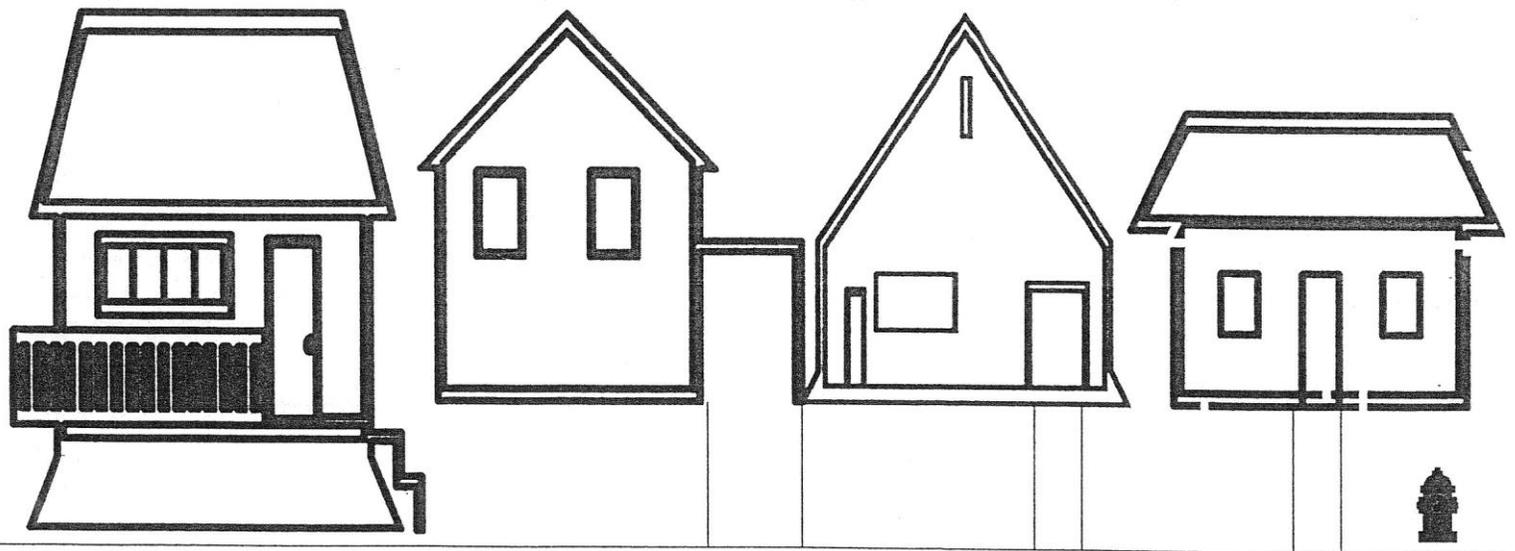


# CITY OF SODDY-DAISY SUBDIVISION REGULATIONS



## **SUBDIVISION REGULATIONS**

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## 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, ordinances, and/or codes in conflict herewith.

### 101.1 SHORT TITLE

These regulations shall be known as the:  
Subdivision Regulations of the City of Soddy-Daisy.

### 102 INTENT OF REGULATIONS

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 Soddy-Daisy for the orderly, planned, efficient, and economical development of the local government.

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

The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the General Plan, and the capital budget and program of 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

These regulations are adopted to provide for the harmonious development of the City of Soddy-Daisy;

for the coordination of streets within the subdivided land with other existing or planned streets, with the state or regional plan or with the plans of municipalities near the City;

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, water, sewer and other utility mains, piping, connections or other facilities shall be installed or bonded as a condition precedent to the approval of the plat.

104

**AUTHORITY**

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

105

**APPROVING AGENCY**

In accordance with the provisions of TCA Sections 13-4-302 (Public Acts of Tennessee, 1935) as amended, the provisions of these regulations shall be administered by the SODDY-DAISY MUNICIPAL PLANNING COMMISSION and THE CITY MANAGER.

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

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid policy power delegated by the State to the Municipal Planning Commissions in TCA 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.

106

**JURISDICTION**

These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the limits of the City of Soddy-Daisy.

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

These regulations shall not apply to: [TCA 13-4-301 through 13-4-309]

- (a) Any subdivision, the plat of which has been recorded prior to April 1, 1995, 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

107 **INTERPRETATION CONFLICT AND SEPARABILITY**

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

108 **CONFLICT WITH PUBLIC AND PRIVATE PROVISIONS**

108.1 **PUBLIC PROVISIONS**

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

108.2 **PRIVATE PROVISIONS**

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

108.3 **SEPARABILITY**

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such

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

108.4 **SAVING PROVISION**

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

108.5 **ENFORCEMENT, VIOLATION, AND PENALTIES**

No plat of a subdivision of land lying within the limits of the City of Soddy-Daisy 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 [TCA 13-4-302]

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

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

No changes, erasures, modifications, or revisions shall be made on any plat of a subdivision after the plat has been endorsed by the Secretary of the Planning Commission,

Whoever, being the owner or agent of the owner of any land, transfers, sells, agrees to sell or negotiates to sell such land by reference to, exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the Municipal Planning Commission and obtained its approval as required by this chapter and before such plat be recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The municipality, through its solicitor or other official designated by its chief legislative body may enjoin such transfer, sale or agreement by action for injunction, [TCA 13-4-306].

108.6      **AMENDMENTS**

These regulations may be amended by the Soddy-Daisy Municipal 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 the City of Soddy—Daisy [TCA 13-4-303]

108.7      **FEES FOR PROCESSING PLATS**

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

109        **APPLICATION FOR VARIANCES\***

The developer, surveyor or surveyor/ engineer who wishes to request a variance from the requirements of these subdivision regulations shall submit a letter to the Soddy-Daisy Municipal Planning Commission with his/her 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.

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\*        The Planning Commission realizes that it cannot write regulations that would cover every conceivable circumstance that could arise in the development of a subdivision. There is 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.

109.1

**PLANNING COMMISSION ACTION ON VARIANCE REQUESTS**

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

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

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

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

110

**APPEAL\***

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.

