

REGIONAL SUBDIVISION REGULATIONS

COVINGTON, TENNESSEE

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## Regional Subdivision Regulations

### Covington, Tennessee

#### ARTICLE I: Purpose, Authority and Jurisdiction

##### A. Purpose

Land Subdivision is the first step in the process of community development. Once land has been cut up into streets, lots and blocks and has been publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and the future owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

The major road and street plan, of which certified copies are on file in the office of the Register of Tipton County, Tennessee, and the following standards guiding the Planning Commission are designed to provide for the harmonious development of the area, to secure a coordinated layout and adequate provision for traffic, and also to secure adequate provision for light, air, recreation, transportation, water, drainage, sewers and other sanitary facilities.

##### B. Authority

These subdivision regulations are adopted under the authority granted by Section 13-301 through 13-311, Tennessee Code Annotated. The Planning Commission has fulfilled the requirements set forth in these acts as prerequisite to the adoption of such regulations.

##### C. Jurisdiction

These regulations shall govern all subdivision of land within the Covington Planning Region, except any subdivision, the plat of which has been registered prior to the adoption of these regulations.

#### ARTICLE II: Definitions

Within these regulations, certain terms and conditions are defined as follows:

A. Easements: The right given by the owner of land to another party (either public or private) for a specific limited use of that land.

B. Easement, Vehicular: The right granted by the owner of land to another party by deed or prescription, to allow vehicular access across one parcel of land to another.

C. Easement, Utility: The right granted by the owner of land to allow utility facilities to be constructed, maintained, or preserved. Utility easements shall include, but are not limited to, easements for storm drainage, water lines, sewer lines, electric power lines, and pipe lines.

D. Plat, Plan, Plot or Replat: A map, drawing or chart upon which the subdivider's plan of the subdivision is presented and which he submits for approval and intends to record in final form.

E. Road: Relates to and includes roads, streets, highways, avenues, boulevards, parkways, lanes or other ways, or any part thereof.

1. Major Roads and Arterial Streets and Highways - Those roads which are used primarily for fast or heavy traffic.
  2. Collector Street: Those which carry traffic from minor streets to the major roads or arterial streets and highways, including the principal entrance streets to a residential development and the streets for circulation within such a development.
  3. Minor Streets - Those which are used primarily for access to the abutting properties.
  4. Marginal Access Street - Minor streets which are parallel to and adjacent to major roads or arterial streets and highways and which provide access to abutting properties and provide protection from through traffic.
  5. Alleys - Minor ways which are used primarily for vehicular service access to the back and side of properties otherwise abutting on a street.
  6. Dead-end or Cul-de-sac Street: Permanent dead-end streets designed so that they cannot be extended in the future.
- E. Roadway: That portion of a street or road that is paved or ordinarily used for vehicular traffic.
- F. Right-of-way (R.O.W.) - The complete land which is dedicated for use as a street or road and includes roadway and those portions on either side customarily used for planting strips, drainage or utility installation.
- G. Subdivision: Within these regulations the term "subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions for the purpose, whether immediate or future, for sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of subdividing or to the land or area subdivided. The term "subdivision" may be further defined as follows:
1. Major Subdivision: All divisions of land into five (5) or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development; and including all division of land into two (2) or more lots involving a new street, or a change in existing streets; or divisions of land involving the extension of water, sewer or gas lines and includes re-subdivisions and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.
  2. Minor Subdivision: All divisions of land into four (4) or less lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development, and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided. This definition shall not include any divisions of land involving a new street; and change in an existing street, or the extension of water, sewer or gas lines.
- H. Regional Planning Commission: Any regional planning commission established by the State Planning Commission as provided by law, and includes any municipal planning commission designated by the State Planning Commission as the regional planning commission of a planning region composed of the territory of a single municipality, no part of which is more than five (5) miles beyond the limits of such municipality.

### **ARTICLE III: Procedure for Plat Approval**

The subdivider should consult early and informally with the Planning Commission and its technical staff for advise and assistance before the preparation of the preliminary sketch plat and his formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Thoroughfare Plan and other official plans or improvements which may affect the area. Such informal review should prevent unnecessary and costly revisions.

The procedure for review and approval of a subdivision plat consist of two (2) separate steps. The initial step is the preparation of and submission to the Planning Commission of a preliminary sketch plat of the proposed subdivision. The second step is the preparation and submission to the Planning Commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the office of the County Register when duly signed by the secretary of the Planning Commission.

