shall be thoroughly rolled and then clipped with a grader until final lines and grades are obtained. Water shall be added to the subgrade if the material is dry and will not readily compact under the roller. All material so determined by the Governmental Engineer to be unacceptable and all soft yielding material that does not readily compact under the roller shall be removed. All holes or depressions caused by the removal of this material shall be replaced with suitable material and rolled under until compacted to the satisfaction of the Governmental Engineer. The subgrade shall be compacted to 95% standard proctor to conform with the accepted cross section and grade.

Subgrade density tests shall be conducted by a local testing laboratory approved and licensed by the State of Tennessee and shall be furnished at the expense of the Developer. A minimum of one subgrade density test for every 500 feet of roadway will be required with the locations determined in the field by the governmental engineer.

302.1.3 Embankments

Any street, upon which an embankment is to be constructed, having more than a 3 to 1 slope, shall be plowed or scarified completely and rolled thoroughly with a sheep-foot roller, if applicable. Each layer of embankment formation shall be compacted before the formation of the next layer is begun.

Each layer of embankment is to be constructed with a thickness not to exceed 8", and shall be compacted at optimum moisture content to 95% standard proctor.

If, in the event any section of embankment appears not satisfactory in respect to compaction, the developer or contractor will be required to have a compaction analysis performed by a recognized authority and the repair work carried out as directed by this analysis.

302.1.4 Base

Before the base operation is begun, the Governmental Engineer will make an inspection of the subgrade. Approval of the subgrade is required prior to the placing of any base material. The base shall be constructed of crushed stone 33p (T.B.R.), or pug mill mix.

The crushed stone shall be applied at the rate of 110 pounds per square yard per inch of thickness. Compaction shall be attained with a pneumatic roller, sheeps-foot roller, or other similar compacting equipment. The minimum thickness shall be 6" compacted, where, in the opinion of the Governmental Engineer, the subgrade is sufficient to use this amount. If specified by the Governmental Engineer, more crushed stone shall be required.

Weight tickets shall be furnished to the Governmental Engineer. The crushed stone shall be placed with approved spreader box or approved method at the discretion of the Governmental Engineer. Then the stone shall be laid out to the lines and grades of the roadway and thoroughly rolled until a bond has formed and the excess moisture is gone. Alternate clipping with the grader and rolling shall be performed until true lines and grades are attained.

302.1.5 Prime

After the base course has been thoroughly compacted and worked to the lines and grades as shown on the typical cross section, it shall be dampened if necessary.

Prime alternatives are as follows:

<u>Type and Grade</u>	<u>Application Temperature</u>
R.C. - 1	90° - 110°
R.C. - 2	120° - 150°
A.E. - 1	100° - 125°

The type and grade of prime material shall depend on the condition of the base course and shall be designated by the Governmental Engineer.

Rate of application shall be .25 to .35 gallons per square yard.

If RT-1 or 2 is used, there shall be a curing period before the surface treatment is begun. The length of curing period shall depend on the season of the year and weather conditions. The Governmental Engineer shall determine when the prime is cured and the surface treatment can be started.

Immediately after the prime material has been applied, mineral aggregate (size 15 or 16) shall be spread at the rate of 25 to 30 pounds per square yard. Then a steel wheel roller shall roll the aggregate into the prime material. Seasonal limitations on prime are from March 1 to December 1.

302.1.6 Surface

302.1.6.1 Walden

See New Street Criteria adopted by the Town of Signal Mountain, dated July 1988, which have been adopted by the Town of Walden by Ordinance No. 90-120.

302.1.7 Seasonal Limitations of Asphalt

The outside temperature away from artificial heat and in the shade shall be 40° and rising for plant mix. Plant mix road will be 220 pounds per square yard. Weight tickets shall be furnished to the Governmental Engineer.

302.2 Street Classification, Right-of-Way Widths, and Pavement Width302.2.1 Classification

Streets are classified as major streets, collector streets, local streets, short cul-de-sacs and split streets. (See Article 6, Definitions)

302.2.2 Right-of-Way

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

302.2.3 Pavement Width

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

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

<u>Classification</u>	<u>Right-of-Way Width in Feet</u>	<u>Pavement Width in Feet</u>
Principal Arterials	100'	80' (two 33-foot roadways with six lanes of 11 feet with a 14' median/turn lane)
Minor Arterials	80'	58' (two 22 foot roadways with four Lanes of 11 feet each with a 14' median/turn lane)
Collector Street	60'	with no driveways - 30' with driveways on one side – 36' with driveways on both sides – 44'
Local Streets	50'	26'
Short cul-de-sacs*	40'	22'
Split streets (see Sec. 660.9 (app.A-1))	Varies (60' min.)	18' each level

*10 or less lots -- See Article 6, Definitions

302.2.4.1 See the most recent map "Functional Classification System for the Chattanooga Urbanized Area" to determine the classification of individual streets.

302.2.5 Cul-de-Sacs

302.2.5.1 Cul-de-sac turnarounds (See App. 6)

Cul-de-sac turnarounds shall be designed and built according to at least the following standards:

Cul-de-sacs without a planted median:

	Right-of-way Radius in feet	Pavement Radius in feet
Regular cul-de-sacs	50'	40'
Cul-de-sacs where school buses must turn around (see 302.7)	60'	50'
Short cul-de-sac	40'	30'

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

	Maximum radius for planted median in ft.	Pavement width on all sides of median in ft.	Width of ROW beyond edge of pavement in ft.	ROW radius in ft.
Regular Cul-de-sacs	20'	20'	10'	50'
Cul-de-sacs where school buses must turn around (302.7)	22'	28'	10'	60'

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

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

302.2.6 Widths of existing streets

On existing streets, property lines shall be located with iron pins at the corners of all lots, at least 25 feet from the center line of roadway unless the Governmental Engineer or City Manager permits a narrower right-of-way.

302.2.6.1 If the subdivision is located on both sides of the existing street, fifty (50) feet shall be dedicated and the drainage facilities in the street shall be improved to the point that the increased runoff water caused by the development of the subdivision will be accommodated to the satisfaction of the Governmental Engineer.

This dedication requirement may be waived by the Governmental Engineer or City Manager if he deems a narrower right-of-way to be acceptable by signing a "Cronaflex" showing such a narrower right-of-way.

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

This dedication may be waived by the Governmental Engineer or City Manager if he deems a narrower right-of-way to be acceptably by signing a "Cronaflex" showing such a narrower right-of-way.

302.3 Street Extensions

302.3.1 Extensions of Existing Platted Streets

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

302.3.2 Future or Proposed Street Right-of-Way

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

302.3.3 Half Streets

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

302.4 Curves and Sight Distances

302.4.1 Horizontal Curves

Where a deflection angle in the alignment of a road occurs, a curve shall be introduced. On major streets the center line radius of curvature shall not be less than seven-hundred (700) feet; on collector streets, not less than three-hundred (300) feet; and on local and short cul-de-sac streets, not less than one-hundred (100) feet.

302.4.2 Vertical Curves

Every change in grade shall be connected by a vertical curve. In general, no sight distance of less than 200 feet on vertical curves shall be allowed.