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\* 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**

200      **GENERAL PRINCIPLES (Amended 10/14/20).**

Any person desiring to subdivide any lot, tract, or parcel of land, or to change, rearrange any line dividing two or more lots, tracts or parcels of land within the corporate limits of the City of Soddy-Daisy shall comply with the procedures established in these regulations; except for those cases exempted in Art. 1 , Section 106.

201      **MINOR SUBDIVISIONS (Amended 9/14/2022)**

For divisions of land into no more than five (5) lots and not requiring the construction or installation of new streets, utilities, or other improvements, approval may be endorsed in writing on the plat by the Secretary of the Planning Commission, without the approval of the Planning Commission, provided that upon review and certification by the Planning Staff of the Planning Commission that the subdivision complies with the Subdivision Regulations. Plats should be submitted to City Hall and the Staff Planner for review. The Minor Subdivision Certification will be endorsed by the City Hall to ensure that the plat has been reviewed by the Staff Planner and City Departments. The Certificate will read as follows:

Minor Subdivision Certificate

I hereby certify that the subdivision plat shown hereon includes no more than five (5) lots, has been reviewed by the Staff Planner, has been found to comply with the City of Soddy-Daisy Subdivision Regulations and no variances from the Subdivision Regulations or no improvements are required.

\_\_\_\_\_

Date

\_\_\_\_\_

Building Inspector or Designee

The developer, surveyor or surveyor/engineer shall submit the required number of final plats to the Planning Commission staff in accordance with the with the procedure set forth in Section 206.3.

202      **MAJOR SUBDIVISIONS**

202.1      **STANDARD PROCEDURE**

The developer, surveyor or surveyor/engineer shall submit the required number of preliminary plats and final plats to the Planning Commission staff in accordance with the procedure set forth in Section 206.3. (Amended 3/10/10)

202.2 **SPECIAL PROCEDURE**

In special situations the developer, surveyor or surveyor/engineer may elect to submit the preliminary plat and the final plat simultaneously. The two plats may be approved simultaneously if the Health Department, the Public Works Director, 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.

202.3 **PLANNING COMMISSION ACTION**

The Planning Commission will act to approve, deny, defer or conditionally approve the preliminary and final plats.

The Planning Commission cannot defer action on a subdivision unless the developer has agreed to such a deferral in writing. [TCA 13-4-304)

203 **EFFECT OF APPROVAL OF THE PRELIMINARY PLAT**

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

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

204 **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.

205 **SPECIAL REQUIREMENTS**

205.1 **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 Public Works Director, City Manager or Planning Commission may require that the new streets in the subdivision be rough graded.

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

See Article 4, Section 405, Road and Sewer Profile Requirements.

205.2 **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.

205.3 **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.

206 **PLATS**

206.1 **PURPOSE**

To facilitate the recording of plats as required by law.

206.2 **QUALIFICATIONS FOR PLAT**

Subdivision of property as defined in Article 1 , Section 106 may consist of one or more of the following:

Minor shifting of lot lines.

The addition or changing of easements.

Changes in notations on the original recorded plat.

Any other changes which will increase the number of lots or their suitability for development.

206.3

### **PLAT PROCEDURE**

Two (2) copies are submitted to the Planning Commission Staff and one (1) copy to the Regional Planning Agency. The deadline for submittal is the second Wednesday of the month of the meeting scheduled for the second Wednesday of the following month. If the second Wednesday of the month falls on a holiday, the deadline is the next working day.

The staff reviews the plat and if there are amendments, a copy marked with required changes is returned to the developer, surveyor or appropriate person. The amended plat is then resubmitted by noon on the Friday prior to the second Wednesday of the month.

All preliminary and final subdivision plats requiring new road construction and/or containing 5 lots or more shall be submitted to the Planning Commission for review on the second Wednesday of the month. Upon completion of the checklist the plat will be returned to the surveyor for amendments. After the checklist items have been addressed the amended plat will be resubmitted to the Planning Commission for review no later than Friday prior to its regularly scheduled meeting. The plat will be under review for a minimum of 30 days. At the end of the review period, it will be placed on the next regularly scheduled meeting agenda for action by the Planning Commission. (Amended 3/10/10)

206.4

### **PLAT REQUIREMENTS**

The following are the minimum requirements for a corrective plat:  
Subdivision name that reflects the change, (e.g., Re-subdivision of Lots 23 through 29 and Lots 43 and 44, Harbor Landing).

Purpose statement that tells the 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).

Vicinity Map

Certification of Ownership, address (es) and signature(s) of all property owners involved.

Certification of Accuracy of Survey, seal, address and signature of plat surveyor.

Plat Labeled Corrective Plat

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 numbers in which the property is recorded.

Dimensions, bearings, error of boundary closure, curve functions, source of water supply, utility easements , drainage easements, lot numbers, etc. if applicable.

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.

Deed book and page number of the property subdivided.

Graphic Scale, North Point, Date

207 **"CRONAFLEX" COPY OF THE FINAL PLAT OR CORRECTIVE PLAT**

207.1 **REQUIREMENT FOR SUBMITTAL**

All plats must have a "Cronaflex" copy and five (5) black line copies submitted to the Planning Commission Staff.

No other kind of copy will be recorded.

207.2 **TIME OF SUBMITTAL**

The "Cronaflex" copy of the final plat for a Major Subdivision must be submitted before the Planning Commission will approve the final plat. See Article 2, Section 202.1 for submittal deadline.

207.3 **PROCEDURE**

The Planning Commission Staff reviews the "Cronaflex ca copy and five (5) black line copies and stamps them.

The "Cronaflex" copy and black line copies are circulated for signatures by the Health Department and/or Hamilton County Water and Wastewater Treatment Authority (WWTA) if necessary, and the Planning Commission Secretary.

Before the Planning Commission Secretary or his/her designated representative can sign the "Cronaflex" and black line copies they shall determine that the improvements have been installed and accepted in accordance with the final plat and with the standards of the City of Soddy-Daisy; or that a performance bond has been posted with the City of Soddy-Daisy.

If all of the lots are served by existing, functioning public sanitary sewers or public sanitary sewers are to be installed or bonded by the developer before the plat is recorded, the Health Department does not sign the "Cronaflex" , but the Hamilton County Water and Wastewater Treatment Authority (WWTa) is required to sign. If the parcels are served by an on-site septic system, the Health Department must sign the "Cronaflex" before it can be approved and recorded, If the Health Department must sign the "Cronaflex" then, before the Health Department can sign the "Cronaflex" the Health Department 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.

