

ARTICLE V

PLAN CONTENT REQUIREMENTS

SECTIONS

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- 5-102 Conceptual Plans
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5-101 PURPOSES AND APPLICABILITY

The provisions of this Article apply to applications for both “Major and Minor” subdivisions submitted under authority of these regulations. For the convenience of applicants, the City provides a complimentary Plan Requirements Checklist listing all the documents required to be submitted, at each step of the review process. Copies of this checklist are available at the office of the Planning Director. The checklist also facilitates review by staff and officials, as they review each application for completeness and conformance with relevant provisions of these regulations.

5-102 CONCEPTUAL PLANS

5-102.1 General

Conceptual Plans are required for all “Major Subdivisions” as defined in these regulations. The application for a Conceptual Plan shall provide the name and address of the legal owner or equitable owner of the subject property, and the name and address of the applicant if not the same party, plus the plan contents listed below. A deed or agreement of sale evidencing that the applicant is the legal or equitable owner of the land to be subdivided or developed shall be shown.

5-102.101 Plan Preparation

The Conceptual Plan shall be prepared by individuals who are licensed to perform such design services.

5-102.102 Conceptual Plan Contents

The submission requirements for a Conceptual Plan shall consist of the following elements:

- a. Site Context Map
- b. Existing Resources and Site Analysis
- c. The Conceptual Improvements Plan

- d. Preliminary Studies and Reports as required by Subsection 5-102.204, (Preliminary Studies and Reports).

5-102.103 Drafting Standards

- a. The plan shall be drawn to scale (suggested 1" = 100').
- b. Dimensions shall be set in feet.
- c. Each sheet shall be numbered and the plan shall provide an adequate legend indicating clearly which features are existing and which are proposed.

5-102.2 Conceptual Plan Requirements

The following information is to be provided on the plans and maps as indicated.

5-102.201 Site Context Map

A map showing the location of the proposed subdivision within its neighborhood context shall be submitted. For sites under one hundred (100) acres in area, such maps shall be at a scale not less than 1"= 200', and shall show the relationship of the subject property to natural and man-made features existing within one thousand (1,000) feet of the site. For sites of one hundred (100) acres or more, the scale shall be 1" = 400', and shall show the above relationships within two thousand (2,000) feet of the site. The features that shall be shown on Site Context Maps include topography (from U.S.G.S. maps), stream valleys, wetland complexes (from maps published by the U.S.D.A. Natural Resources Conservation Service), woodlands (from aerial photographs), ridge lines, public roads and trails, utility easements and rights of way, public land, and land protected under conservation easements.

5-102.202 Existing Resources and Site Analysis

For all major subdivisions, (except those in which all proposed lots are to be five (5) acres or greater in area) an Existing Resources and Site Analysis shall be prepared to provide the developer and the community with a comprehensive analysis of existing conditions, both on the proposed development site and within five hundred (500) feet of the site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies and from aerial photographs. Unless, otherwise, specified by the Planning Commission, the graphic portion of such analysis shall generally be prepared at the scale of 1" = 100' or 1" = 200'. The following information shall be included in this document:

- a. A vertical aerial photograph enlarged to a scale not less detailed than 1" = 400', with the site boundaries clearly marked;
- b. A contour base map, the contour lines of which shall generally be at five (5) foot intervals. The source of the topographic information shall be noted on the plan. Where in the opinion of the Planning Commission the topographic information for a site is of critical significance due to exceptionally steep or flat conditions the Commission may require that such information be prepared by a professional land surveyor or engineer from an actual field survey of the site or from stereoscopic aerial photography. In addition to general topographic information, slopes shall be grouped into three classifications;

- slopes of less than fifteen (< 15) percent;
 - slopes between fifteen and twenty-five (15-25) percent; and
 - slopes exceeding twenty-five (25 >) percent.
- c. The location of significant features such as woodlands, tree lines, open fields or meadows, watershed divides and drainage ways, fences and stone walls, rock outcrops, and existing structures;
- d. The location and delineation of ponds, streams, ditches, drains, and natural drainage swales. The following shall be specifically indicated:
- i. All naturally occurring watercourses that normally contain flowing water during all times of the year, including streams that may dry up during periods of extended drought. These shall include, but not be limited to, perennial streams identified in the most recent Soil Survey of the County. (Note: Shown as solid lines on Soil Survey Maps)
 - ii. Perennial streams identified on United States Geological Survey Maps (U.S.G.S.). (Note: Shown as solid blue lines on USGS Maps)
 - iii. All intermittent watercourses otherwise identified in the most recent Soil Survey of the County, or identified on plans submitted by applicants.
 - iv. All streams having an established floodplain shall be indicated as well as the location and extent of the 100-year floodplains along such streams.
 - v. Vernal pools.
- e. Vegetative cover conditions on the property according to general cover type.
- f. An inventory of existing trees with a caliper in excess of that indicated in the following table for the species indicated:

Note: The Planning Commission may waive these tree locational requirements within wetlands, floodplains, on slopes greater than twenty-five (25) percent, and in other areas proposed to be conserved in their natural state.