302.5 Street Intersections

302.5.1 Angle of Intersection

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

302.5.2 Centerline Offset of Adjacent Intersections

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

302.5.3 Corner Radii

Curb radii at street intersections shall not be less than fifteen (15) feet. Right-of-way radii at street intersections shall not be less than twenty-five (25) feet. If, because of exceptional conditions, a modification is granted permitting an angle of intersection, less or greater than the standards of Section 302.5.1, then the minimum radii shall be increased or decreased to afford good design and safety.

302.5.4 Grades Approaching Intersections

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

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

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302.5.5 Sight Distance at Intersections

In general, sight distances of less than 200 feet shall not be permitted at any street intersection including street intersections in the subdivision and the intersection of a subdivision street with any existing street.

302.6 Street Grades

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

302.7 Street Pattern

All subdivisions shall provide for convenient access and circulation. No lot in each unit or phase of a subdivision may be more than one-thousand three hundred (1300) feet from a potential school bus route* that does not require school buses to back up. This shall be accomplished by one or more of the following:

- a. looped street patterns
- b. turn-arounds designed for school buses at "midpoints" in long cul-de-sacs, or
- c. cul-de-sac turn-arounds designed for school buses (see 302.3.5)

302.8 Street Names302.8.1 Continuation of Streets

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

302.8.2 Duplication

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

*State law requires that school buses must come within ¼ mile (1320') of the residence of every school child. Therefore, if a school bus cannot make a "loop" in its run through a subdivision, it must turn around somewhere. The "somewhere" must not be more than 1300 feet from any residence. The turn-around can be at the end of the cul-de-sac, or at some point not more than 1300 feet from the end.

302.8.3 Approval of Street Names

No street names shall be used unless approved by the Planning Commission.

302.9 Street Signs

Street and Name Signs must be of a type approved by the City Manager or Governmental Engineer, and signs must be installed by the developer.

302.10 Curbs

302.10.1 Asphalt Curbs

Asphalt curbs are prohibited.

302.10.2 Concrete Curbs

Concrete curbs shall be installed by the developer in accordance with the specifications in Appendix 2 or 3.

302.10.3 Back Fill

The developer shall have back fill on both sides of the street to the top of the curb.

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

302.11 Sidewalks and Pedestrian Ways

302.11.1 In residential and non-residential subdivisions, sidewalks or pedestrian ways are not required. In the event the developer desires to install sidewalks or pedestrian ways, they shall meet the following requirements:

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

302.11.3 In commercial areas, sidewalks shall be concrete, six (6) inches thick and (6) feet wide.

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303 REQUIRED ACCESS FOR ALL LOTS

303.1 Required Access for Residential Lots in Walden

All residential must have frontage on an existing city or town accepted and publicly maintained street or road. Lots whose only access is a private road or easement are not permitted.

304 REQUIRED FRONTAGE, DEPTH AND AREA FOR ALL LOTS

304.1 Lot Frontage for Residential Lots

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

304.1.1 The minimum lot frontage on the street or private drive or easement for a residential flag lot shall not be less than twenty-five (25) feet, except the City Engineer, City Manager, or Planning Commission may allow the lot frontage on a street to be reduced to not less than fifteen (15) feet capable of being used for ingress or egress.

304.1.2 The City Manager, Governmental Engineer, or Planning Commission may require that residential corner lots have such extra width as will permit the establishment of a building line at the minimum distance specified by the zoning ordinance from the side street.

304.2 Lot Dept for Residential Lots

Lot depth for residential lots shall conform to the minimum lot depth required by the Zoning Ordinance.

304.3 Lot Area for Residential Lots

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

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

304.3.3 For lots served by septic tank systems, any area separated from the building site by a drainage easement, and the drainage easement, (except the standard five (5) foot drainage easements along the side and rear lot lines), shall not be included in the minimum lot area. Areas subject to flooding, or standing water during brief periods of high rainfall, or with seasonally high water tables, as determined from the soil survey, shall not be included in the minimum lot areas. This regulation may be varied by the Hamilton County Groundwater Protection.

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

304.4 Lot Frontage, Depth and Area for Non-residential Lots and Community Lots

There shall be no minimum lot frontage, depth or area for non-residential lots and community lots except as required by the Health Department, the City Manager, the Governmental Engineer, or the Zoning Ordinance.

304.5 Flag Lots

304.5.1 Purpose Statement

Flag lots are intended to be used for access to property which otherwise would prove infeasible or impractical to access with a public road. Flag lots are intended to be used to preserve the natural features or to create more beautiful building sites. Use of flag lots is not intended to abrogate standard subdivision development when it is feasible to construct public roads.

304.5.2 Criteria for Platting Three or More Flag Lots on a Single Tract of Land:

- A. Topographic considerations (e.g., steep terrain, slopes greater than 15 percent, presence of sink holes or natural depressions, drainage reviews or water courses, geologic features)
- B. Irregular land configurations and ownership patterns
- C. Limited public road frontage
- D. Existing land use
- E. Excessively deep lots

304.5.3 In proposed subdivision, the Planning Commission staff and Governmental Engineer shall determine the appropriateness of platting multiple flag lots based on the above criteria.

305 MISCELLANEOUS LOT REQUIREMENTS

305.1 Lot Lines

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

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

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

305.1.4 Corner radii at street intersections shall be twenty-five (25) feet, unless shown on the plat.

305.2 Flag Lots

Flag lots may be allowed by the Planning Commission in accordance with Section 304.1.1 and 304.1.2 and 304.5.

305.3 Building Setback Lines

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

305.4 Lots Divided by County or State Lines

The division of lots by county or state lines shall be avoided, where possible.

305.5 Reserve Strips and Remnants Prohibited

305.5.1 There shall be no reserve strips controlling access to streets or any parcel of land.

305.5.2 No remnants of property shall be left which do not conform to lot requirements, or which are not required for a private or public utility purpose, or which are not accepted by the local government and/or any other public body, or home owners' association for an appropriate use.

306 MONUMENTATION (2)

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

(2) The Town of Walden on May 8, 1990, by Ordinance No. 90-120 deleted Section 306 and substituted for it the New Street Criteria adopted by the Town of Signal Mountain dated July 1988.

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

306.3 For residential subdivisions with more than 25 lots and any development over 25 acres, at least two of the concrete monuments required under §305.1 shall be designated as control monuments and located with a ratio of precision of no less than 1:20,000 in Tennessee State Plane coordinates in the North American Datum of 1983 (NAD83). The intent of these location coordinates is to position the subdivision on the surface of the Earth and the final plat on the official Hamilton County property maps. The monuments shall be separated by sufficient distance to allow them to locate the entire boundary properly.

307 DRAINAGE

307.1 Responsibility of the Governmental Engineer

The Governmental Engineer will determine if a subdivision meets the drainage provisions of these regulations.

307.2 General

The design of the storm water drainage system for the subdivision shall include the entire watershed affecting the subdivision, and shall be extended to a watercourse or ditch which is adequate to receive the drainage of surface water.

The developer may choose to accommodate any additional runoff or increased rate of runoff caused by this development by limiting the rate of runoff with ponding or other methods approved by the Governmental Engineer or by specified improvements to downstream off-site drainage ways, easements, or structures.

307.3 Responsibility for Construction

The developer of the subdivision shall be responsible for the construction of all improvements to the drainage system shown on the plat.