The "Cronaflex" copy and black line copies are signed by the Secretary of the Planning Commission.

Before the Secretary of the Planning Commission can sign the "Cronaflex", the Secretary shall determine that the "Cronaflex" has been duly signed by the appropriate Health Officer(s) , if necessary.

The required number of paper copies is five (5).

Two of the paper copies are retained by the Planning Commission Staff. The "Cronaflex" copy and the remaining paper copies are taken to the Hamilton County Register's Office and recorded.

208

### **PERFORMANCE BONDS**

If all the improvements have not been installed or completed and the developer wishes to record the cronaflex, the City Manager or Public Works Director at his/her 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 Public Works Director in an amount as determined by the Public Works Director 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 Public Works Director 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 the Public Works Director as to amount, surety and conditions satisfactory to the City Manager and Public Works Director or the 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/are accepted and when the other construction, installation and dedication is completed.

209

### **INSPECTION**

The Public Works Director, or his designated representative, may provide for the inspection of roads, drainage structures, drainage ways or easements, etc., to ascertain proper completion and construction of all improvements in accordance with the plat and these regulations. This provision or any other provision in these regulations for inspection of any premises or property by representatives of the City does not create in the City a duty to any person or entity to properly perform such inspection. **THE CITY ASSUMES NO LIABILITY FOR THE PERFORMANCE OR ABSENCE OF ANY INSPECTION.**

The Public Works Director 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 may be placed on the work to keep the Public Works Director informed as to the progress of construction and the manner in which it is being done; also to call to the attention of the contractor any infringement upon the plans and specifications.

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

The Contractor may request instructions from the Public Works Director upon any important items which lie within the inspectors' jurisdiction.

Where, in the opinion of the Public Works Director, 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 of Testing Materials. The Contractor shall provide such facilities as the Public Works Director may require for collecting and forwarding samples and shall not use the materials represented by the samples until tests have been made. The Contractor, in all cases, shall furnish the required samples without charge.

The Contractor shall furnish the Public Works Director 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 Public Works Director, the Contractor shall at any time before acceptance of 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 Public Works Director (Inspector) may be ordered removed and replaced at the Contractor's expense. The Public Works Director or his/her designee shall inspect the work of the contractor as soon as practical after notice (written notice preferred) to the Public Works Director.

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 contractor's risk and, at the Public Works Director'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 Public Works Director, the Public Works Director shall, after giving written notice to the contractor, have the authority to reject the work.

The Public Works Director shall make or cause to have made final inspection of all work in the subdivision 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 Public Works Director at the time of final inspection, he/she shall inform the contractor as to the particular defects to be remedied before final acceptance can be made. The subdivision shall be seventy-five percent (75%) built out in order to receive final inspection and acceptance of roads by the City.  
(Amended 11/11/09)

## 210 **EFFECT OF APPROVAL AND RECORDING OF FINAL PLATS**

Final approval, signing of the "Cronaflex", and recording of the plat in the Registrar's Office shall not be an acceptance by the public or governmental jurisdiction of the offer of dedication of any street, or other public way, or open space upon the Final Plat. [T.C.A. 13-4-305]

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, subject to existing zoning and subdivision regulations

ARTICLE 3

**DESIGN STANDARDS**

301        **GENERAL PRINCIPLES**

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, Bites of historical significance, and other assets which, if preserved, will add attractiveness and value to the subdivision and community.

302        **PUBLIC STREET**

302.1     **STREET CONSTRUCTION**

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

302.2     **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 roadbed. 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, sewage, 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.

302.3

**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 Public Works Director.

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 Public Works Director 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 Public Works Director. The subgrade shall be compacted to 95% standard proctor to conform with the accepted cross section and grade.

302.4

**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.

302.5

**BASE**

Before the base operation is begun, the Public Works Director 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 33 p (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, sheep-foot roller, or other similar compacting equipment. The minimum thickness shall be 6" compacted, where, in the opinion of the Public Works Director, the subgrade is sufficient to use this amount. If specified by the Public Works Director, more crushed stone shall be required.

Weight tickets (asphalt, rock, etc.) shall be furnished to the Public Works Director. The crushed stone shall be placed with approved spreader box or approved method at the discretion of the Public Works Director. 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.

302.6

**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 alternates are as follows :

TYPE AND GRADE	APPLICATION TEMPERATURE
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 Public Works Director.

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

If RT-1 and 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 Public Works Director 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. A steel wheel roller shall roll the aggregate into the prime material. Seasonal limitations on prime are from December 1 to March 1.

302.7

**SURFACE**

A minimum two inch (2") thick asphaltic concrete surface course shall be applied over the prime.

The asphalt and mineral aggregate for this item shall conform to the Tennessee Department of Highways Specification, Item 411 E, Traffic Bound Surface Course.

302.8 **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 Public Works Director.

303 **STREET CLASSIFICATION, RIGHT-OF-WAY WIDTHS AND PAVEMENT WIDTH**

303.1 **CLASSIFICATION**

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

303 .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.

303.3 **PAVEMENT WIDTH**

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

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

<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 foot median/turn lane)
Minor Arterials	80'	58' (two 22 foot roadways with four lanes of 11 feet each with a 14 foot 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. 600 (app. A-1)	Varies (60' min.)	18' each level

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

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

304 **CUL-DE-SACS**

304.1 **CUL-DE-SAC TURNAROUNDS (See App. 6)**

Cul-de-sac turnarounds shall be designated 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 307.7)	60'	50'
Short cul-de-sac	40'	30'

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

	Maximum radius for planted median, in ft.	Pavement width on all sides of median in feet	Width of ROW beyond pavement in feet	ROW radius in ft.
Regular cul-de-sacs	20'	20'	10'	50'
Cul-de-sacs where school buses must turn around (307.7)	22'	28'	10'	60'

\*\*The developer may be required to install facilities to reduce maintenance, at the discretion of the Public Works Director or City Manager.

If a cul-de-sac is of a temporary nature and a further extension into adjacent land (owned by the developer) is planned, then the roadway of the turnaround outside of the normal paving width may be gravel, and the property in the turnaround right-of-way outside of the normal right-of-way width shall be a temporary dedication to 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 turn around 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).