#### **A. General**

1. Any owner of land lying within the area of jurisdiction of the Planning Commission wishing to divide such land into two or more lots, sites, or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to subdivide for this purpose, shall submit a plan of such proposed subdivision to the Covington Planning Commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article IV of these regulations and shall be presented in the manner as specified in the following section of this article. No plat of a subdivision of land within the Covington Planning Region shall be filed or recorded by the register of the county in which the land lies without the approval of the Planning Commission as specified herein.

2. In order to obtain review and approval of a proposed subdivision by the Planning Commission, the developer shall submit to the Planning Commission a preliminary sketch plat as provided in Section B of this article. This shall be done before the making of any street improvements or installation of utilities. Upon the approval of this preliminary plat the subdivider may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C, and the improvements set forth in Article V.

#### **B. Preliminary Sketch Plat**

1. At least seven (7) days prior to the meeting at which it is to be considered the subdivider shall submit to the Planning Commission four (4) copies of a preliminary sketch plat of the proposed subdivision drawn to a scale of not less than one inch equal one hundred (100) feet.

2. The sketch plat which shall meet the minimum standards of design and the general requirements for the construction of public improvements as set forth in Article IV shall give the following information insofar as possible:

a. The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plat.

b. Date, approximate north point, and graphic scale.

c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements, unusual topographical contours, the present zoning

classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.

d. Plans of proposed utility layouts (sewers, water, gas, and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the county health department.

e. The names, locations, widths, and other dimensions of the proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines, and utilities.

f. Contours at vertical intervals of not more than five (5) feet when required by the Planning Commission.

g. The acreage of the land to be subdivided.

h. Location sketch map showing relationship of subdivision site to area.

i. If any portion of the land being subdivided is subject to flood as defined in Article IV, Section A., 2, the limit of such flood shall be shown.

3. Within forty-five (45) days after submission of the preliminary sketch plat, the Planning Commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved, subject to modifications, the nature of the required modifications will be indicated.

4. The approval of the preliminary plat by the Planning Commission will not constitute acceptance of the final plat and will not be indicated on the preliminary sketch plat.

5. One copy of the sketch plat will be retained in the Planning Commission files, the other will be returned to the subdivider with any notations at the time of approval or disapproval, and the specific changes, if any, required.

6. The approval of the preliminary sketch plat shall lapse if no final plat based thereon is submitted within one year from the date of such approval, unless an extension of time is applied for and granted by the Planning Commission.

### C. Final Plat

1. The final plat shall conform substantially to the preliminary sketch plat as approved. If desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these regulations.

2. In order to allow the planning commission, technical staff, and utilities personnel time to review and prepare recommendations to the Planning Commission, the final plat shall be submitted to the Planning Commission at least seven (7) days prior to the meeting at which it is to be considered. The subdivider shall submit four (4) copies (black and white prints or blue line prints), together with street profiles or other plans that may be required by the Planning Commission. In addition, the developer shall also submit copies of all Federal and state permits required for construction of the development as

shown on the approved preliminary plat, including Section 404 permits of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

The plat shall be drawn to the scale of one inch equals one hundred (100) feet on sheets twenty-two (22) by twenty-four (24) inches or of an approved size to correspond to local plat book dimensions. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.

When the final plat has been approved by the Planning Commission, one copy will be returned to the subdivider, with the approval of the Planning Commission certified thereon, for filing with the County Register as the official plat of record.

The Planning Commission shall approve or disapprove this final plat within sixty (60) days after its submission. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the Planning Commission.

3. Approval of the final plat by the Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.

4. The final plat shall show:

a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building line whether curved or straight, and including north point. This shall include the radius, central angle and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets.

c. All dimension to the nearest one hundredth (100th) of a foot and angles to the nearest minute.

d. Location and description of monuments.

e. The names and locations of adjoining sub-divisions and streets and the location and ownership of adjoining unsubdivided property, along with the zoning classification of the proposed subdivision and all adjoining lands.

f. Date, title, name and location of subdivision, graphic scale, and north point.

g. Location sketch map showing site in relation to area.

h. All boundary traverses including lot and block traverses shall close to an accuracy of at least one (1) part in five thousand (5,000).

i. The most recent recorded deed book number and page number for each deed constituting part of the property being platted.

j. If any portion of the land being subdivided is subject to flood as defined in Article IV, Section A., 2, the limit of such flood shall be shown.

## 6. Certificates

- a. Certification showing that the applicant is the land owner and dedicates streets, rights-of-way and any sites for public use (See Form 1).
  - b. Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments (See Form 2).
  - c. Certification by the appropriate health officers when individual sewage disposal or water systems are to be installed (See Form 3).
  - d. Certification by the city engineer or other designated person that the subdivider has complied with one of the following alternatives: (Form 4)
  - e. Certification of approval to be signed by the secretary of the Planning Commission. (See Form 5).
1. Installation of all improvements in accordance with the requirements of the subdivision regulations, or
  2. Posting of bond in sufficient amount to assure such completion of all required improvements.