307.4 Design and Construction

307.4.1 The "Rational Method" shall be used for determining the amount of runoff from a drainage area. The "Manning Formula", or other method approved by the Governmental Engineer, shall be used to determine tile (pipe) sizes. A "five-year storm" shall be used with the above. (See Appendix 4.) The Governmental Engineer shall be consulted before any drains are installed to insure they will conform to the formula as to proper size.

- 307.4.2 Cross drains shall be built on straight line and grade and shall be laid on a firm compacted base. In the event rock is encountered in the trench, the rock shall be removed 4" below the grade and replaced with crushed rock or other suitable material approved by the Governmental Engineer.
- 307.4.3 In no case shall a cross drain be less than fifteen (15) inches in inside diameter. Pipe shall be laid with the spigot-end pointing downstream and with the ends fitted and matched to provide tight joints and a smooth uniform invert.
- 307.4.4 All cross drains shall have concrete headwalls. Wingwalls of a corresponding design shall be provided as needed, and directed by the Governmental Engineer.
- 307.4.5 When necessary for proper flow, inlet and outlet ditches shall be provided at drainage structures and drainage easements may be shown on side and rear lot lines.
- 307.4.6 Treatment of the inlet and outlet ditches and all drainage ways in the subdivision shall conform to the following tables unless rock and mortar or concrete lined and in all cases be constructed on a firm base.

<u>SIZE OF NEAREST CULVERT</u>		<u>TREATMENT</u>
<u>Upstream</u>	<u>Seeded</u>	<u>Sod</u>
15"	Grades 3 – 10%	Grades exceeding 10.0%
18", 24"	Grades 1.5% - 7.0%	Grades exceeding 7.0%
30", 36"	Grades 1.0% - 4.0%	Grades exceeding 4.0%
42", 60"	Grades 2.5% - or less	Grades exceeding 2.5%

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- 307.4.7 Swales or ditch lines paralleling the roadway shall be graded a minimum of 1% where possible; in no case will grades of less than 0.5% be allowed. Where at all possible, main drainage ways shall be cut to the rear of lot lines and not carried down the roadway. This is to avoid having oversized side drains under driveways.
- 307.4.8 If a drainage pipe is under three feet in diameter, located in the ditch line, and more than 50 feet long, concrete or solid masonry catch basins with a 6" minimum wall thickness may be required at intervals of 50' except a greater run may be approved by the Governmental Engineer. The design of these catch basins shall be approved by the Governmental Engineer.
- 307.4.9 Where drainage structures with stormwater flows in excess of the capacity of 42" diameter concrete pipe or equivalent, as determined by Section 307.4.1, are to be placed, these facilities shall be designed and the plat stamped by a registered engineer licensed to practice in the State of Tennessee.
- 307.4.10 An H-20 highway loading shall be the minimum pipe structural requirement.

307.5 Storm Drainage in Streets

All streets shall be provided with an adequate storm drainage system, which shall serve as a part of the total storm drainage system. This system shall be designed to carry roadway, adjacent land, and building storm water drainage. The system shall include any necessary open or curved ditches, pipes, culverts, intersectional drains, drop inlets, catch basins, bridges, head walls, etc., to permit the proper drainage of all surface water. This system shall be used for storm drainage only. Where there are long grades on the street, catch basins and relief pipes shall be placed. The maximum interval for relief pipes shall be 500' unless the Governmental Engineer determines that a longer interval is consistent with accepted engineering practices. If he deems necessary, the Governmental Engineer or City Manager may require that ditches in the road right-of-way paralleling the road shall be eliminated by replacing them with covered pipes of adequate size. All open ditches in the road right-of-way paralleling the road shall be lined with rock and mortar, concrete, or equal unless the Governmental Engineer deems this unnecessary.

307.6 Off-Street Storm Drainage Systems

When the drainage system is outside of the road right-of-way, the subdivider shall provide and prepare a drainage easement according to accepted engineering practices.

307.6.1 The size and location of all off-street watercourses and/or ditches running through the subdivision shall be enclosed, or left open, in accordance with considerations for public safety and accepted engineering practices.

307.6.2 The developer shall protect all drainage ways from erosion and sedimentation. Swales shall be seeded or sodded. The City Engineer or City Manager may require that any open ditch or channel be lined with rock and mortar, concrete or other acceptable material. Open ditches or channels with grades of less than one (1) percent or more than six (6) percent shall be lined with rock and mortar, concrete or equal; unless this is deemed unnecessary by the Governmental Engineer.

307.7 Materials Specifications

Material specifications for all drainage projects shall be in compliance with the specifications of the Governmental Engineer.

307.8 N.P.D.E.S. Permit

For their own information developers should not that federal regulations require an N.P.D.E.S. (National Pollutant Discharge Elimination System) Permit for subdivision development anywhere in the United States that involves one acre or more or development that is less than one acre if it is part of a larger common plan of development. This permit is obtained from the State of Tennessee and is enforced by the State. There is no local enforcement of this permit.

308 EASEMENTS

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

308.2 Drainage Easements

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

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

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

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

308.4 Other Easements

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

309 EROSION AND SEDIMENTATION CONTROL
(Reserved)

310 SANITARY SEWAGE DISPOSAL SYSTEMS

310.1 Jurisdiction with Public Sewer Systems

310.1.1 Where an adequately sized sanitary sewer is on the site, or on the street abutting the site, or readily accessible (as determined by the developer's financial feasibility study) without the need for off-site easements, or a construction contract for a sewer to be located on or adjacent to the site has been signed, the developer shall construct, at his own expense, a sewage collection system and connect it to the existing sanitary sewer. The design and construction of sanitary sewers and appurtenances shall be in accordance with the regulations standards, and specifications of the Division of Sanitary Engineering, Tennessee Department of Public Health, and of the Governmental Engineer. This requirement may not apply, at the discretion of the city Manager or Governmental Engineer where all the lots are greater than five (5) acres in size.

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

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

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

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

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

311 WATER FACILITIES

311.1 Public Water Supply

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

311.1.2 Water supply lines are to be located at least ten (10) feet from septic disposal systems and sewer lines.

311.2 Individual Wells

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

311.3 Fire Hydrants

311.3.1 Required Fire Hydrant Locations in Walden

The developer shall install fire hydrants on all new streets/roads or private easements of all major subdivisions except:

- (1) those served by individual wells
- (2) subdivisions that meet the requirements given below based on existing fire hydrants

(3) subdivisions that meet the requirements given below based on proposed fire hydrant locations on existing streets.

311.3.1.1 Fire hydrants shall be located no more than 1,000 feet apart (measured along the street) and within 500 feet (measured along the street) of any structure. The location of all fire hydrants shall be approved by the fire authority having jurisdiction and/or the Planning Commission.

The design and nozzle construction of any fire hydrant installed by the developer shall be approved by the fire authority having jurisdiction. No fireplug shall be installed that has not been approved by the fire authority having jurisdiction.