304.2

**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 Public Works Director or City Manager permits a narrower right-of-way.

If the subdivision is located on both sides of the existing street, fifty feet (50' ) 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 Public Works Director.

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

If the subdivision is located on only one side of an existing street, twenty-five feet (25') 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 developer of the subdivision will be accommodated to the satisfaction of the Public Works Director.

304.3

**ACCEPTANCE OF STREETS**

Newly constructed streets can be submitted to the City Commission for acceptance by ordinance as dedicated City streets only upon completion of all of the following:

- 1) The developer is responsible for all street maintenance and street signs for a minimum of 2 years after the subdivision is 75% built out (complete)
- 2) All streets, drainage, utilities, etc. must be completed and inspected by the Public Works Director (Inspector)
- 3) Final plat recorded at Hamilton County Register's Office (Amended 11/11/09)

305

**STREET EXTENSIONS**

305.1

**EXTENSION 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.

305.2 **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.

305.3 **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.

306 **CURVES AND SIGHT DISTANCES**

306.1 **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 feet (700'); on collector streets, not less than three hundred feet (300'); and on local and short cul-de-sac streets, not less than one hundred feet (100').

306.2 **VERTICAL CURVES**

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

307 **STREET INTERSECTIONS**

307.1 **ANGLE OF INTERSECTION**

The center line of all streets shall intersect at as nearly a ninety-degree (90°) angle as possible, but the angle of intersection shall not be less than seventy-five degrees (75°) nor greater than one hundred five degrees (105°), unless approved by the Planning Commission in accordance with the recommendation of the Public Works Director.

307.2 **CENTER LINE OFFSET TO ADJACENT INTERSECTION**

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 center lines shall be aligned (four-way intersections) or offset up to ten feet (10') or more than one hundred twenty-five feet (125').

307.3 **CORNER RADII**

Curb radii at street intersections shall not be less than fifteen feet (15'). Right-of-way radii at street intersections shall not be less than twenty-five feet (25'). If, because of exceptional conditions, a modification is granted permitting an angle of intersection, less or greater than the standards of Section 307.1, then the minimum radii shall be increased or decreased to afford good design and safety.

307.4 **GRADES APPROACHING INTERSECTIONS**

Street grades approaching intersections shall not exceed four percent (4%) 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'

307.5 **Sight Distance at Intersections**

In general, sight distances of less than two hundred feet (200') shall not be granted at any street intersection including street intersections in the subdivision and the intersection of a subdivision street with any existing street.

307.6 **Street Grades**

In general, roads shall be planned to conform to existing topographic conditions. Grades on major roads shall not exceed twelve percent (12%). Grades on other roads may exceed twelve percent (12%) for a distance up to four hundred feet (400'); but not over fifteen percent (15%). In extreme topographic conditions, grades above fifteen percent (15%) may be allowed by the Planning Commission and the Public Works Director 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 109.

307.7 **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

feet (1,300') 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) turnarounds designed for school buses at "midpoints" in long cul-de-sacs, or
- (c) cul-de-sac turnarounds designed for school buses (See Section 307.7)

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\*State law requires that school buses must come within 1/4 mile (1,320') 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 1 300 feet from any residence, The turnaround can be at the end of the cul-de-sac or at some point not more than 1,300 feet from the end.

308 **STREET NAMES**

308.1 **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.

308.2 **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, Lane, Way, Drive, Court, Avenue, or Street) any existing or platted street name in Soddy-Daisy.

308.3 **Approval of Street Names**

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

308.4 **Street Signs**

Street and name signs must be of a type approved by the City Manager or Public Works Director. Signs shall be installed by the developer.

309 **CURBS**

309.1 (Deleted August 13, 2008)

309.2 **Concrete Curbs**

Concrete curbs are required. If concrete curbs with gutters are to be installed, they shall be constructed in accordance with the specifications in Appendix 3.  
(Amended 8/13/2008)

309.3 **Back Fill**

The developer shall have back fill on both sides of the street to the top of the curb. The homebuilder shall be responsible for repair of any damage of streets, roads, gutters, curbs, and drainage easements to the satisfaction of the Public Works Director when the damage was caused during construction of the building.

309.4 **Sidewalks and Pedestrian Ways**

In residential and non-residential subdivision, 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:

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

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

310. **REQUIRED ACCESS FOR ALL LOTS**

310.1 **Required Access for Residential Lots**

All residential lots in the City of Soddy-Daisy must have frontage on an existing city or accepted and publicly maintained street or road. Lots whose only access is a private road or easement are not permitted.

310.2 **Required Access for Non-Residential Lots**

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

311. **REQUIRED FRONTAGE, DEPTH AND AREA FOR ALL LOTS**

311.1 **Lot Frontage for All Lots**

Lots for parcels to be used for residential development in the R-1 Single Family

Residential, R-2 Urban Residential, and R-2A Rural Residential Districts shall conform to a minimum road frontage of fifty feet (50') on a publicly dedicated city street when such dwellings are connected to public water and sanitary sewers.

Lots for parcels to be used for residential development in the R-1 Single Family, R-2 Urban Residential, and R-2A Rural Residential Districts shall conform to a minimum road frontage of sixty-five feet (65') on a publicly dedicated city street when such dwellings are connected to public water and septic tanks.

All other lots shall conform to a minimum of seventy-five feet (75') lot frontage on a publicly dedicated city street except as listed. (2015-16 Amendment 1, 3/9/16)

Lot frontage on cul-de-sac turnarounds may be less than the lot frontage required above, but not less than fifty feet (50'), provided that the lot has the required minimum lot frontage at (1) the rear of the required front yard, or (2) the building setback line as shown on the plat, or (3) in the case of a flag lot, the narrowest part not in that part that extends to the street.

The minimum lot frontage for a residential flag lot shall not be less than twenty-five feet (25'), except the Planning Commission may require the lot frontage on a street to be increased if the lot being created has the capacity for further subdivision.

The City Manager, Building Inspector or Planning Commission may require that residential corner lots have extra width. Additional width shall permit the establishment of a building line at the minimum distance from the side street as specified by the Zoning Ordinance.