After the final plat has been approved by the Planning Commission, it may then be filed for recording in the office of the County Register of Deeds, for the county in which the land to be subdivided lies.

### D. Minor Subdivision - Plat Procedure

Whenever a proposed subdivision contains four (4) or less lots and does not require the construction or installation of new streets, utilities or other improvements, the following procedures for review and approval of the subdivision shall apply.

The subdivider may, if he desires, submit only a final plat in securing plat approval provided that the plat submitted complies with all the requirements of the final plat. However, if any corrections or modifications are needed, the planning commission shall disapprove the plat and require that it be resubmitted for approval.

#### 1. Preliminary Plat (Optional)

- a. At least seven (7) days prior to the meeting at which it is to be considered the subdivider shall submit to the Planning Commission four (4) copies of the preliminary sketch plat of the proposed subdivision drawn to a scale of not less than one inch equals one hundred (100) feet.
- b. The sketch plat shall meet the minimum standards of design and the general requirements for the construction of public improvements as set forth in Article IV and shall give the following information insofar as possible:
  1. The proposed subdivision name and location, the name(s) and address(es) of the owner or owners, and the name of the designer of the plat who shall be a licensed land surveyor approved by the planning commission.
  2. Date, approximate north point, and graphic scale.

3. The location of existing and platted property lines, existing streets, buildings, water courses, railroads, drainage structures, utility lines, easements, zoning classification on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.
  4. Contours at vertical intervals of not more than five (5) feet when required by the Planning Commission.
  5. The acreage of the land to be subdivided.
  6. Location sketch map showing relationship of subdivision site to area.
- c. Within forty-five (45) days after submission of the preliminary plat, the Planning Commission will review it and indicate its approval, disapproval, or approval subject to modifications. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved, subject to modifications, the nature of the required modifications shall be indicated.
- d. One (1) copy of the preliminary plat will be retained in the Planning Commission files; one (1) copy shall be returned to the subdivider with any notations at the time of approval or disapproval, and the specific changes, if any, required.
- e. Failure of the Planning Commission to act on the preliminary plat within sixty (60) days will be deemed approval of this preliminary plat.
- f. The approval of the preliminary plat by the Planning Commission will not constitute acceptance of the final plat and will not be indicated on the preliminary plat.

## 2. Final Plat

- a. The final plat shall conform to the preliminary sketch plat as approved, if any.
- b. At least seven (7) days prior to the meeting at which it is to be considered, the subdivider shall submit the original drawing in black drawing ink and four (4) copies (black and white prints or blue line prints), together with street profiles or other plans that may be required by the Planning Commission.
- c. The plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets not larger than 42 X 60 inches.
- d. When the plat has been approved by the Planning Commission, one (1) copy will be returned to the subdivider, with the approval of the Planning Commission certified thereon, for filing with the County Register as the official plat of record. The original drawing containing all required certificates will be returned to the subdivider for his records and one (1) copy will be retained in the records of Planning Commission. The other copies may be distributed to the Public Works Department or other city departments.
- e. The Planning Commission shall approve or disapprove this final plat within forty-five (45) days after its submission. Failure of the planning commission to act on this final plat within these forty-five (45) days shall be deemed approval of

it. If the plat is disapproved the grounds for disapproval shall be stated within the official minutes of the Planning Commission.

f. Approval of the final plat by the Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.

g. The plat shall show the present zoning classification on the land to be subdivided and on the adjoining land for the major subdivision plats and other certificates deemed necessary by the planning commission.

h. The final plat shall show:

1. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house number, reservations for easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

2. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building line whether curved or straight, and including true north point. This shall include the radius, central angle and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets.

3. All dimension to the nearest tenth (10th) of a foot and angles to the nearest minute.

4. Location and description of monuments.

5. The names and locations of adjoining sub-divisions and streets and the location and ownership of adjoining unsubdivided property.

6. Date, title, name and location of subdivision, graphic scale, and magnetic north point.

7. Location sketch map showing site in relation to area.

8. All boundary traverses including lot and block traverses shall close to an accuracy of at least one (1) part in five thousand (5,000).

9. The most recent recorded deed book number and page number for each deed constituting part of the property being platted.

10. A legal description of the total property included in the recorded subdivision prepared by a licensed surveyor.

i. The following certification shall be presented with the final plat:

1. Certification showing that the applicant is the land owner and dedicates streets, rights-of-way and any sites for public use. (See Form 1.)

2. Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments. (See Form 2.)

3. Certification by the appropriate health officers when individual sewage disposal or water systems are to be installed. (See Form 3.)
4. Certification by the city engineer that the subdivider has complied with one (1) of the following alternatives: (See Form 4.)
  - a. Installation of all improvements in accordance with the requirements of the standards herein given, or
  - b. Posting of a corporate performance bond, cash deposit, or instrument of credit in sufficient amount to assure such completion of all required improvements.
5. Certification of approval to be signed by the secretary of the planning commission. (See Form 5.)

#### **ARTICLE IV: General Requirements and Minimum Standards of Design**

##### **A. General Considerations**

The Covington, Tennessee, Municipal Planning Commission has adopted a plan which includes, at least, a major road and street plan, certified copies of which are filed in the office of the Tipton County Register of Deeds.

All subdivisions of land within the Covington Planning Region must conform to the requirements of this major road and street plan.

##### **1. Community Assets**

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

##### **2. Suitability of the Land**

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

Land which is subject to flooding shall not be platted for residential occupancy or building sites unless such land is shown (by the developer) to be outside the floodway of the river or stream causing the flooding.

##### **B. Streets**

##### **1. Conformity to the Major Street Plan**

The location and width of all streets and roads shall conform to the official Major Street Plan.

##### **2. Relation to Adjoining Street System**

The proposed street system shall extend existing streets or projects. They shall be extended at a width no less than the required minimum width. Where in the opinion of the Planning Commission it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property.

### 3. Street Widths

The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the Major Road Plan and shall be not less than as follows:

- a. Arterial Streets and Highways . . 80-150 feet, or as may be required. Arterial streets and highways are those to be used primarily for fast or heavy traffic and will be located on the Major Thoroughfare Plan.
- b. Collector Street . . . . . 60 feet Collector streets are those which carry traffic from minor streets to the major system or arterial streets and highways and include the principal entrance streets to a residential development and streets for major circulation within such a development.
- c. Minor Residential Streets . . . . . 50 feet Minor residential streets are those which are used primarily for access to the abutting residential properties and designed to discourage use by through traffic.
- d. Dead-end Streets (Cul-de-sacs) . . . . 50 feet Minor terminal streets or courts designed to have one end permanently closed shall be no more than four hundred (400) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet.

In cases where topography or other physical conditions make a street of the required minimum width impracticable, the Planning Commission may modify the above requirements.

- e. Alleys . . . . . 20 feet

Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

### 4. Additional Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum road width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided. In no case shall the resulting right-of-way width be less than fifty (50) feet.

### 5. Restriction of Access

Where a subdivision abuts or contains an existing or proposed major road, the Planning Commission may require marginal access roads, reverse frontage with screen planting contained in a non-access reservation along rear property lines, or such other treatment as may be necessary for adequate protection of residential properties to afford separation of through and local traffic.

#### 6. Street Grades

Grades on major streets shall not exceed seven (7) percent. Grades on other streets may exceed seven (7) percent but not ten (10) percent.

#### 7. Horizontal Curves

When a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve or reasonably long radius shall be introduced. On streets sixty (60) feet or more in width, the center line radius of curvature shall be not less than three hundred (300) feet. On other streets not less than one hundred (100) feet.

#### 8. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the pavement surface, to an object four (4) inches high on the pavement. Profiles of all streets showing natural and finished grades, drawn to a scale of not less than one inch equaling one hundred (100) feet horizontally and one inch equaling twenty (20) feet vertically, may be required by the Planning Commission.

#### 9. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

Property line radii at all street intersections shall not be less than twenty (20) feet. Where the angle of the street intersection is less than seventy-five (75) degrees, the Planning Commission may require radius.

#### 10. Tangents

A tangent of a least one hundred (100) feet long shall be introduced between reverse curves and arterial and collector streets.

#### 11. Street Jogs

Street jogs with center lines offsets of less than one hundred twenty-five (125) feet shall not be allowed.

#### 12. Dead-end Streets

- a. Minor terminal roads or courts designed to have one end permanently closed shall be no more than four hundred (400) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-a-round having an outside roadway diameter of at least eighty (80) feet and a road right-of-way diameter of at least one hundred (100) feet or the Planning Commission may approve an alternate design such as the T or Y backaround.

b. Where, in the opinion of the Planning Commission it is desirable to provide for road access to adjoining property, proposed roads shall be extended to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-a-round having a roadway diameter of at least eight (80) feet.

### 13. Private Roads and Reserve Strips

There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street or permanent easement as described in Article V, Section 6. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the Planning Commission.

