

ARTICLE V
PLAN CONTENT REQUIREMENTS

Sections:

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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 Town provides a complimentary “Plan Requirements Checklist” listing all the documents required for submittal at each step of the review process. Copies of this checklist are available at the office of the Town Manager. The checklist also facilitates review by staff and officials, who review each application for completeness and conformance with relevant provisions of these regulations.

5-102 CONCEPTUAL PLAN

5.102.1 General

A Conceptual Plan shall be 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 as well as the name and address of the applicant, if not the same party.

5.102.101 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 (ERSA)
- c. Constrained Land, Adjusted Tract Area, Base and Maximum Number of Dwelling Units Calculations
- d. Sketch Plan

5-102.102 Drafting Standards

The following minimum standards shall be observed when preparing the Conceptual Plan:

- a. The maps and plans that make up the Conceptual Plan shall be drawn at a scale of not less than 1" = 100'. Exception: The scale of the Site Context Map is noted below in Section 5-102.2.
- b. Dimensions shall be set in feet.
- c. Each drawing shall be no greater than 30" x 42" in size. Drawings may cover a portion of the subject property and be related by match lines to show the entire site.
- d. Each sheet shall bear a unique number, title, and date and include a 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. and Hamilton County GIS 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 (ERSA)

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'. The following information shall be included in this document:

- a. An 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 two (2) foot intervals. The source of the topographic information shall be noted on the plan. Where in the opinion of the planning staff 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 and graphically identified:

- (1) Slopes of less than fifteen (< 15) percent.
 - (2) Slopes between fifteen and twenty-five (15-25) percent.
 - (3) 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:
- (1) 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.)
 - (2) Perennial streams identified on United States Geological Survey Maps (U.S.G.S.). (Note: Shown as solid blue lines on USGS Maps.)
 - (3) Intermittent watercourses otherwise identified in the most recent Soil Survey of the County or identified on plans submitted by applicants.
 - (4) Streams having an established floodplain shall be indicated as well as the location and extent of the 100-year floodplains along such streams.
 - (5) Depressions or vernal pools.
- e. Vegetative cover conditions on the property according to general cover type including cultivated land, permanent grassland, meadow, pasture, old field, hedgerow, woodland and wetland.
- f. Any significant tree specimens as identified by Tree Board members during site visit.
- g. Ridge lines and watershed boundaries shall be identified.
- h. 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.

- i. Geologic formations based on available published information or more detailed data obtained by the applicant on the proposed development parcel including rock outcroppings, cliffs, sinkholes, and fault lines.
- j. Locations of all historically significant sites or structures on the tract, including but not limited to stone walls, earthworks, and graves.
- k. Easements and other encumbrances of property that are or have been filed of record with the County Recorder of Deeds shall be shown.

5.102.203 Calculating the Maximum Number of Dwelling Units

The Maximum Number of Dwelling Units shall be determined by multiplying the Base Number of Dwelling Units (as determined by the calculations below) by a density factor as detailed in Section 603.02.02 of the Zoning Ordinance.

Constrained Land Calculation

| | Resource | Areas of Resource (acres) | Protection Factor | Constrained Land (acres) |
|----|--|---------------------------|-------------------|--------------------------|
| A. | Existing Utility Rights-of-Way | | X 1.0 | |
| B. | That portion of lands under conservation easement that are restricted from further development | | X 1.0 | |
| C. | 100-year Floodplain | | X 1.0 | |
| D. | *Wetlands | | X .95 | |
| E. | **Prohibitive Steep Slopes (over 25%) | | X .65 | |
| F. | **Precautionary Steep Slopes (15-25%) | | X .25 | |
| H. | Constrained Land = SUM of A through F = | | | |

*As determined by TDEC

**As determined by a GIS tract slope analysis.

Riparian buffers are not netted out, because they are essentially a building setback, implemented through site design, not a density reduction. They often include buildable land for which density should be granted.

In this calculation proposed street R.O.W.'s are not included in constrained land.

The next step to determine Base Number of Dwelling Units is as follows:

Determine Adjusted Tract Area (ATA): Adjusted Tract Area equals the gross tract area minus the constrained Land.

| | | |
|----|----------------------------------|--------------|
| A. | Gross tract area | 10.40 acres |
| B. | Minus Constrained Land | 2.26 acres |
| C. | Equals Adjusted Tract Area (ATA) | = 8.14 acres |

Base Number of Dwelling Units): The Maximum Number of Dwelling Units equals the Adjusted Tract Area (ATA) divided by the applicable density factor as set forth in the zoning ordinance.

| | | |
|----|--------------------------------------|------------|
| A. | Adjusted Tract Area | 8.14 acres |
| B. | Divided by density factor | .50 |
| C. | Equals Base Number of Dwelling Units | = 16.28 |

Where calculations result in fractional numbers, the fraction shall be rounded down to the closest whole number.