311.2 **Lot Depth for All Lots (Deleted 2015-16 Amendment 1, 3/9/16)**

311.3 Lot Area for All Lots

The minimum lot area for all lots shall be:

- A. For single family residential lots served by a public water supply and sanitary sewer zoned R-1 Single Family Residential, R-2 Urban Residential and R-2A Rural Residential Districts . . . 5,000 sq. ft.

For all other single family residential lots served by a public water supply and sanitary sewer.... 7,500 sq. ft.  
(2015-16 Amendment 1, 3/9/16)

- B. For two-family residential lots served by a public water supply and sanitary sewer . . . . . 9,500 sq. ft.

- C. For lots served by a public water supply and individual septic tanks:  
13,500 sq. ft.
- D. For lots served by individual wells and individual septic tanks . . . . 25,000  
sq. ft.

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

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-foot (5') 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 a soil survey) shall not be included in the minimum lot areas. This regulation may be varied by the Chattanooga-Hamilton County Groundwater Protection.

311.4 **Soil Analysis**

For lots utilizing individual septic tanks, the final plat shall include hatched areas delineating field line exclusion areas, and the date and source of the independent soil analysis conducted in order to calculate the suitability of the land.

312 **MISCELLANEOUS LOT REQUIREMENTS**

312.1 **Lot Lines**

Generally, side lot lines should be straight and perpendicular to the street or radial to street curves or the center of the cul-de-sac turnarounds. Side lot lines may be at an angle to the street (more nearly parallel to the contour lines on steep land) to reduce driveway and lot grades.

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

Corner radii at street intersections shall be twenty-five feet (25'), unless shown on the plate

312.2 **Flag Lots**

Flag lots may be allowed by the Planning Commission in accordance with Section 311.1.

312.3 **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 Ordinance or as required by the Planning Commission and shall be shown and labeled on the lots on the plat.

312.4 **Lots divided by county or state lines**

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

312.5 **Reserve Strips and Remnants Prohibited**

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

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

313 **MONUMENTATION**

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

All iron pins shall be permanently installed prior to the signing of the Cronaflex by the 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 City in an amount sufficient to ensure that the monuments and pins can be installed.

314 **DRAINAGE**

314.1 **Responsibility of the Public Works Director**

The Public Works Director will determine if a subdivision meets the drainage provisions of these regulations

314.2 **General**

The design of the storm water drainage system of 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 Public Works Director or by specified improvements to downstream off-site drainage ways, easements, or structures.

314.3 **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.

314.4 **Design and Construction**

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 Public Works Director, shall be used to determine tile (pipe) sizes. A " five-year storm" shall be used with the above. See Appendix 4. The Public Works Director shall be consulted before any drains are installed to insure they will conform to the formula as to proper size. 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 four inches (4") below the grade and replaced with crushed rock or other suitable material approved by the Public Works Director.

In no case shall a cross drain be less than fifteen inches (15") 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.

All cross drains shall have concrete headwalls. Wingwalls of a corresponding design shall be provided as needed and directed by the Public Works Director.

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.

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%

Swales or ditch lines paralleling the roadway shall be graded a minimum of one percent (1%) where possible. In no case will grades of less than one-half percent (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 Bide drains under driveways.

If a drainage pipe is under three feet (3') in diameter, located in the ditch line, and more than fifty feet (50') long, concrete or solid masonry catch basins with a six inch (6") minimum wall thickness may be required at intervals of fifty feet (50') except a greater run may be approved by the Public Works Director. The design of these catch basins shall be approved by the Public Works Director.

Where drainage structures with storm water flows in excess of the capacity of a forty-two inch (42") diameter concrete pipe or equivalent, as determined by Section 314.4, are to be placed, these facilities shall be designed and the plat stamped by a registered civil engineer licensed to practice in the State of Tennessee.

The minimum pipe structural requirement shall be a Class 3 reinforced concrete pipe (RCP) as per American Society of Testing Materials (ASTM) Code C-76.

#### 314.5 **Storm Drainage in Streets**

All streets shall be provided with an adequate storm drainage system, which shall service 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 covered ditches, pipes, culverts, intersectional drains, drop inlets, catch basins, bridges, headwalls, etc., to permit the proper drainage of all surface water. This system shall be used for storm drainage only. Catch basins are to be installed per Section 314.8. Where there are long grades on the street, catch basins and relief pipes shall be placed. The maximum interval for relief pipes shall be one hundred fifty feet (150') unless the Public Works Director determines that a longer interval is consistent with accepted engineering practices. If he deems necessary, the Public Works Director 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 this is deemed unnecessary by the Public Works Director. (Amended 11/11/09)

#### 314.6 **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.

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.

The developer shall protect all drainage ways from erosion and sedimentation. Swales shall be seeded or sodded. The Public Works Director 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 percent (1 or more than six percent (6%)) shall be lined with rock and mortar, concrete or equal unless this is deemed necessary by the Public Works Director.

314.7 **Materials Specifications**

Material specifications for all drainage projects shall be in compliance with the specifications of the Public Works Director.

314.8 **Catch Basin Specifications**

(Amended 11/11/2009)

(See page 31.2 - 31.19)

Insert Images

315            **EASEMENTS**

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

315.1        **Drainage Easements**

A five-foot (5) 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-foot (10') drainage easement shall be reserved along the lot lines that are the exterior boundaries of the subdivision plat.

In the event that two (2) or more lots are combined or used as one (1) lot, the drainage easements adjacent to the interior lot line(s) are considered to be eliminated, unless the drainage easement is shown on the plat.

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

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

315.2        **Other Easements**

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

316            **EROSION AND SEDIMENTATION CONTROL**

Reserved.

317            **SANITARY SEWAGE DISPOSAL SYSTEMS**

317.1        **Jurisdiction with Public Sewer Systems**

Where an adequately sized sanitary sewer is on the site, 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 Public Works Director. This requirement may not apply, at the discretion of the City Manager or Public Works Director where all the lots are greater than five (5) acres in size.

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 Chattanooga—Hamilton County Health Department and subject to the approval of the Health Department 0
- (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 supersede any other local regulations pertaining to the design, financing or installation of sewers, nor do they supersede any regulations pertaining to the payments of fees to the local governments to pay for the installation of sewers.

317.2 **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 Chattanooga-Hamilton County Health Department and subject to the approval of the Health Department.