### 14. Street Names

Proposed streets which are obviously in alignment with existing and named streets, shall bear the names of the existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court. Through its index list of street names on file the Planning Commission can assist the subdivider to avoid duplication.

### 15. Street Surface Drainage

All streets and roads shall be so designed as to provide for the discharge of surface water from the right-of-way of all streets and roads by grading and drainage, and the design shall be approved by the Planning Commission.

### 16. Partial and Half Streets

Half streets shall be prohibited. Whenever a half street or partial street exists and is adjacent to the tract proposed to be subdivided, the remaining half or whatever amount of right-of-way is necessary to bring such road up to minimum standards as provided in Section B-3 of this Article shall be platted within such tract.

### 17. Bridges

Wherever a natural barrier, such as a drainage ditch, a chasm or a stream, traverses land which is being developed and/or suitable for development, the Planning Commission may require the installation of vehicular and/or foot traffic bridges. Such bridging would serve to connect or allow connection of tracts of developable land and would be required at intervals of not more than one-quarter (1/4) mile and not less than nine hundred (900) feet for vehicular bridges. One or more foot bridges may be required in the interval between the vehicular structures.

## C. Blocks

### 1. Length

Blocks shall not be less than five hundred (500) feet nor more than twelve hundred (1200) feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street pattern.

### 2. Width

Blocks shall be wide enough to allow two rows of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property,

in which case the Planning Commission may approve a single row of lots of minimum depth.

### 3. Crosswalks

In blocks over eight hundred (800) feet in length, the Planning Commission may require one or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

### 4. Block Orientation

Where a subdivision adjoins a major road, the Planning Commission may require that the greater dimension of the block shall front or back upon such major thoroughfare to avoid unnecessary ingress or egress.

## D. Lots

### 1. Arrangement

Insofar as practical, side lots shall be at right angles to straight street lines or radial or curved street lines.

### 2. Fronting of Lots

Each lot shall front for at least fifty (50) feet upon a public street or road which is not less than fifty (50) feet in width, except as provided in Article V, Section 6.

### 3. Minimum Size

The size, shape and orientation of lots shall be such as the Planning Commission deems appropriate for the type of development and use contemplated. Where as public sanitary sewer is reasonably accessible, the subdivider shall connect with such sewer and provide a connection to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used when meeting all applicable public health regulations.

a. Residential lots served by a public sewerage system and public water supply system shall be not less than seventy-five (75) feet wide at the building setback line nor less than ten thousand (10,000) square feet in area.

b. Residential lots not served by a public sewerage system or public water supply system shall be not less than one hundred (100) feet wide at the building line nor less than twenty thousand (20,000) square feet in area.

c. Greater lot area may be required where private sewage disposal or private water supply is used, if in the opinion of the county health officer, there are factors of drainage, soil conditions or other conditions to cause potential health problems. The Planning Commission may require that data from percolation tests be submitted as a basis for passing upon subdivision dependent upon septic tanks as a means of sewage disposal.

d. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of over-all design of the land to be used for such purposes.

e. The size and widths of lots shall in no case be less than the minimum requirements of any zoning ordinance in effect.

#### E. Public Use of Service Areas

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

##### 1. Public Open Spaces

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

Where such reservation is required, it shall be noted on the plat and the reservation shall remain in force for a period of five (5) years. If the land has not been acquired for public use at the expiration of the five (5) year period the reservation shall be void and the developer may sell the land on the open market.

##### 2. Utility and Drainage Easements

###### a. Utility Easements

Except where alleys are permitted for the purpose, the Planning Commission may require easements on each side of a common rear lot line and along side lot lines for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains, or other utility lines. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities. Within this easement no permanent physical facilities shall be erected.

###### b. Drainage Easements

Where a subdivision is traversed by a water course, drainage, canal or stream, there shall be provided a storm water easement or drainage right-of-way along side for the purpose of widening, deepening, relocating, improving or protecting such drainage channels.

#### F. Large Tracts or Parcels

All subdivision proposals that are within a flood hazard area greater than 5 lots or 5 acres, whichever is the lesser, shall include within such proposal base flood elevation data as certified by a licensed engineer.

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

#### G. Group Housing Development

A comprehensive group housing development, including the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the Planning Commission, although the design of the project does not include standard street, lot and

subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

#### H. Accuracy

All boundary traverses shall close to an accuracy of at least one (1) part in five thousand (5,000). All dimensions shall be shown to the nearest one-tenth (1/10) of a foot and all angles to the nearest minute of degree.