Species	Diameter at Breast Height (dbh)
Eastern Redbud or Flowering Dogwood	4 inches
Sassafras or Water Beech	6
Holly	8
Wild Cherry	10
Red or White Oak	12
Green or White Ash	14
Tulip Poplar or Larch	16
Sycamore	18
White Pine	20

- g. Soil series, types and phases, as mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published soil survey for the county. Where any form of sewage disposal other than public sewer service is proposed the soil information shall be in the form of a "high intensity soil survey" (as defined by the UDSA NRCS).
- h. Ridge lines and watershed boundaries shall be identified.
- i. A viewshed analysis showing the location and extent of views into the property from public roads and parks
- j. All existing man-made features including but not limited to streets, driveways, farm roads, woods roads, buildings, foundations, walls, wells, drainage fields, dumps, utilities, fire hydrants, and storm and sanitary sewers.
- k. Geologic formations on the proposed development parcel, including rock outcroppings, cliffs, sinkholes, and fault lines, based on available published information or more detailed data obtained by the applicant.
- l. Locations of all historically significant sites or structures on the tract, including but not limited to stone walls, earthworks, and graves.
- m. All easements and other encumbrances of property that are or have been filed of record with the County Recorder of Deeds shall be shown.
- n. Total acreage of the tract, plus the Adjusted Tract Acreage (see Section 5-103.3, (Density Regulations) of the zoning ordinance for methodology to be utilized for calculating density), and all other information necessary to determine the density, with detailed supporting calculations.

5-102.203 The Conceptual Improvements Plan

Conceptual Improvements Plans shall be prepared in the form of an **overlay sheet**. The purpose of presenting the information in this format is to enable the applicant to demonstrate how well the proposed development avoids impacting the underlying resources and what opportunities have been taken to improve existing site conditions. The Conceptual Plan Overlay Sheet shall include the following information:

- a. Historic resources, trails and significant natural features, including topography, areas of steep slope, wetlands, 100-year floodplains, swales, rock outcroppings, vegetation, existing utilities, and other site features, as indicated on the Existing Resources and Site Analysis Plan.
- b. Existing and approximate lot lines and areas of proposed lots.
- c. Approximate location, alignment and width of all proposed streets and street rights-of-way, including all street extensions or spurs that are necessary to provide adequate street connections and facilities to adjoining development or undeveloped areas.
- d. Approximate location of proposed swales, drainage easements, and other stormwater management facilities.
- e. The conceptual layout of proposed sewage systems, including but not limited to the tentative locations of sewer mains and any pumping facilities.
- f. The conceptual layout of proposed water distribution facilities.
- g. Approximate location and area of proposed playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
- h. Utilities and Easements
 - i. Exact locations of existing utility easements and approximate locations of proposed utility easements.
 - ii. Approximate layout of all proposed sanitary and storm sewers and location of all inlets and culverts, and any proposed connections with existing facilities.
 - iii. The tentative location of proposed on-site sewage and water facilities.

5-102.204 Preliminary Studies and Reports

When required by the Planning Commission, the Conceptual Plan submission shall include one or more of the following studies to assist in determination of the impact of the application upon municipal services and facilities:

- a. Sewer and water feasibility report.
- b. Traffic Impact Study.
- c. Preliminary storm water management study

5-103 THE DEVELOPMENT PLAN

5-103.1 General

Development Plans are required for all "Major Subdivisions", as defined in these regulations.

5-103.101 Purpose of Development Plan

The Development Plan is intended to contain sufficient detailed engineering information to divulge the ultimate operation and appearance of the proposed development.

5-103.102 Plan Preparation

Development Plans shall be prepared by individuals who are licensed to perform the necessary design services.

5-103.103 Development Plan Contents

The submission requirements for a Development Plan shall consist of the following elements as described herein:

- a. The Preliminary Improvements Plan
- b. In any instance where open space is proposed within a development, an indication as to the responsibility for ultimate ownership and maintenance of such property.