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312 FLOOD HAZARDS

312.1 Flood Requirements

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

312.2 Additional Flood Information Required

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

312.3 Minimum Street Elevations

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

312.4 Setback and Elevation Requirements on Unmapped Watercourses

Due to the potential flood hazard on property adjacent to an unmapped watercourse draining 300 acres or more above the property under construction, the Planning Commission may require that each unmapped watercourse draining 300 or more acres be investigated by a professional engineer and the elevation of adjacent structures with setbacks from the centerline of the watercourse marked on the subdivision plat. The minimum elevation of the proposed structure shall be determined on the basis of a 100 year storm elevation water level. The engineer shall use an accepted national method of calculation. Example: USDA Technical Release No. 55 "Urban Hydrology for Small Watersheds"; ASCE Manual of Practice No. 37 "Design and Construction of Sanitary and Storm Sewers". The minimum setback shall be determined by an evaluation of the unmapped watercourse based on the erosion potential of the watercourse and lot elevation as determined by the engineer. All subdivisions adjacent to an unmapped watercourse draining 300 or more acres and for which 100 year storm elevation calculations were required shall have a certification by a professional engineer which reads as follows:

I, _____, have made a flood hazard study of the subdivision and the drainage area above it and all affected lots within this subdivision are marked with a minimum building elevation. A benchmark of public record for reference is noted on the plat, and established on the subdivision. Unmarked lots have been determined to not require a minimum building elevation due to their location and the existing drainage structure design.

SEAL

Name _____ PE # _____

ARTICLE 4

Preliminary Plat Requirements

ARTICLE 4

PRELIMINARY PLAT REQUIREMENTS

401 SPECIFICATIONS FOR AND CONTENT OF THE PRELIMINARY PLAT

The subdivider or surveyor or surveyor/engineer shall submit to the Hamilton County GIS Department, copies of the Preliminary Plat drawn to a minimum scale of one inch equals one hundred feet, which shall contain the following information:

- 401.1 Proposed name of the subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in Hamilton County, or any PUD in Hamilton County. Plat labeled "Preliminary Plat".
- 401.2 The full name and mailing address with zip code (telephone number requested) of the owner(s) and/or developer(s).
- 401.3 The name and mailing address with zip code, and telephone number of the person, firm, or organization preparing the Preliminary Plat.
- 401.4 North point, and scale.
- 401.5 A vicinity map, showing the following features, if applicable, within an area large enough to locate the subdivision.
 - 401.5.1 Outline of proposed subdivision and north point.
 - 401.5.2 Location and name of all principal roads, streets, railroads, watercourses, etc.
 - 401.5.3 State, county, or municipal boundaries shown and labeled.
 - 401.5.4 Name and/or show an easily identifiable landmark (store, road intersection, creek, etc.) and show the number of miles (to the nearest tenth) from the landmark to the site.
- 401.6 The boundary line of the proposed subdivision drawn to scale and showing all bearings and distances, including existing road curve functions and dimensional data.
 - 401.6.1 The location of control monuments on the boundary line of the proposed subdivision showing the horizontal position in Tennessee State Plan coordinates.
- 401.7 Lots drawn and numbered in a logical numerical order, showing the approximate dimensions of lots. (Where parallel lot lines exist, the distances may be dittoed.) Every parcel of land within the subdivision should have a lot number. Subdivisions developed in phases or units, are to continue numbering the lots, and not start with lot number 1 for each new unit. The use of lot numbers by block, in which lot numbers are repeated in each block, is prohibited.

- 401.8 The property lines of all adjoining property shall be shown with dashed lines. For adjoining subdivisions, show the full name of the subdivision, ROHC book and page numbers, and the lot numbers (dashed). For other adjoining property, show the owner's name.
- 401.9 Show the location, widths, and names of all existing, proposed, or recorded streets, public rights-of-way, or access easements, etc., intersecting or paralleling the subdivision, on or adjacent to the subdivision.
- 401.9.1 Proposed street names shall not duplicate or closely approximate, phonetically or in spelling, the name of any other street in Hamilton County. The change of a street name prefix (East, North) or suffix (Road, Lane, Circle) shall not be construed as a different street name.
- 401.9.2 Show the station numbers for all proposed streets. Station numbers shall begin at a known existing and reproducible street centerline.
- 401.9.3 Split Road Cross Sections -- A typical cross section of all split roads in the subdivision shall be shown on the preliminary plat, if applicable.
- 401.10 Drainage
- 401.10.1 Show the size, location, outline and direction of water flow at all high and low points of all existing and proposed drainage easements in and adjacent to the subdivision. Show the number of acres drained into the high point of the drainage easement.
- 401.10.2 Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in and adjacent to the subdivision. (See Section 307.4.1 for determination of pipe size.)
- 401.10.3 Show location and label any other proposed drainage improvements such as catch basins, headwalls, rock and mortar or concrete drainage ditches, etc.
- 401.10.4 Show the location and label any proposed off-site drainage improvements which are made necessary by the construction of the proposed subdivision.
- 401.11 Utilities
- 401.11.1 For all existing and proposed water lines, show size, location of lines, and outline and size of easements (if applicable) in and adjacent to the subdivision.
- Show location of existing wells, springs, or other natural sources of water supply within the subdivision and within fifty (50) feet of the boundaries of the subdivision.
- Show the location of all existing fire hydrants in and within five hundred (500) feet of the subdivision.
- 401.11.2 For all existing and proposed gas lines and mains, show size, location, name of mains, and outline of easements (if applicable) in and adjacent to the subdivision.

401.11.3 For all existing electrical and telephone easements, show size, location, name of major easements, and outline of easements in and within fifteen (15) feet of the subdivision.

401.11.4 For all existing and proposed sanitary sewers and sewer easements, show sizes, locations, direction of flow, outlines of easements, manholes, and invert elevations in and adjacent to the site.

If sanitary sewers are not available on or adjacent to the site, but are required by the local government, state the nearest location and size of line of nearest sanitary sewer.

If a public sewage treatment plant of any type is to be constructed on and/or to serve the subdivision, place the offer of dedication on the plat.

401.12 Natural contours at five-foot intervals or less (sea level elevations only). The plat designer shall field check for accuracy of the contour lines if he has obtained the information from sources other than his own.

401.13 Contour line or limit of 100-year flood and/or Floodway Zone (Valley Zone) , if applicable. Unless the developer or the plat designer has consulted with the staff prior to the submission of the Preliminary Plat, the staff shall delineate pertinent flood information on the plat during the review of the plat.

401.14 Municipal, county, state boundaries, watercourses, railroads, etc., in or adjacent to the subdivision.

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

402 STATEMENTS TO BE INCLUDED ON THE PLAT

402.1 Present zoning of tract, and zoning applied for, if applicable.

402.2 Source of water supply. If public water supply is not available, state nearest location, size of line, utility company's name, and whether water supply will be from wells.

402.3 Number of acres subdivided.

402.4 Source of Topo Quotation

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

"Topo was obtained from (source) and has been field verified to insure its accuracy."

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

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

"Topo was obtained from an actual field survey dated _____, conducted by _____. Elevations were determined from benchmark or monument located at _____, elevation _____."

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

"No building permit is to be issued for a residential, commercial or industrial building on the Community Lot. Lot to be used for recreational purposes only. Maintenance to be assumed by the developer until lot is deeded to home owner in the subdivision, or to a homeowner's association."

402.6 A statement of the proposed use of the lots (e.g. single-family dwellings, two-family dwellings, multiple-family dwellings, commercial development, industrial development, etc.)