5.102.204 The Sketch Plan

A Sketch Plan 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 affecting the underlying resources and what opportunities have been taken to improve existing site conditions. The Sketch Plan Overlay Sheet shall include the following information:

- a. Existing and approximate proposed lot lines and areas of proposed lots.
- b. 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 area.
- c. Approximate location of proposed swales, storm sewers, inlets and culverts, and any proposed connections with existing facilities, drainage easements, or other storm water management facilities.
- d. The approximate layout of proposed sanitary sewage systems, whether on-site or distributed, including, but not limited to, the tentative locations of sewer mains and any pumping facilities and including any proposed connections with existing facilities.
- e. The approximate layout of proposed water distribution facilities including water mains, fire hydrants, storage tanks and, where appropriate, wells or other water sources.

- f. The approximate location and dimensions of proposed playgrounds, public buildings, public areas and parcels of land that are proposed to be dedicated or reserved for public use.
- g. The exact locations of existing utilities and easements as found on publicly available documents and the approximate locations of proposed utilities and easements.

5-103 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 sufficiently detailed information to divulge the ultimate operation and appearance of the proposed development.

5-103.102 Plan preparation

The Development Plan shall be prepared by individuals licensed to perform the necessary services.

5-103.103 Development Plan Contents

The submission requirements for a Preliminary Plat shall consist of the following elements as described herein:

- a. The Preliminary Plat
- b. Traffic Impact Study if required (See 4-103.2)
- c. Design Certification
- d. Conservation Management Plan
- e. Proposed Community Association Documents if required (See 5-103.305)

5-103.2 Project Phasing

When the applicant proposes to install improvements in phases, a drawing of the entire property with the proposed sections or phases delineated thereon shall be submitted with the Development Plan.

5-103.3 Development Plan Requirements

The following information is to be provided on the plans, maps, and other documents as indicated:

5-103.301 General Information

At the time of review by the Signal Mountain Town Planning Commission, all information presented in the Conceptual Plan as described in Section 5-102 is to be made available for comparison to the submitted Development Plan.

5-103.302 The Preliminary Plat

Specifications and requirements for Preliminary Plats shall be the same as those adopted by Hamilton County and found in Article 4 of the Hamilton County Subdivision Regulations, include also that information required in Part 403 – Information Required In Addition to the Preliminary Plat. The developer or surveyor or surveyor/engineer is urged to consult with the Hamilton County GIS Department regarding proposed street names, plat drafting guidelines, electronic filing requirements, and other aspects of plat production. The GIS Department cannot and will not provide guidance of the nature provided by the Planning Commission or Health Department staffs. The developer or surveyor or surveyor/engineer shall submit the required number of Preliminary Plats to the Hamilton County GIS.

Additional or different information from that required by Hamilton County includes the following:

- a. Show the boundaries, acreage and proposed ownership of all Conservation Land areas and Common Lands and Facilities. For each contiguous parcel of Conservation Land or Common Land note the following: “No building permit is to be issued for a residential, commercial, or industrial building on the _____ Lot to be for recreational purposes only. Maintenance to be assumed by the developer until lot is deeded to home owners in the subdivision, or to a homeowners association.”
- b. Form for endorsement for Planning Commission approval of the Preliminary Plat that shall read as follows:

The Signal Mountain approved this Preliminary Plat, with 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, as, required by the Subdivision Regulations, is approved.

Planning Commission Secretary

5-103.304 Design Certification

As a part 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 Conservation Land complies with the zoning and subdivision regulations in force at the time of submittal of the Conceptual Plan. The certification shall also note any variances needed to implement the plan as presented.

5-103.305 Conservation Management Plan

Submit a Proposed Conservation and Common Land and Facilities Ownership and Management Plan detailing the entities responsible for maintaining various commonly held elements of the property. Where a Community Association is to be responsible for the care and maintenance of any common land or facilities, draft documents required by Subsection 5-103.306 (Proposed Community Association Documents) shall be presented as part of the plan.

5-103.306 Proposed Community Association Documents

The Community Association Bylaws shall be provided for all proposed subdivision lands or facilities to be held in common. The elements of the Community Association Documents shall include, but shall not necessarily be limited to, the following:

1. Description of all lands and facilities to be owned by the Community Association. This description shall reference the Preliminary Plat and a copy of the Preliminary Plat shall be attached.
2. Statements setting forth the powers, duties, and responsibilities of the Community Association, including the services to be provided.
3. 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 that 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 and a mechanism to assess and enforce the common expenses for the land or facilities including upkeep and maintenance expenses, real estate taxes, and insurance premiums.
6. Statements setting cross covenants or contractual terms binding each owner to all other owners for mutual benefit and enforcement.
7. Process of collection and enforcement to obtain funds from owners who fail to pay required assessments.
8. Process for transition of control of the Community Association from the developer to the unit owners.
9. Statements describing how the lands and facilities of the Community Association will be insured, including limit of liability.
10. Provisions for the dissolution of the Community Association, in the event the Association should become unviable and appropriate language for

transfer to a private non-profit conservation organization or the Town for the benefit of its citizens in the event that the Community Association ceases to exist at any time.