5-103.104 Drafting Standards

- a. Graphic portions of the plan shall be drawn to a scale of 1" = 100', unless otherwise approved by the Planning Commission.
- b. Dimensions shall be set in feet.
- c. Each sheet shall be numbered and the plan shall provide an adequate legend indicating clearly which features are existing and which are proposed.

5-103.2 Project Phasing

Where the applicant proposes to install improvements in phases, he shall submit with the Development Plan a drawing of the entire property indicating the proposed sections or phases.

5-103.3 Development Plan Content

The following information is to be provided on the plans and maps as indicated.

5-103.301 General Information

The following information concerning the site and the individuals submitting the proposed development is required.

- a. the name and address of the owner(s) of land to be subdivided, the developer if other than the owner, and the land surveyor preparing the plan;
- b. A Site Context Map containing the information required by Subsection 5-102.201;
- c. the names of all adjoining property owners of record, or the names of adjoining developments;
- d. the names of adjoining public ways;
- e. the date of the plan, approximate true north point, scale, and title of the subdivision;
- f. the zoning classification of all lots, as well as an indication of all uses other than residential proposed by the applicant;
- g. map parcel numbers of original parcels included within the development as recorded on the land tax maps of the county.

5-103.302 The Proposed Improvements Plan

The following information concerning the proposed development is required.

- a. the location and dimensions of all boundary lines of the property, figured to the nearest one hundredth (1/100) of a foot;
- b. contours at vertical intervals of not more than two (2) feet (contours to be field surveyed or taken from aerial maps or other information acceptable to the Planning Commission);
- c. the location of existing public ways, easements, water bodies, wetlands, streams, and other pertinent features, such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, and bridges;
- d. the location and width of all existing and proposed easements, alleys, and other public ways, and building setback lines;

- e. the location, dimension, and area of all proposed or existing lots;
- f. the location and dimension of all property proposed to be set aside for park or playground use or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;
- g. the limits of floodway and floodplain and the associated one-hundred year regulatory flood elevation and regulatory flood protection elevation, of one (1) foot above the elevation of the 100-year regulatory flood;
- h. the location and dimensions of all required stream buffers;
- i. limit-of-disturbance line (must be exact in relation to the retention of existing trees proposed to be saved).
- j. sufficient data to determine readily the general location, bearing, and length of all lines necessary to reproduce such lines within the area to be subdivided; and
- k. name of the subdivision and all new public ways, as approved by the Planning Commission.

5-103.303 Plan Notations

The following notations shall appear on the Development Plan:

- a. explanation of all easements (drainage, access etc.);
- b. explanation of reservations;
- c. for any lot where public sewer or water systems are not available, the following:
 - i. areas to be used for sewage disposal including acceptable data to show that the site can be served effectively by a septic system;
 - ii. water wells (existing and proposed).
- d. a form for endorsement of Planning Commission approval of the Development Plan that shall read as follows:

This Development Plan was approved by the Fairview Municipal Planning Commission, with such exceptions or conditions as indicated in the minutes of the commission on _____(Date)_____.

No grading or construction shall take place until Construction Plans and a Development Agreement required by the Subdivision Regulations are approved.

Planning Commission Secretary

5-103.304 Design Certification

As an integral element of the Development Plan, the applicant shall submit to the Planning Commission a "Design Certification" stating that the approximate layout of proposed streets, lots, and open space complies with the zoning and subdivision regulations. This certification requirement is meant to provide the Planning Commission with assurance that the proposed plan can be accomplished within current regulations. The certification shall be signed by the design professional responsible for preparation of the plan and also note any variances needed to implement the plan as presented.

5-103.4 Proposed Open Space Ownership and Management Plan

Within any development where open space is proposed the following shall be provided. Using the Development Plan as a base map, the boundaries, acreage and proposed ownership of all open space areas shall be shown. In addition, the applicant shall also submit a proposed Open Space Ownership and Management Plan detailing the entities responsible for maintaining various elements of the property, and describing management objectives and techniques for each part of the property. Where a Community Association is to be responsible for the care and maintenance of the open space, draft documents required by Subsection 5-103.5, (Proposed Community Association Documents), shall be presented as part of the plan.