318 **WATER FACILITIES**

318.1 **Public Water Supply**

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 (6") in diameter unless a smaller line is approved by the Division of Water Management, Tennessee Department of Health and Environment, and the City Manager.

318.2 **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 Chattanooga Hamilton County Health Department. Wells are to be located uphill and at least fifty feet (50') from any septic disposal system and sewer lines.

319 **Fire Hydrants**

319.1 **Required Fire Hydrant Locations (2006-07 Amendment No. 1)**

- (a) All fire hydrants shall be designed with a 5.25" barrel, with two (2) 2.5" outlets and pumper outlet that meets the local utilities standard with chains, chrome yellow in color per NFPS specifications or Municipal Systems. Reference: Tennessee Safe Drinking Water Act effective January 1, 2006.
- (b) The developer shall provide a letter from the utility having jurisdiction that the water system has had a hydraulic flow calculation performed that meets the utilities requirements before final plat approval.
- (c) Fire hydrant locations shall be determined by the fire department on all subdivision plats and site plans submitted for review and shall reflect any existing hydrants that are to be utilized when they are sent in for review. Any deviation from the determined locations shall be reviewed and approved by the Fire Chief of the Soddy-Daisy Fire Department. Standard fire hydrant spacing shall not exceed 1,000 feet. In the event the spacing interferes with an intersection, the fire chief can require the spacing to be less or at the intersection.
- (d) Fire hydrants shall be a minimum of eighteen inches (18") high from the finished grade to the center of the hydrant caps. Existing hydrants that are used shall be made by the developer to comply with the standards to meet the height, opening sizes and color code requirements.
- (e) The Fire Chief of the Soddy-Daisy Fire Department shall inspect each fire hydrant to ensure that it meets the standards set forth by the City of Soddy-Daisy and the local utility district.

320 **FLOOD HAZARDS**

320.1 **Flood Requirements**

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

320.1 **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.

320.3 **Minimum Street Elevations**

The Planning Commission, City Manager or Public Works Director may require that all streets be at an elevation which is not lower than the base flood elevation (100-year flood elevation).

320.4 **Setback and Elevation Requirement on Unmapped Watercourses**

Due to the potential flood hazard on property adjacent to an unmapped watercourse draining three hundred (300) acres or more above the property under construction, the Planning Commission may require that each unmapped watercourse draining three hundred (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 calculations. 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 elevation 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 three hundred (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 \_\_\_\_\_ P.E. \_\_\_\_\_

## ARTICLE 4

### PRELIMINARY PLAT REQUIREMENTS

#### 401      SPECIFICATIONS FOR AND CONTENT OF THE PRELIMINARY PLAT

The subdivider, surveyor or surveyor/ engineer shall submit to the Planning Commission copies of the Preliminary Plat drawn to a minimum scale of one inch equals one hundred feet (1"=100'), which shall contain the following information:

Proposed name of the subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in Soddy-Daisy or any PUD in Soddy-Daisy Plat labeled "Preliminary Plat".

The full name and mailing address with zip code (telephone number requested) of the owner(s) and/or developer(s).

The name and mailing address with zip code and telephone number of the person, firm, or organization preparing the Preliminary Plat

North point, and scale.

A vicinity map, showing the following features, if applicable, within an area large enough to locate the subdivision:

Outline of proposed subdivision and north point.

Location and name of all principal roads, streets, railroads, water courses, etc.

State, county, or municipal boundaries shown and labeled.

Name and/or 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.

The boundary line of the proposed subdivision drawn to scale and showing all bearings and distances, including existing road curve functions and dimensional data.

- 401.1      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.

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, shown the owner's name.

Show the location, widths, and names of all existing, proposed or recorded streets, public or access easements, etc., intersecting or paralleling the subdivision on or adjacent to the subdivision.

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

Show the station numbers for all proposed streets. Station numbers shall begin at a known existing and reproducible street centerline.

Split Road Cross Sections. A typical cross section of all split roads in the subdivision shall be shown on the preliminary plat, if applicable.

402

### **Drainage**

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.

Show size, location, number of acres drained and direction of water flow in tiles (pipes) in and adjacent to the subdivision (See Article 3, Section 31404 for determination of pipe size. ).

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

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

403

### **Utilities**

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 feet (50') of the boundaries of the subdivision.

Show the location of all existing fire hydrants in and within five hundred feet (500') of the subdivision.

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.

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

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.

Natural contours at five-foot (5') intervals or less (sea level elevations only). The plat designer shall field check for accuracy of the contour lines if he/she has obtained the information from sources other than his/her own.

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.

Municipal, county, state boundaries, water courses, railroads, etc., in or adjacent to the subdivision.

404

**STATEMENTS TO BE INCLUDED ON THE PLAT**

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

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.

Number of acres subdivided.

404.1

**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 ensure 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 \_\_\_\_\_."

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

"No building permit is to be issued for a residential, commercial, or industrial building on the Community Lot.

Lot to be used for recreational purposes only.

Maintenance to be assumed by the developer until lot is deeded to homeowners in the subdivision, or to a homeowners association, "

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.)

Special notations and information, if required.

405

**INFORMATION REQUIRED IN ADDITION TO THE PRELIMINARY PLAT**

405.1

**Road Profiles**

Two (2) 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.

405.2

**Sanitary Sewer Profiles, if required.**

Two (2) 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) goes through an adjacent owner's property, include one of the following:

- (a) 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 the information required, or
- (b) 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.

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.

405,3

**Requests for Variances**

Requests for variances shall be submitted in writing with the submittal of the preliminary plat, in accordance with Article 1, Section 111.

405,4

**House Locations and Building Setback Lines**

Suggested house locations and building setback lines may be required by the Health Department and should be shown on the plate. 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".

405.5

**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

501

#### SPECIFICATIONS FOR AND CONTENT OF THE FINAL PLAT

The developer or his/her representative shall submit to the Current Planning and Operations Division, copies of the Final Plate 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 on Appendix A-5.

The Final Plat shall be drafted so that good, clear, legible prints, copies, or negatives can be made, The Planning Commission may refuse to accept any plat that it deems illegible.