402.7 Special notations and information, if required.

403 INFORMATION REQUIRED IN ADDITION TO THE PRELIMINARY PLAT403.1 Road Profiles

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

403.2 Sanitary Sewer Profiles, if required.

Four (4) copies of the vertical sanitary sewer profiles of all sanitary sewers to be constructed in and for the subdivision shall be submitted with the preliminary plat. The vertical sanitary sewer profiles shall show the identification of the sewer line, manhole locations and numbers, invert elevations, percent grades and direction of flow, underground utilities, drainage structures, and the natural and finished grades; all drawn at a scale not less than one inch equals one hundred feet (1" = 100') horizontal, and one inch equals ten feet (1" = 10') vertical.

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

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

403.2.1 The sanitary sewer profiles and the vertical road profiles may be shown together. If this is done, four (4) copies of the combined vertical profiles shall be submitted with the preliminary plat.

403.3 Requests for Variances

Requests for variances shall be submitted in writing with the submittal of the preliminary plat, in accordance with Article I, Section 111.

403.4 House Locations and Building Setback Lines

Suggested house locations and building setback lines may be required by the Health Department and should then be shown on the plat. The actual house location may, however, deviate from the area shown on the plat if the location is approved by the Health Department. If suggested house locations are shown on the plat, a note should be added to the plat showing the symbol for the house location and wording similar to the following: "House should not be greater than _____ feet from its closest side lot line as shown (see plat for exceptions, if applicable)," and/or "Building setbacks and suggested house locations may be changed with written permission of the Health Department".

403.5 Existing Utilities and Railroads

The Planning Commission may require that a letter be submitted with the preliminary plat from the affected utility or railroad approving the proposed crossing of the utility, utility easement, or railroad by any street, driveway, field lines, or other utility, etc.

ARTICLE 5

Final Plat Requirements

ARTICLE 5

FINAL PLAT REQUIREMENTS

501 SPECIFICATIONS FOR AND CONTENT OF THE FINAL PLAT

The developer or his representative shall submit to the Hamilton County GIS Department, copies of the Final Plat, drawn to a minimum scale one inch equals one hundred feet (1" = 100'). (See Section 202.1) Sheet size and stamp block shall conform to the specifications shown in Appendix A-5.

The Final Plat shall be drafted so that good, clear, legible prints, copies, or negatives can be made. The Hamilton County GIS Department may refuse to accept any plat that it deems illegible or which fails to contain all required elements.

The GIS Department requests that the surveyor draw the appropriate signature block on the final plats.

The Final Plat shall include the following information:

- 501.1 Proposed name of the subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in Hamilton County, or any PUD in Hamilton County. The most recent recorded deed book and page number for each deed constituting part of the property being platted. Plat labeled "Final Plat".
- 501.2 The full name(s), mailing address(es) with zip code(s) and telephone number(s) of all property owners involved.
- 501.3 The name, full mailing address, zip code, and seal (to include license number) of the Registered Land Surveyor preparing the plat. Where drainage structures with stormwater flows in excess of the capacity of a 42" diameter concrete pipe or equivalent, as determined by Section 307.4.1, are to be placed, these facilities shall be designed and the plat stamped by a registered engineer licensed to practice in the State of Tennessee. In no instance will a plat be accepted that does not contain the seal of a Registered Land Surveyor licensed to practice in the State of Tennessee.
- 501.4 The date of plat preparation and revisions, north point, and scale—both written and graphic.
- 501.5 A vicinity map showing the following features, if applicable, within an area large enough to locate the subdivision:
- 501.5.1 Outline of proposed subdivision and north point (oriented consistent with the north point of the plat, preferable pointing to the top of the plat).

- 501.5.2 Location and name of all principal roads, streets, railroads, watercourses, etc.
- 501.5.3 State, county, or municipal boundaries, shown and labeled.
- 501.5.4 Name and/or show an easily identifiable landmark (store, road intersection, creek, etc.) and show the number of miles (to nearest tenth) from the landmark to the site.
- 501.6 The boundary lines of the subdivision shall be determined by an accurate survey in the field, to include a closed traverse. The boundary survey shall close with an error of closure to exceed 1:5000.
- 501.6.1 Show parcel number including map sheet number and group identifier for all parcels being subdivided. This is generally referred to as the "Tax Map Number."
- 501.6.2 The location of control monuments on the boundary line of the proposed subdivision showing the horizontal position in Tennessee State Plane coordinates.
- 501.7 Lots drawn and numbered in a logical numerical order. Every parcel of land within the subdivision shall have a lot number. Subdivisions developed in phases or units are to continue numbering the lots and not start with lot number 1 for each new unit. The use of lot numbers by block in which lot numbers are repeated in each block is prohibited.
- 501.7.1 Sufficient data to readily determine and reproduce on the ground the location bearing, and length of every lot line and boundary line, whether curved or straight. This shall include the radius, central angle (delta), length of curve and tangent distance for the curved property lines. The point of curvature and the point of tangency of all curves on all right-of-way lines shall be located by distance to the nearest lot corner. Chord bearings and dimensions may be used for irregular lines, such as creeks, shore lines, etc.
- 501.7.2 Minimum building setback lines, other than those required by the local zoning ordinances shall be shown and labeled on the lot(s). Setbacks may be changed if approved in writing by the Health Department.
- 501.7.3 Show location of any boundary monument benchmark for major subdivisions.
- 501.8 The property lines of all adjoining property shall be shown with dashed lines. For adjoining subdivisions, show the full name of the subdivision, ROHC book and page numbers, and the lot numbers (dashed). For other adjoining property, show the owner's name and deed book and page number.
- 501.9 Show the location, widths and names of all existing, proposed, or recorded streets, public rights-of-way, or access easements, etc., intersecting or paralleling the subdivision, in and adjacent to the subdivision.

501.9.1 Proposed street names shall not duplicate or closely approximate phonetically or in spelling, the name of any other street in Hamilton County. The change of a street name prefix (East, North) or suffix (Road, Lane, Circle) shall not be construed as a different street name.

501.9.2 Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every street line, whether curved or straight. This shall include the radius, central angle, (delta), length of curve, and tangent distance for the center line of curved streets and curved property lines. The point of curvature and the point of tangency of all curves on all right-of-way lines shall be located by distance to the nearest lot corner.

501.9.3 Show a measured distance to a recognizable point, such as a street intersection, landmark, survey monument, global positioning system reference, etc.

501.10 Drainage

501.10.1 Show the size, location, and outline of all existing and proposed drainage easements in and adjacent to the subdivision.

501.10.2 Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in the subdivision. (See section 307.4.1 for determination of pipe size).

501.10.3 Show location and label any other proposed drainage improvements such as catch basins, headwalls, rock and mortar or concrete drainage ditches, etc.

501.10.4 Show the location and label any proposed off-site drainage improvements which are made necessary by the construction of the proposed subdivision.

501.11 Utilities

501.11.1 Show the location of all proposed fire hydrants to be installed by the developer in the subdivision.

501.11.2 For all existing and proposed electrical, telephone, water, gas and other utility easements, show size, location, name of major easements, and outline of easements in and within fifteen (15) feet of the subdivision.

501.11.3 For all existing and proposed sanitary sewers and sewer easements, show sizes, locations, and outlines of easements, in and adjacent to the site.