#### I. Variances

Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the Planning Commission, a departure may be made without destroying the intent of such provisions, the Planning Commission may authorize a variance. Any variance thus authorized is to be stated in the minutes of the Planning Commission with the reasons on which the departure was justified set forth in writing.

#### J. Restrictive Covenants

The subdivider shall confer with the Planning Commission regarding the type and character of development that will be permitted in the subdivision. The subdivider should decide on certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, control the type of structure or the use of the lots, which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Such restrictions shall be made a part of the plats presented to the commission and shall be lettered upon the face of the plat where possible.

#### K. Zoning and Other Regulations

No final plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such ordinance.

Whenever there is a discrepancy between minimum standards of dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standard shall apply.

### **ARTICLE V. Development Prerequisite to Final Approval**

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer. The buyer is looking for the actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. The following is a list of tangible improvements necessary before final approval of a plat can be given. These actions will assure the physical reality of a subdivision which approval and recording establishes legally.

#### A. Required Improvements

All improvements must be designed and installed in accordance with the Local Government Public Works Standards and Specifications prepared by the University of Tennessee Municipal Technical Advisory Service.

Every Subdivision developer shall be required to grade and improve streets and alleys, and to install monuments, sewers, storm water inlets and water mains, in accordance with specifications established by the Covington Planning Commission. Where specifications adopted by local authorities conflict with standards set forth in these subdivision regulations, the higher set of standards, as determined by the planning commission, shall govern.

## 1. Monuments

- a. Concrete monuments four (4) inches in diameter or square, three (3) feet long, with a flat top, shall be set at all road corners, at all points where the road lines intersect the exterior boundaries of the subdivision, and at angle points and points of curb in each road. The top of the monuments shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other corners and points shall be marked with iron pipe or solid steel rod not less than three-fourth (3/4) inch in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

## 2. Grading

All roads and alleys shall be graded to their full width by the subdivider so that pavements and sidewalks can be constructed on the same level plane. Due to special topographical conditions, deviation from the above will be allowed only with special approval of the Planning Commission.

- a. Preparation. Before grading is started the entire right-of-way area shall be cleared of all trees, stumps, roots, brush and other objectionable materials.
- b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be to a depth of twelve (12) inches below subgrade.
- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials including organic materials, soft clay, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted. The filling utility trenches and other places not accessible to a roller shall be mechanically tamped, but where water is used to assist compaction, the water content shall not exceed the optimum of moisture.

## 3. Storm Drainage

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of surface water. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width of roadway and the required slopes. The size of openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than eight (8) inches. Cross drains shall be built on straight line and grade and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot and pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one foot below the roadbed.

## 4. Roadway Surfacing

After preparation of the subgrade, the roadbed shall be surfaced with material required by local standards, but of no lower classification than six (6) inches of compact chert or gravel.

5. Minimum Pavement Widths

Due to the diversity of development in the planning region, ranging from sparsely populated agricultural areas to the densely populated urban areas, required pavement width will necessarily vary with the character of building development and the amount of traffic encountered. Minimum pavement widths shall be as follows:

- a. Rural Streets . . . . . 24 feet  
Where the average lot size is two acres or more and where conditions are such as to discourage high speeds, non-local traffic and/or street parking.
- b. Minor Residential Streets . . . . . 28 feet Most minor streets in residential developments or rural roads involving parking and/or considerable traffic.
- c. Collector Street . . . . . 36 feet Including minor streets which in the opinion of the Planning Commission will involve sufficient traffic and/or parking to justify such width.
- d. Arterial Streets and Highways .. as may be required.

6. Permanent Easements, Vehicular

A permanent easement may be permitted under certain conditions. These easements shall meet the following minimum requirements and any special conditions attached by the Planning Commission, and the requirements and special conditions for the easement shall be placed on the final plat for recording.

- a. A permanent easement shall be of a required width of no less than fifty (50) feet. However, the planning commission may require greater widths if necessary to meet special conditions present on a plat.
- b. A permanent easement providing legal access to more than one lot shall be improved to meet the road construction standards established in Articles III and IV of these regulations.
- c. Permanent easement improvements shall be maintained by the developer/owner or by a legally established home owners association or other similar group approved by the planning commission. The legal documents establishing the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat.
- d. If, at any future date, a permanent easement is submitted for acceptance as a public street or road, it shall be submitted to the planning commission for approval. In considering the easement for approval as a public street or road, the planning commission shall require the improvements to the easements to meet the minimum street construction standards in effect at the time the request for public acceptance is made.
- e. A building permit may be issued for a building to be located on a recorded lot of record as 10/4/88, which lot fronts on a permanent easement with access to an existing public street or road; provided, however, that any future subdivision of said lot shall be subject to these provisions.