5-103.5 Proposed Community Association Documents

A Community Association Document, also known as a Homeowner's Association Document or a Condominium Association Document, shall be provided for all subdivisions where lands or facilities are proposed to be used or owned in common and not deeded to the City. The elements of the Community Association Document shall include, but shall not necessarily be limited to the following:

1. A description of all lands and facilities to be owned by the Community Association. This description shall include a map of the proposal highlighting the location of those lands and facilities.
2. Statements setting forth the powers, duties, and responsibilities of the Community Association, including the services to be provided.
3. A Declaration of Covenants, Conditions, and Restrictions, giving perpetual easement to the lands and facilities owned by the Community Association. The Declaration shall be a legal document which also provides for automatic Association membership for all owners in the subdivision or land development and shall describe the mechanism whereby owners participate in the Association, including voting, elections, and meetings. Furthermore, it shall give power to the Association to own and maintain the common property and to make and enforce rules.
4. Statements prescribing the process by which Community Association decisions are reached and setting forth the authority to act.
5. Statements requiring each owner within the subdivision to become a member of the Community Association.
6. Statements setting cross covenants or contractual terms binding each owner to all other owners for mutual benefit and enforcement.

7. Requirements for all owners to provide a pro rata share of the cost of the operations of the Community Association.
8. A process of collection and enforcement to obtain funds from owners who fail to pay required assessments.
9. A process for transition of control of the Community Association from the developer to the unit owners.
10. Statements describing how the lands and facilities of the Community Association will be insured, including limit of liability.
11. Provisions for the dissolution of the Community Association, in the event the Association should become enviable.

5-104 CONSTRUCTION PLANS

5-104.1 General

Construction Plans drawn at a scale of no more than fifty (50) feet to one (1) inch shall be prepared for all improvements required by these regulations. **Approval of Construction Plans must precede any clearing, grading, or site construction.** The territory included within Construction Plans may be comprised of all or only a portion of the land included within the Development Plan. Where construction plans are submitted for only a portion of the land included within the Development Plan the area shall correspond to the phasing schedule submitted with the Development Plan.

5-104.2 Plan Preparation

All Construction Plans shall be prepared and stamped by a Tennessee Licensed Engineer engaged in the practice of civil engineering.

5-104.3 Development Agreements to Accompany Construction Plans

Drafts of proposed development agreements prepared on forms provided by the City shall accompany all submittals of Construction Plans. The development agreements shall reference the design incorporated within the approved Construction Plans and shall be sufficient in form to assure that the methods and materials meet or exceed minimum standards established by the City. The development agreement shall be sufficient to assure construction of the following:

1. All off site improvements required to serve the development.
2. All on-site improvements located within the section of the project contained within the Construction Plans, including improvements that are required to serve future portions of the development not contained within the plans.
3. All improvements required to serve the lots shown on the plan.

5-104.4 Storm Water Report

A comprehensive storm water report shall accompany the Construction Plans. Such plans shall be accompanied by a N.O.I. from the Tennessee Department of Environment and Conservation. In any instance where Aquatic Resource Alteration Permits (ARAP), TVA 26A or USACE 404 Permits are required such shall be obtained and submitted with the Storm Water Report.

5-104.5 Storm Water Pollution Prevention Plan

A draft Storm Water Pollution Prevention Plan meeting the specifications established by the Tennessee Department of Environment and Conservation shall be presented with the construction plan. No grading shall be conducted until such plan is approved.

5-105 FINAL SUBDIVISION PLANS

5-105.1 General

Final Plans are required for both "Major and Minor Subdivisions", as defined in these regulations.

5-105.101 Plan Preparation

All Final Plats shall be prepared by licensed surveyors.

5-105.102 Final Plan Contents

The submission requirements for a Final Plan shall consist of the following elements, and shall be prepared in accordance with the drafting standards and plan requirements described herein:

- a. The Final Plat
- b. Where commonly held property and/or open space is included within such plan, a Final Open Space Ownership and Management Plan
- c. Final Community Association Documents
- d. Formal Irrevocable Offers of Dedication
- e. Final Drafts of Covenants, Conditions and Restrictions

5-105.103 Drafting Standards

- a. Graphic portions of the plan shall be drawn to a scale of 1" = 100', unless otherwise approved by the Planning Commission.
- b. Dimensions shall be set in feet and portions thereof.
- c. Each sheet shall be numbered and the plan shall provide an adequate legend indicating clearly which features are existing and which are proposed.

5-105.2 Project Phasing

When the Final Plan is to be approved in segments or phases such phasing shall correspond to that approved in the phasing schedule presented with the Development Plan.

5-105.3 The Final Plat

In the case of major subdivisions, the final plat shall correspond with the design and construction details and standards established within the approved construction drawings and Development Plan. Final plats shall include the following information.

5-105.301 General Information

The following information concerning the site and the individuals submitting the proposed development is required.