If sanitary sewers are not available on or adjacent to the site, but are required by the local government, state the nearest location and size of line of nearest sanitary sewer.

If a public sewage treatment plant is to be constructed on and/or to serve the subdivision, place the offer of dedication on the plat.

- 501.11.4 Show the location of existing sanitary sewer lines on or adjacent to the site. If sanitary sewers are available to all lots, note "Sewer available". If available sanitary sewers are maintained by the Hamilton County Water and Wastewater Treatment Authority, note: "Public sanitary sewers available by HCWWTA".
- 501.12 Contour line or limit of 100-year Flood and/or Floodway District (Valley Zone), each labeled, if applicable.
- 501.13 Municipal, county, state boundaries, watercourses, railroads, etc., on and adjacent to the subdivision.
- 501.14 The boundaries of all property (including access to said property) which is to be dedicated for public use, with the purpose indicated thereon.
- 501.15 The boundaries of all property (including access to said property) which is to be reserved by deed restrictions or protective covenants in the deeds for the common use of the property owners in the subdivision, e.g. "community lot". Show the ROHC book and page numbers on the plat for all appropriate recorded documents.
- 502 STATEMENTS TO BE INCLUDED ON THE PLAT
- 502.1 Present zoning of tract.
- 502.2 Local Government does not certify that utilities or utility connections are available.
- 502.3 Plat labeled, "Final Plat".
- 502.4 Number of acres subdivided.
- 502.5 Certification of Ownership and Dedication of Rights-of-Way
 "I hereby adopt this as my plan of subdivision and certify that the rights-of-way are dedicated to the public use forever. I also certify that there are no encumbrances on the property to be dedicated and that I am owner of the property shown in fee simple."
- 502.6 Dedication of Land, if applicable:
 Add to the above: "...and dedicate the lots so specified on the plat to (governmental jurisdiction)."
- 502.7 "The owner/developer is to install all drainage structures and improved easements as shown. (Applies only to subdivisions where drainage improvements are required.) "The maintenance of drainage easements is the responsibility of the property owner and not the local government". (Applies only to subdivisions where drainage easements are shown.)

502.8 Special setbacks, if applicable.

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

502.9 Engineer's statement of design—on plat (if applicable)

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

This note should refer only to the facilities designed by the engineer, i.e., if the plat has no sewers and only one drainage structure designed by an engineer, the statement should refer only to the specific structure designed by the engineer.

502.10 Certification of Survey

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

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

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

502.12 "This plat resubdivides deeds _____ ROHC".

502.13 "This subdivision has been developed according to the design standards of the Subdivision Regulations of _____ (Insert name of municipality, i.e.: "The Town of Walden, etc.)"

502.14 Special notations and information, if required.

502.15 Preliminary Plat was approved on (insert date of Planning Commission approval). See Resolution Number (Insert Resolution Number) for approval of Preliminary Plat. (Added 12-08-2014)

503 INFORMATION REQUIRED IN ADDITION TO THE FINAL PLAT FOR MAJOR SUBDIVISIONS

503.1 A letter from the Division of Water Management, Tennessee Department of Health and Environment, approving the design of the extension of the water lines, if applicable.

503.2 A letter from a Division of Sanitary Engineering, Tennessee Department of Health and Environment, approving the design of the sewer lines, if required by the Planning Commission.

503.3 New streets graded or staked as required by Section 203.

503.4 Requests for Variances

Requests for variances, if applicable, shall be submitted in writing with the submittal of the Final Plat, in accordance with Article I, Section 111, unless the variance was granted in the approval of the preliminary plat.

503.5 House Locations and Building Setback Lines

Suggested house locations and building setback lines may be required by the Hamilton County Groundwater Protection and should then be shown on the plat. The actual house location may, however, deviate from the area shown on the plat if the location is approved by the Hamilton County Groundwater Protection.

If suggested house locations are shown on the plat, a note should be added to the plat showing the symbol for the house location, and wording similar to the following: "House should not be greater than _____ feet from its closest side lot line as shown (see plat for exceptions, if applicable)" and/or "Building setbacks and suggested house locations may be changed with written permission from the Hamilton County Groundwater Protection."

ARTICLE 6

Definitions

ARTICLE 6

DEFINITIONS

600 WORDS AND PHRASES

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

Words with a masculine gender include the feminine gender.

Words used in the future tense include the present.

Words used in the present tense include the future.

Words used in the singular include the plural.

Words used in the plural include the singular.

The word "may" is permissive.

The words "ordinance" and "regulations" are used interchangeably.

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

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

601 **APPLICANT:** The owner of land proposed to be subdivided, or his representative. Consent shall be required from the legal owner of the premises.

602 **BLOCK:** A parcel of land that is normally bounded by streets or bounded by streets and the exterior boundary of a subdivision.

603 **BASE FLOOD:** The flood having a one percent chance of being equaled or exceeded in any given year—commonly referred to as the '100-year flood'. (See also, 'High Water Stage')

604 **BOND:** Any form of security (including a cash bond, surety bond, cashiers check, collateral, property, or instrument of credit) in an amount and form satisfactory to the Governmental Engineer for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement. (See Article 2, Section 208)

605 **BUILDING INSPECTOR OR OFFICIAL:** A qualified inspector from the Municipal Building Inspection's office who is designated by the local government to enforce the Zoning Ordinance.

606 **CAD:** Computer-aided drafting: a.k.a. computer-aided design.

- 607 CAPITAL IMPROVEMENTS PROGRAM: A proposed schedule of all future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local government's operating expenses, for the purpose, construction, or replacement of the physical assets for the community are included.
- 608 CITY MANAGER: A person appointed by the governing body to be the chief administrative official of the city or town or his designated representative. In some cases, this official is referred to as the "City Administrator". In cities or towns which do not have a city manager, the term "City Manager" as used herein refers to the chief elected official or his designated representative.
- 609 COLLECTOR STREET: See Street, Collector.
- 610 CONTROL MONUMENT: A survey marker used to position the remaining boundary survey corners on the surface of the Earth. A type of monument. (Added 6-12-2000)
- 611 CORRECTIVE PLAT: A plat used to record minor changes to a recorded plat. (See Article 2, Section 206)
- 612 CRONAFLEX: A dimensionally stable material on which the final details of a proposed subdivision are affixed and recorded in the Registrar's Office. (See Article 2, Section 207)
- 613 CUL-DE-SAC: A local street with one end open to traffic and the other end terminating in a vehicular turnaround (See App. 6)
- 613.1 CUL-DE-SAC, SHORT: A cul-de-sac street which provides access to ten (10) or less lots provided the road is not an extension of a road with a wider right-of-way and the street cannot be extended due to topographic barriers. (See App. 6)
- 614 CURRENT PLANNING AND OPERATIONS: A division of the Planning Commission that receives, processes and administers the subdivision regulations within the jurisdiction of the Planning Commission.
- 615 DEED RESTRICTIONS: A private covenant among the residents of a subdivision or development limiting the use or conditions within the subdivision or development.
- 616 DEVELOPER: Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land here under for himself or for another.
- 617 EASEMENT: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