7. Curbs and Gutters

The subdivider shall provide permanent six (6) inch concrete curbs and twenty-four (24) inch integral concrete gutters.

#### 8. Sidewalks

The planning commission reserves the right to require installation of sidewalks i.e., paved, and drained walkways, where the safety of pedestrians and children at play demand them.

Sidewalks will normally be required in business areas, along major streets and the vicinity of school sites. When required, sidewalks will be located so that walls, hedges or other plantings placed on the property line will not interfere with pedestrians.

#### 9. Installation of Utilities

Utilities to be extended by the City of Covington will be done so in accordance with the current city utility extension policy. After grading is completed and approved and before any base is applied, all of the underground work - water mains, gas mains, etc. - and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.

If a subdivision proposal or other proposed development is in a flood prone area, any such proposals shall be reviewed to assure that (a) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (b) all public utilities and facilities such as sewer, gas, electrical and water systems and located and constructed to minimize or eliminate flood damage, and (c) adequate drainage is provided to reduce exposure to flood hazards.

#### 10. Water Supply System

Water mains properly connected with the community water supply system or with an alternate supply approved by the county health officer shall be constructed in such a manner as to serve adequately all lots shown on the subdivision plat for domestic use and fire protection.

The size of water mains, the location and types of valves and hydrants the amount of soil cover over the pipes of other features of the installation shall be approved by the planning commission and shall conform with accepted standards of good practice for municipal water systems.

All private water supplies and methods of water procurement must meet the requirements of the local or county health authorities. It shall be written across the face of the final plat and made a part of all deeds that the local or county health officer must inspect and approve the private water supply system before and after installation in order to assure public health protection through the observance of safe, private water supply standards.

All new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems.

#### 11. Sanitary Sewers

When located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to serve adequately all the lots with connection to the public system.

When lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the county or local health officer.

All private sewage disposal systems must meet minimum standards of the local or county health authorities. It shall be written across the face of the final plat and made a part of all deeds that the local or county health officer shall inspect and approve all private disposal systems before and after installation to insure protection of the public health.

All new and replacement sanitary sewer systems to be designed to minimum or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. On-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

#### B. Recommended Improvements

Although not required by these regulations, the planting of street trees is considered a duty of the subdivider as well as good business practice.

Street trees are a protection against excessive heat and glare and enhance the attractiveness and value of abutting property. The planning commission will advise the subdivider on location of trees and species to use under varying conditions.

It is recommended that trees be planted inside the property lines where they are less subject to injury, decrease the change of motor accidents and enjoy favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way their proposed locations and species to be used must be submitted for the planning commission's approval since the public inherits the care and maintenance of such trees.

#### C. Guarantees in Lieu of Completed Improvements

No final subdivision plat shall be approved by the Planning Commission or accepted for record by the County Register of Deeds until the improvements listed shall be constructed in satisfactory manner and approved by the local approving agent, or in lieu of such prior construction, The Planning Commission may accept a security bond in an amount equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city or county in the event of default of the subdivider.

### **ARTICLE VI. Enforcement and Penalties for Violations**

The enforcement of these regulations and penalties for the unapproved recording or transfer of land is provided by State Law in the authority granted by Public Acts of the State of Tennessee.

#### A. Enforcement

1. No plat or plan of a subdivision of land into two or more lots located within the Covington Planning Region shall be admitted to the land records of the county or received or recorded by the Tipton County Register of Deeds until said plat or plan has received final approval in writing of the Planning Commission as provided in Section 13-302 of the Tennessee Code Annotated.

2. No board, public officer or authority shall light any road, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any road located within the planning region unless such road shall have been accepted, opened or otherwise received the legal status of a public road prior to the adoption of

these regulations, or unless such road corresponds in its location and lines to a road shown on a subdivision plat approved by the Planning Commission, or on a road plan made and adopted by the Planning Commission as provided in Section 13-306.

**B. Penalties**

1. No county register shall receive, file or record a plat of a subdivision within the Covington Planning Region without the approval of the Planning Commission as required in Section 13-302, Tennessee Code Annotated, and any county register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

2. Section 13-3-410, Tennessee Code Annotated provides: "Whoever, being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of such subdivision of such land without having submitted a plat of such subdivision to the Regional Planning Commission and obtained its approval as required by this Chapter and before such plat be recorded in the office of the appropriate county registrar, 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. PROVIDED, HOWEVER, said owner or agent of any land may sell, transfer or agree to sell any lot or lots shown on a plan having been given tentative approval by said regional planning commission and provided, further, said owner or agent post bond in form and amount and with conditions and surety satisfactory to said regional planning commission, providing for and securing to the public and actual construction and installation of such improvements and utilities within a period specified by the commission and expressed in the bond. The county, through its county attorney, or other official designated by the Quarterly County court, may enjoin such transfer or sale or agreement by action or injunction."