The Final Plat shall include the following information:

Proposed name of the subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in Soddy-Daisy, or any PUD in Soddy-Daisy. The most recent recorded deed book number and page number for each deed constituting part of the property being platted. Plat labeled "Final Plat".

The full name and mailing address, with zip code, (telephone number requested) of the owner(s) and/or developer(s) of record.

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 42" diameter concrete pipe or equivalent, as determined by Section 314.4, 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.

The date of plat preparation and revisions, north point, and scale-both written and graphic.

A vicinity map showing the following features, if applicable, within an area large enough to locate the subdivision:

Outline of proposed subdivision and north point (oriented consistent with the north point of the plat, preferably pointing to the top of the plat).

Location and name of all principal roads, streets, railroads, water courses, etc. State, county or municipal boundaries, shown and labeled.

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.

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.

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 unite. The use of lot numbers by block in which lot numbers are repeated in each block is prohibited.

Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every lot line and boundary line, whether curved or straight. This shall include the radius, central angle (delta), length of curve, and tangent distance for the curved property lines, The point of curvature and the point of tangency of all curves on all right-of-way lines shall be located by distance to the nearest lot corner Chord bearings and dimensions may be used for irregular lines, such as creeks, shorelines, etc.

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.

Show location of any boundary monument benchmark for major subdivisions.

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 adjoining properties, show the owner's name and deed book and page number.

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.

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

Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every street liner whether curved or straight. This shall include the radius, central angler (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.

502

**Drainage**

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

Show size, location, number of acres drained, and direction of water flow in tiles (pipes) in the subdivision (See Section 314.4 for determination of pipe size).

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

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

503

**Utilities**

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

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 feet (15') of the subdivision.

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.

Contour line or limit of 100-year flood and/or Floodway District (Valley Zone), each labeled, if applicable.

Municipal, county, state boundaries, water courses, railroads, etc., on and adjacent to the subdivision.

The boundaries of all property (including access to said property) which is to be dedicated for public use, with the purpose indicated thereon.

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.

504

**STATEMENTS TO BE INCLUDED ON THE PLAT**

Present zoning of tract.

Source of water supply and the size and location of existing and proposed water line.

Plat labeled, "Final Plat".

Number of acres subdivided.

**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. "

**Dedication of Land, if applicable:**

Add to the above: "...and dedicate the lots so specified on the plat to (governmental jurisdiction) ".

"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)

Special setbacks, if applicable.

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

**Engineer's Statement of Design--on plat, if applicable**

"I, hereby, certify that I have designed all drainage structures, with storm water 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)

**Certification of Survey**

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

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

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

"This plat resubdivides deeds \_\_\_\_\_R.O.H.C."

"This subdivision has been developed according to the design standards of the Subdivision Regulations of the City of Soddy-Daisy.

504.1 Special notations and information, if required.

505 **INFORMATION REQUIRED IN ADDITION TO THE FINAL PLAT FOR MAJOR SUBDIVISIONS**

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.

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.

New streets graded or staked as required by Section 203.

505. 1 **Requests for Variances**

Requests for variances, if applicable, shall be submitted in writing with the submittal of the Final Plat, in accordance with Article 1, Section 111, unless the variance was granted in the approval of the preliminary plat.

505.2

**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 Chattanooga-Hamilton County 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 from the Chattanooga-Hamilton County Health Department. "

## ARTICLE 6

### **DEFINITIONS**

601

#### **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".

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

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

**BASE FLOOD:** The flood having a one percent (1%) chance of being equal led or exceeded in any given year—commonly referred to as the "100-year flood". (See also, "High Water Stage")

**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 Building Inspector and/or Public Works Director 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).

**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.

**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.

**CITY MANAGER:** A person appointed by the governing body to be the chief administrative official of the city or town or his/her designated representative. In some cases, this official is referred to as the "City Administrator".

**COLLECTOR STREET:** See Street, Collector.

**CORRECTIVE PLAT:** A plat used to record minor changes to a recorded plat. (See Article 2, Section 205)

**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 206)

**CUL-DE-SAC STREET:** A local street with one ( 1) end open to traffic and the other end terminating in a vehicular turnaround. (See Appendix 6)

**CUL-DE-SAC, SHORT:** A cul-de-sac street which provides access to ten (10) or less lots provided the road is not an extension of a road with a wider right-of-way and the street cannot be extended due to topographic barriers. (See Appendix 6)

**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.

**DEED RESTRICTIONS:** A private covenant among the residents of a subdivision or development limiting the use or conditions within the subdivision or development.

**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 hereunder for himself or for another.

**EASEMENT:** Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his/her property.

**EASEMENT, DRAINAGE :** A perpetual, unobstructed easement across property reserved to carry surface water drainage along specified routes to natural water courses, Drainage easements shall not be filled or built upon in any way that will impede the flow of surface water.

**EASEMENT, OVERHEAD POWER AND COMMUNICATION:** An easement for the installation, operation, inspection, maintenance, repair or replacement of overhead electric power, telephone, cable tv, and other communication lines, cables, poles, anchors, structures, etc., and the appurtenances thereto belonging.

**EASEMENT, PERMANENT:** A recorded permanent easement which provides access to a publicly accepted municipal or county street. Such permanent easement shall be open to public safety access and utility access.

**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 tv, and other communication lines, cables, poles, anchors, ditches, pipes, duct, structures, manholes, etc. and the appurtenances thereto belonging.

**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.

**ENGINEER:** Any person registered to practice professional engineering in Tennessee by the State Board of Examiners for Architects and Engineers.

**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.

**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.

**FLOOD, 100-YEAR: (Base Flood Elevation)** The flood having a one percent (1%) chance of being equalled 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.

**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.

**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 flag stem which extends to a street.

**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.

**GEOLOGIC SURVEY:** Involves study of the bedrock, regolith, and ground water. Requires a detailed mapping of the rock strata and structural relationships of these units, Also, may include nature and significance of possible metallic and non-metallic mineral deposits.

**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 " .

**GRADE:** The slope of a street, or the ground, specified in percentage ( % ) terms.

**HEALTH DEPARTMENT AND HEALTH OFFICER:** The agency and person designated by the Governing Body to administer the health regulations of the local government and of the State.