- 617.1 EASEMENT, DRAINAGE: A perpetual, unobstructed easement across property reserved to carry surface water drainage along specified routes to natural watercourses. Drainage easements shall not be filled or built upon in any way that will impede the flow of surface water.
- 617.2 EASEMENT, OVERHEAD POWER AND COMMUNICATION: An easement for the installation, operation, inspection, maintenance, repair or replacement of overhead electric power, telephone, cable t.v. and other communication lines, cables, poles, anchors, structures, etc. and the appurtenances thereto belonging.
- 617.3 EASEMENT, PERMANENT: A recorded permanent easement which provide access to a publicly accepted municipal or county street. Such permanent easement shall be open to public safety access and utility access.
- 617.4 EASEMENT, POWER AND COMMUNICATION: An easement for the installation, operation, inspection, maintenance, repair or replacement of underground, ground level or overhead electric power, telephone, cable t.v. and other communication lines, cables, poles, anchors, ditches, pipes, duct, structures, manholes, etc. and the appurtenances thereto belonging.
- 617.5 EASEMENT, UTILITY: An easement for the installation, operation, inspection, maintenance, repair or replacement of the public utility lines, cables, poles, ditches, pipes, manholes, etc. and the appurtenances thereto belonging.
- 618 ENGINEER: Any person registered to practice professional engineering in Tennessee by the State Board of Examiners for Architects and Engineers.
- 619 FINAL PLAT: A subdivision plat prepared in accordance with the provisions herein, in which said plat is designed to be placed on record with the County Registrar after approval by the Planning Commission.
- 620 FLAG LOT: An interior lot located to the rear of another lot but with a narrow portion of the lot extending to the street. The narrow portion of the lot that extends to the street shall be suitable for ingress and egress.
- 621 FLOOD, 100-YEAR: (Base Flood Elevation) The flood having a one percent chance of being equaled or exceeded in any given year as defined by Federal Emergency Management Administration (formerly Federal Insurance Administration). The boundaries and general elevations of the 100 year flood are shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Administration, issued by the Tennessee Valley Authority and dated May, 1969. These elevations are subject to periodic update by the T.V.A.

- 622 FLOODWAY ZONE (VALLEY ZONE): The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood (100 year flood) without increasing the water surface elevation. The Floodway Zone is shown on the Municipal Zoning Maps.
- 623 FRONTAGE: See the Zoning Ordinance.
- 624 GENERAL PLAN: A plan, or any portion thereof, adopted by the Planning Commission, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, streets, parks, schools and other community facilities. This plan establishes the goals, objectives, and policies of the community.
- 625 GEOLOGIC SURVEY: Involves study of the bedrock, regolith, and ground water. Requires a detailed mapping of the rock strata and structural relationships of these units. Also, may include nature and significance of possible metallic and not-metallic mineral deposits.
- 626 GIS DEPARTMENT: The agency designated by Hamilton County and the jurisdiction as the official source of electronic maps and related geographic information system support. The head of this agency is the Director of the GIS Department.
- 627 GOVERNING BODY: The chief legislative body of the city or town government, commonly referred to as the "City Commission", "City Council", "Board of Commissioners", or "Town Council".
- 628 GOVERNMENTAL ENGINEER: The licensed engineer designated by the Governing Body to furnish engineering assistance for the administration of these regulations, usually given the title "City Engineer". In the Town of Walden it is usually performed by the chief elected official or his designated representative.
- 629 GRADE: The slope of a street, or the ground, specified in percentage (%) terms.
- 630 HAMILTON COUNTY GIS DEPARTMENT: The agency designated by Hamilton County as the official source of electronic maps and related geographic information system support. The head of the agency is the Director of the GIS Department.
- 631 HAMILTON COUNTY GROUNDWATER PROTECTION AND HAMILTON COUNTY GROUNDWATER PROTECTION OFFICER: The agency and person designated by the Governing Body to administer the health regulations of the local government and the state.

- 632 HEALTH DEPARTMENT AND HEALTH OFFICER: Hamilton County Groundwater Protection and Hamilton County Groundwater Protection Officer.
- 633 HIGH WATER STAGE (Base flood elevation): See "Flood-100 Year".
- 634 IMPROVEMENTS: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping and other related matters normally associated with the development of raw land into building sites.
- 635 LOCAL GOVERNMENT: For the purposes of these regulations, the Town of Walden which are authorized by law to adopt ordinances.
- 636 LOCAL GOVERNMENT ATTORNEY: The licensed attorney designated by the Governing Body to furnish legal assistance to the Governing Body, sometimes referred to as "City Attorney".
- 637 LOCAL STREET: See Street, Local
- 638 LOT: A parcel of land or any combination of several lots of record, occupied or intended to be occupied by a principal building or building group as permitted in the applicable zoning ordinance or regulation, together with their accessory building or uses and such access, yards, and other open spaces as required in these regulations and the applicable zoning ordinance. If on-site waste disposal systems are used, the lot must be capable of sustaining such a disposal system within the limits of the particular lot.
- 638.1 LOT MEASUREMENTS: Lots shall be measured and their dimensions calculated as given below.
- 638.2 LOT FRONTAGE: The width of the lot measured at (1) the required front yard setback line, or (2) in the case of a flag lot, the narrowest part not in that narrow part that extends to a street.
- 638.3 LOT WIDTH: The width of the lot measured along a straight line between side lot lines (generally parallel to the street) and measured at: (a) the rear of the front yard required by the local zoning regulations, or (b) the building setback line as shown on the plat.
- 638.4 LOT DEPTH: The depth of the lot measured along a straight line(s) perpendicular to the street and measured from the street right-of-way to the rear of the lot in accordance with the most applicable of the following conditions:
(a) for rectangular lot; the length of the side lot line
(b) for lots that are generally rectangular or trapezoidal, except where either side lot line is less than fifty (50) feet; the average of the depths to the rear lot corner

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

- 638.5 LOT AREA: The area bounded by the lot lines of a lot with the following exception: for lots served by septic tanks; drainage ways and/or easements and the area separated from the main portion of a lot by a drainage way, or drainage easement.
- 638.6 LOT OF RECORD: A designated tract of land as shown on a recorded plat or tax map on record in the Registrar's Office or the Assessor of Property's Office prior to the passage of the Zoning Ordinance.
- 638.7 LOT TYPES: Terminology used in these regulations with reference to corner lots, interior lots, and through lots, and reversed frontage lots is as follows:
- CORNER LOT: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
 - INTERIOR LOT: A lot other than a corner lot with only one frontage on a street.
 - THROUGH LOT: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
 - REVERSED FRONTAGE LOT: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
- 639 MAJOR STRET PLAN: See General Plan
- 640 MAJOR SUBDIVISION: See Subdivision, Major
- 641 MINOR ARTERIALS: This system should interconnect with and augment the urban principal arterial system and provide service to trips of moderate length at a somewhat lower level of travel mobility than principal arterials. These facilities place more emphasis on land access than the higher system. Minor arterials, ideally, do not penetrate identifiable neighborhoods.