5-104 CONSTRUCTION PLAN

5-104.1 General

A Construction Plan 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 a Construction Plan must precede any clearing, grading, or site construction.** The territory included within a Construction Plan shall correspond to that included within the Development Plan or appropriate phase of the Development Plan.

5-104.2 Plan Preparation

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

5-104.3 Stormwater Report

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

5-104.4 Stormwater Pollution Prevention Plan

A draft Stormwater 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.

5-104.5 Development Agreements to Accompany Construction Plans

When applicable, drafts of proposed development agreements prepared on forms provided by the Town 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 Town. 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.

5-105 FINAL SUBDIVISION PLAN

5-105.1 General

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

5.105.101 Plat Preparation

Final Plats shall be prepared by licensed surveyors.

5-105.102 Final Subdivision Plan Contents

The submission requirements for a Final Plat 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. Final Conservation Land Ownership and Management Plan.
- c. Final Recorded Community Association Bylaws.
- d. Formal Irrevocable Offers of Dedication.
- e. Final Drafts of Covenants, Conditions and Restrictions.

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 Development Plan.

5-105.3 Final Subdivision Plan Requirements

The following information is to be provided on the plans, maps, and other documents as indicated:

5-105.301 The Final Plat

Specifications and requirements for Final Plats shall be the same as those adopted by Hamilton County and found in Article 5 of the Hamilton County Subdivision Regulations, include also that information required in Part 503 – Information Required In Addition to the Final Plat for Major Subdivisions. The developer or surveyor or survey/engineer is urged to consult with the Hamilton County GIS Department regarding proposed street names, plat drafting guidelines, electronic filing requirements, and other aspects of plat production. The GIS Department cannot and will not provide guidance of the nature provided by the Planning Commission or Health Department staffs. The developer or surveyor or surveyor/engineer shall submit the required number of Final Plats to the Hamilton County GIS.

Additional or different information from that required by Hamilton County includes the following:

- a. Show the boundaries, acreage and ownership of all Conservation Land areas and Common Lands and Facilities. For each contiguous parcel of Conservation Land or Common Land note the following: “No building permit is to be issued for a residential, commercial, or industrial building on the _____ . Lot to be for recreational purposes only. Maintenance to be assumed by the developer until lot is deeded to home owners in the subdivision, or to a homeowners association.”

- b. For lots where public sewer or water systems are not available, the following shall be shown:
 - (1) Areas to be used for sewage disposal including acceptable data to show that the site can be served effectively by a septic system.
 - (2) Water wells (existing and proposed)
- c. The following notations shall appear on the Final Plat:
 - (1) Explanation of all easements for drainage access etc. See Section 4-108 Reservations and Easements and Access.
 - (2) Explanation of reservations. See Subsection 4-108.6 Responsibility for Ownership of Reservations.
 - (3) For subdivisions that will include Conservation Lands include the following: "All contiguous parcels shown as Conservation Land on this plat shall not be further subdivided or developed."
- d. Form for endorsement for Planning Commission approval of the Final Plat that shall read as follows:

The Signal Mountain approved this Preliminary Plat, with 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, as,, required by the Subdivision Regulations, is approved.

Planning Commission Secretary

5-105.302 Final Conservation Land Ownership and Management Plan

Within any development where Conservation Land, common or jointly held land or facilities are created, a Final Conservation Land and Management Plan shall be submitted as part of the Final Subdivision Plan. If the Final Plan contains jointly-held Conservation Land or recreational facilities, or any portion of the site is held in joint ownership, it shall be accompanied by the following documentation for approval by the Planning Commission:

- a. A survey indicating the precise boundaries, exact acreage, and proposed ownership of all Conservation Land or commonly held facilities.
- b. A narrative report indicating how and by whom such Conservation Land will be managed.

- c. Articles of incorporation and by-laws of the community association or other legal entity such as a land trust (where Conservation Land or facilities are to be deeded to a community association or similar organization acting on behalf of the joint owners of said property) charged with improving or maintaining the Conservation Land or facilities, and declaration of covenants and restrictions pertaining to each and every property within the subdivision.
- d. Declaration of covenants, conditions and restrictions pertaining to Conservation Land and facilities which assure the continued use and maintenance of said facilities for the purpose intended, where Conservation Land or facilities are to be retained by the developer.

5-105.303 Final Recorded Community Association By-Laws

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

5-105.304 Formal Irrevocable Offers of Dedication

Where improvements are to be dedicated the Final Plat 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 the town attorney, as applicable. (The subdivision plan shall be marked with a notation indicating the formal offers of dedication).