**HIGH WATER STAGE (Base flood elevation):** See "Flood — 100 Year " .

**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.

**LOCAL GOVERNMENT:** For the purposes of these regulations the city government of Soddy—Daisy is authorized by law to adopt ordinances.

**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".

**LOCAL STREET:** See Street, Local.

**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.

**LOT MEASUREMENTS:** Lots shall be measure and their dimensions calculated as given.

**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.

**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.

**LOT DEPTH:** The depth of the lot measured along a straight line (B) perpendicular to the street and measured from the street right-of-way to the rear of the lot in accordance with the most applicable of the following conditions: (See Page 55 for examples).

- (a) for rectangular lots; 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 feet (50'); 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 feet (50'), 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 feet (75' ) away from side measured above. ( Note : the lot width must be at least seventy-five feet (75' ) 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.

Insert Images for Lot Depth

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

- (a) for lots served by septic tanks; drainage ways and/or easements and the area separated from the main portion of a lot by a drainage way, or drainage easement.

**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.

**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 degrees (135°).

**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.

**MAJOR STREET PLAN:** See General Plan.

**MAJOR SUBDIVISION:** See Subdivision, Major.

**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.

**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.

**NON-RESIDENTIAL LOT:** A lot intended to be used for purposes other than residential and accessory uses; such as for commercial or industrial development.

**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.

**OFFER OF DEDICATION:** The act of granting land or streets to an entity, such as the government, association, person, etc. The offer of dedication shall not constitute the acceptance of such land or streets by the City, association or person.

**ORDINANCE:** Any legislative action, however denominated, of a local government which has the office of law, including any amendment or repeal of any ordinance.

**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.

**PERFORMANCE BOND:** See Bond and Article 2, Section 207.

**PLANNING COMMISSION:** The Soddy-Daisy Municipal Planning Commission, a planning commission created in accordance with the Tennessee Code Annotated 13-4-301 through 13-4-309 serving the City of Soddy-Daisy. The term "Planning Commission " as used in these regulations, may refer to the Soddy-Daisy Municipal Planning Commission or its staff, as appropriate.

**PLAT:** The map, plan, or drawing on which the developer's plan of a subdivision of property is presented to the Planning Commission for approval and after such approval, to the Register of Hamilton County for recording. "Plat includes plat, plan, plot or replot."

**PLAT DESIGNER:** An individual or firm that surveyed and designed the preliminary plat, final plat, and cronaflex.

**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.

**PUBLIC RIGHT-OF-WAY:** Land owned by a government, but developed and reserved for the public 's use. (See Right-of-Way).

**PUBLIC UTILITY:** See "Utility, Public "

**PUBLIC WORKS DIRECTOR:** A qualified inspector who is designated by the local government to enforce ordinances, rules and regulations as pertaining to

streets, right-of- ways, drainage, etc. and to enforce the Soddy-Daisy Municipal Code, Title 12, Streets and Other Public Ways and Places.

**RESERVE STRIP:** A remnant of land created by the subdivision of contiguous land.

**RESIDENTIAL LOT:** A lot intended to be used for residential and accessory uses.

**RESIDENTIAL SUBDIVISION:** A subdivision intended to be used for residential and accessory uses.

**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 of plan legally recorded prior to the adoption of any regulations controlling subdivisions.

**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.

**R.O.H.C.:** Register's Office of Hamilton County

**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 their written instrument.

**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.

**STAGING:** The development of tracts of land in piecemeal fashion to avoid adhering to a longer subdivision procedure.

**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 c " Street" includes road", "highway" or any other designation of a public right-of-way designed for vehicular movement. (See Section 302.3)

**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.

**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.

**STREET, CUL-DE-SAC:** A local street with one (1) end open to traffic and the other end terminating in a vehicular turnaround. (See Appendix 6 )

**STREET, SHORT CUL-DE-SAC:** (See Cul-de-sac, Short)

**STREET, FREEWAY:** A divided, multi—lane street with full control of access designed to move large volumes of traffic at high speeds.

**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.

**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.

**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.

**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 turnaround of at least forty feet (40') in diameter at each end of the median to facilitate access to property on the reverse lane of the split street. The developer may be required to install facilities to reduce maintenance and erosion at the discretion of the Public Works Director. (See Appendix 6 )

**SUBDIVIDER:** Any person who ( 1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, leases, or develops, or offers to sell, lease or develop or advertises for sale, lease, or development any interest lot parcel site unit or plat in a subdivision, or who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale lease or development a subdivision or any interest, lot parcel site, unit, or plat in a subdivision, and who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing. (See also Applicant, and Developer)

**SUBDIVISION:** See Article 1 , Section 105.2 and 105.2.1.

**SUBDIVISION, CORRECTIVE PLAT:** See Article 2, Section 205.

**SUBDIVISION, MAJOR:** Any subdivision in which new streets are to be constructed and dedicated to the public.

**SURVEYOR:** A land surveyor properly licensed and registered in the State of Tennessee.

**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.

**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.

**VALLEY (FLOODWAY) ZONE:** See Floodway Zone

**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 )

**WATERCOURSE, UNMAPPED:** In all jurisdictions 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.

ZONING ORDINANCE: The Zoning Ordinance of the City of Soddy-Daisy as applicable or appropriate.

ARTICLE 7

**ENACTMENT AND REPEAL**

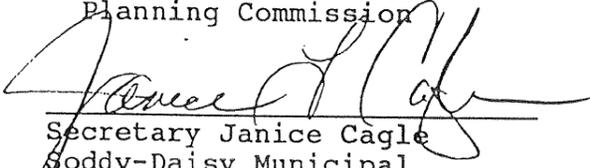
701 **ENACTMENT, EFFECTIVE DATE**

These regulations shall become effective from and after the date of its approval and adoption by the Soddy-Daisy Municipal Planning Commission for the City of Soddy-Daisy.

Henceforth, any other subdivision regulations previously adopted by the Soddy-Daisy Municipal Planning Commission for the City of Soddy-Daisy shall be deemed to be repealed.

ADOPTED: January 8, 1997

  
\_\_\_\_\_  
Chairman Max Orr  
Soddy-Daisy Municipal  
Planning Commission

  
\_\_\_\_\_  
Secretary Janice Cagle  
Soddy-Daisy Municipal  
Planning Commission

# **APPENDIX**

Insert Images for Appendix.