- 642 MONUMENTS: Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary lines, corners, and points of change in street alignment.
- 643 NON-RESIDENTIAL LOT: A lot intended to be used for purposes other than residential and accessory uses; such as for commercial or industrial development.
- 644 NON-RESIDENTIAL SUBDIVISION: A subdivision intended to be used other than residentially, such as for commercial or industrial development. Such subdivisions shall comply with the applicable provisions of these regulations.
- 645 OFFER OF DEDICATION: The act of granting land or streets to an entity, such as the government, association, person, etc. The offer of dedication shall not constitute the acceptance of such land or streets by the Town, association or person.
- 646 ORDINANCE: Any legislative action, however denominated, of a local government which has the office of law, including any amendment or repeal of any ordinance.
- 647 OWNER: Any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
- 648 PERFORMANCE BOND: See Bond and Article 2, Section 208.
- 649 PLANNING COMMISSION: The Chattanooga-Hamilton County Regional Planning Commission, a regional planning commission created in accordance with Tennessee Code Annotated 13-3-101 and also serving as the municipal planning commission for the cities and towns listed in Article I, Section 101.1 in accordance with Tennessee Code Annotated 13-3-301. The term "Planning Commission", as used in these regulations, may refer to the Chattanooga-Hamilton County Regional Planning Commission or its staff, as appropriate.
- 650 PLAT: The map, or drawing on which the developer's plan of a subdivision of property is presented to the Planning Commission for approval and, after such approval, to the Register of Hamilton County for recording. "Plat" includes plat, plan, plot or replot.
- 651 PLAT DESIGNER: An individual or firm that surveyed and designed the preliminary plat, final plat and Cronaflex.
- 652 PRINCIPAL ARTERIALS: Significant intra-area travel; such as between central business districts and outlying residential areas, between major inner city communities, or between major suburban centers should be served by this system. Principal arterials are not restricted to controlled access routes. For principal arterials, the concept of service to abutting land should be subordinate to the provision of travel service to major traffic movements.

- 653 PUBLIC RIGHT-OF-WAY: Land owned by a government, but developed and reserved for the public's use. (See Right-of-Way, Section 655)
- 654 PUBLIC UTILITY: See "Utility, Public"
- 655 RESERVE STRIP: A remnant of land created by the subdivision of contiguous land.
- 656 RESIDENTIAL LOT: A lot intended to be used for residential and accessory uses.
- 657 RESIDENTIAL SUBDIVISION: A subdivision intended to be used for residential and accessory uses.
- 658 RESUBDIVISION: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map, or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
- 659 RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions of areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm sewers, storm drains, shade trees, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.
- 660 R.O.H.C.: Register's Office of Hamilton County
- 661 SALE OR LEASE: Any immediate or future transfer of ownership or any possessory interest in land, including contract of sale, lease, devise, interstate succession, or transfer or an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, interstate succession, or other written instrument.
- 662 SETBACK LINE: A line established by the subdivision regulations and/or zoning ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said codes.
- 663 STAGING: The development of tracts of land in piecemeal fashion to avoid adhering to a longer subdivision procedure.

- 664 STREET: Any public right-of-way designed for vehicular movement, except alleys, dedicated to and accepted by the local government. "Street" includes the full width of the right-of-way between property lines as well as the traveled portion thereof. "Street" includes "road", "highway" or any other designation of a public right-of-way designed for vehicular movement. (See 302.3)
- 664.1 STREET, DEDICATED: A street shown on a subdivision plat which has been dedicated to the local government, but which has not yet been accepted by the local government.
- 664.2 STREET, COLLECTOR: This system provides both land access and traffic circulation within residential neighborhoods as well as commercial/industrial areas. It differs from the arterial system in that facilities on the collector system may penetrate through the area to the ultimate destination. In the central business district (CBD), and in other areas of like development and traffic density, the collector system may include the street grid which forms a logical entity for traffic circulation.
- 664.3 STREET, CUL-DE-SAC: A local street with one (1) end open to traffic and the other end terminating in a vehicular turnaround. (See App. 6)
- 664.4 STREET, SHORT CUL-DE-SAC: (See Cul-de-Sac, Short)
- 664.5 STREET, FREEWAY: A divided, multi-lane street with full control of access designed to move large volumes of traffic at high speeds.
- 664.6 STREET, FRONTAGE: A street adjacent to a freeway or a major arterial, separated therefrom by a median, and providing ingress and egress from abutting property.
- 664.7 STREET, LOCAL: The local street system comprises all facilities not on one of the higher systems. It serves primarily to provide direct access to abutting land and access to the higher order systems. It offers the lowest level of mobility and through traffic movement usually is deliberately discouraged.
- 664.8 STREET, MAJOR: A street which serves the major movements of traffic within and through the community as shown on the latest adopted Major Street Plan of the General Plan, or any other adopted by the Chattanooga-Hamilton County Regional Planning Commission.
- 664.9 STREET, SPLIT: A street, designed to lessen road cross grades and lot grades, that has two one-way or street segments with a median that is a part of the right-of-way. Split streets shall have a paved turn around of at least 50 feet in diameter at each end of the median to facilitate access to property on the reverse lane of the split street. The developer may be required to install facilities to reduce maintenance and erosion at the discretion of the Governmental Engineer. (See App. 6)

- 670 SUBDIVIDER: Any person who (1) having an interest in land, cause it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop or advertises for sale, lease, or development, any interest, lot parcel site, unit, or plat in a subdivision, or who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease or development a subdivision or any interest, lot parcel site, unit, or plat in a subdivision, and who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing. (See also Applicant and Developer)
- 671 SUBDIVISION: See Article 1, Sections 105.2 and 105.2.1.
- 671.1 SUBDIVISION, ADMINISTRATIVELY APPROVED: See Article 2, Sections 204 and 205.
- 671.2 SUBDIVISION, CORRECTIVE PLAT: See Article 2, Section 206.
- 671.3 SUBDIVISION, MAJOR: Any subdivision in which new streets are to be constructed and dedicated to the public.
- 672 SURVEYOR: A land surveyor properly licensed and registered in the State of Tennessee.
- 673 SURVEYOR/ENGINEER: Any person registered to practice professional engineering in the State of Tennessee and also licensed and registered to practice land surveying in the State of Tennessee.
- 674 UTILITY, PUBLIC: A public utility is a business, organization, or government entity which is regularly supplying the public with some commodity or service to include, but not be limited to, such commodities or services as natural gas, electricity, water, telephone, sewage collection, cable television, etc., which requires the extension of lines, poles, cables, wires, pipes, etc. to individual buildings and which is being regulated for the public convenience and necessity by Federal, State, or local government.
- 675 VALLEY (FLOODWAY) ZONE: See Floodway Zone.
- 676 VARIANCE: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. (See Article 1, Section 111 and 111.1)
- 677 WATERCOURSE UNMAPPED: An unmapped watercourse is any watercourse other than Chickamauga Lake and those watercourses for which 100 year flood elevations have been mapped by the Federal Emergency Management Administration or its successor on Flood Insurance Rate Maps.
- 678 ZONING ORDINANCE: The Zoning Ordinance the Town of Walden as applicable or appropriate.

ARTICLE 7

Enactment and Repeal

ARTICLE 7

ENACTMENT AND REPEAL

701 ENACTMENT, EFFECTIVE DATE

These regulations shall become effective from and after the date of its approval and adoption by the Chattanooga-Hamilton County Regional Planning Commission for the Town of Walden.

702 Henceforth, any other subdivision regulations previously adopted by the Chattanooga-Hamilton County Regional Planning Commission for the Town of Walden shall be deemed to be repealed.

APPENDIX