- a. the name and address of the owner(s) of land to be subdivided, the developer if other than the owner, and the land surveyor preparing the improvements plat;
- b. A Site Context Map containing the information required by Subsection 5-102.201;
- c. names of all adjoining property owners of record, or the names of adjoining developments;
- d. names of adjoining public ways;
- e. the date of the plat, approximate true north point, scale, and title of the subdivision;
- f. the zoning classification of all lots, as well as an indication of all uses other than residential proposed by the applicant;
- g. map parcel numbers of original parcels included within the development as recorded on the land tax maps of the county.

5-105.302 The Final Improvements Design

The following information concerning the proposed development is required:

- a. The exact boundary lines of the tract, determined by a field survey, showing angles to the nearest minute and distance to the nearest one hundredth (1/100) of a foot. The adjusted accuracy of the survey shall meet or exceed the standards set forth in Title 62, Chapter 18, of the Tennessee Code, for a Category II (Suburban Subdivision).
- b. The location of all public ways, easements, water bodies, streams or rivers, railroads, parks, and cemeteries.
- c. The limits of floodway and floodway fringe areas and the regulatory flood elevation and regulatory flood protection elevation as determined by the Planning Commission.

- d. The location and width of all easements and rights-of-way for public ways, as well as the building setback lines on all lots.
- e. The location, dimensions, and area of all lots. All dimensions shall be field run to the nearest one hundredth (1/100) of a foot and angles to the nearest minute. Lot areas shall be shown to the nearest tenth (1/10) of a square foot.
- f. The location, area, and dimensions, to the accuracy set forth in Item e, above, of all property to be set aside for park or playground use or other public or private reservation, with a designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
- g. Sufficient data to determine readily the location, bearing, and length of all lines necessary to reproduce such lines upon the ground. This shall include the radius, central angle, and tangent distance for the centerline of the curved public ways and curved property lines that are not the boundary of curved public ways. The location of all monuments and pins shall be indicated on the plat.
- h. The names of all public ways.
- i. The zoning classification of all lots
- j. The total acreage within the subdivision.
- k. Lot numbers and street numbers.
- l. The line size and location of water and sewer facilities.
- m. The location of all fire hydrants.
- n. The diameter and width of all driveway culverts.
- o. For any lot where a public sewer or water system is not available, the following shall be shown:
 - i. areas to be used for sewage disposal; and
 - ii. water wells (existing and proposed).
- p. Applicable certificates shall appear upon the final plat. All required certificates shall bear the signature of the approving or authorizing agent at the time of application for final plan approval, except that the form for endorsement of the Planning Commission's approval for recording shall appear unsigned at the time of application for approval.

5-105.303 Plat Notations

The following notations shall appear on the Final Plat:

- a. Explanation of all easements (drainage, access etc.); (See Section 4-112, (RESERVATIONS AND EASEMENTS).
- b. Explanation of reservations; (See Subsection 4-112.6, (Responsibility for Ownership of Reservations)).
- c. For any lot where public sewer or water systems are not available, the following:
 - i. areas to be used for sewage disposal including acceptable data to show that the site can be served effectively by a septic system;
 - ii. water wells (existing and proposed).

5-105.4 Final Open Space Ownership and Management Plan

Within any development where jointly held land or facilities are proposed, documents creating a Final Open Space and Management Plan shall be an integral element of the Final Subdivision Plan. Such plan shall be accompanied, if the Final Plan contains jointly held open space, recreational facilities, or any portion of the site that is held in common ownership, by the following documentation for approval by the Planning Commission:

1. A survey indicating the precise boundaries, exact acreage, and proposed ownership of all open space areas,
2. A narrative report shall also be prepared indicating how and by whom such open space areas will be managed,
3. Articles of incorporation and by-laws of the co-owners association or other legal entity (where open space or facilities are to be deeded to a co-owners association or similar organization acting on behalf of the joint owners of said property) charged with improving or maintaining the open space or facilities, and declaration of covenants and restrictions pertaining to each and every property within the subdivision; and
4. Declaration of covenants, conditions and restrictions pertaining to open space and facilities which assure the continued use of said facilities for the purpose intended, where open space or facilities are to be retained by the developer.

5-105.5 Final Community Association Documents

In any instance where a community association is to be created final drafts of community association documents shall accompany the Final Plan.

5-105.6 Formal Irrevocable Offers of Dedication

Where improvements are to be dedicated, the Final Plan shall be accompanied by formal irrevocable offers of dedication to the public of all public ways and uses, utilities, parks, and

easements, in a form approved by legal counsel, as applicable. (The subdivision plan shall be marked with a notation indicating the formal offers of dedication).