3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the building commissioner or the City Attorney or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-311, Tennessee Code Annotated.

**ARTICLE VII. Adoption and Effective Date**

A. Before adoption of these subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the Planning Commission.

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

Adopted \_\_\_\_\_

Effective \_\_\_\_\_

**APPENDICES**

## SUGGESTED STEPS FOR A DEVELOPER OF A SUBDIVISION

Confer with the Planning Commission and its staff representative to become thoroughly familiar with the subdivision requirements, the major street plan, and other public improvements which might affect the area to be subdivided.

Have preliminary sketch plat prepared by a reputable engineer or surveyor.

Discuss preliminary plat with staff representative. This preapplication review by a trained land planner may save the subdivider time and costly revisions as well as possible savings through better design.

Submit required copies the sketch plat to the Planning Commission for preliminary approval in advance of its regular monthly meeting.

### WHEN PRELIMINARY APPROVAL HAS BEEN GRANTED:

See city engineer or designated approving agent(s) for street and utility specifications; contact city or county health officials for septic tank specifications if public sewers are not available.

Develop subdivision according to preliminary plat and required modifications, if any. Install improvements.

Obtain certificates from street and health officials certifying that improvements have been made or that a performance bond has been posted.

Prepare final plat.

Submit final plat to the Planning Commission for approval. When approved, the Planning Commission secretary will sign the certificate of approval for recording.

The subdivider now records the plat with the county register's office. He is now ready to sell his lots.

## SUBDIVISION RECORD

### PRELIMINARY PLAT

Name of Subdivision \_\_\_\_\_

Location \_\_\_\_\_

Civil District \_\_\_\_\_ Zoning District \_\_\_\_\_

Owner \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Agent \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Surveyor \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Date submitted for preliminary approval \_\_\_\_\_

CHECKLIST

\_\_\_\_ Two copies submitted five (5) days prior to meeting.

\_\_\_\_ Drawn to a scale of not less than 1" equals 100'.

\_\_\_\_ Name, location, owner and surveyor.

\_\_\_\_ Date, north point, and graphic scale.

\_\_\_\_ Location of all existing physical features of land and nearby properties.

\_\_\_\_ Names of adjoining property owners and/or subdivisions.

\_\_\_\_ Plans of proposed utility layouts.

\_\_\_\_ Names, locations and dimensions of proposed streets, alleys, easements, parks and reservations, lot lines, etc.

\_\_\_\_ Profiles of all streets not less than 1" equals 20' (if required).

\_\_\_\_ Contours at not more than 5' intervals.

\_\_\_\_ Acreage of land to be subdivided.

\_\_\_\_ Location sketch map.

\_\_\_\_ Conforms to general requirements and minimum standards of design.

Approved \_\_\_\_\_ to proceed to final plat. Subject to  
date

following modifications. \_\_\_\_\_

Variances granted: \_\_\_\_\_

Disapproved \_\_\_\_\_ for following reasons: \_\_\_\_\_  
date

\_\_\_\_\_

Signed: \_\_\_\_\_  
Secretary of Planning Commission

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SUBDIVISION RECORD

FINAL PLAT

Name of Subdivision \_\_\_\_\_

Location \_\_\_\_\_

Civil District \_\_\_\_\_ Zoning District \_\_\_\_\_

Owner \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Preliminary approval granted \_\_\_\_\_ (Date)

Submitted for FINAL approval \_\_\_\_\_ (Date)

#### CHECKLIST

\_\_\_\_\_ Submitted within one year of preliminary approval.

\_\_\_\_\_ Original and three copies submitted five days prior to meeting.

\_\_\_\_\_ Drawn to a scale of 1" equals 100' on sheets not larger than 22" X 34".

\_\_\_\_\_ Date, true north point, graphic scale, name and location of subdivision.

\_\_\_\_\_ Reservations, easements, or other non-residential areas.

\_\_\_\_\_ Bearings of property lines and sufficient engineering data to locate all lines including radii, angles and tangent distances.

\_\_\_\_\_ Dimensions to the nearest 100th of a foot and angles to the nearest minute.

\_\_\_\_\_ Lot lines, alleys, building \_\_\_\_\_ Lines and names of setback lines. all streets and roads.

\_\_\_\_\_ Location and description \_\_\_\_\_ Lots numbered in  
of monuments. numerical order.

\_\_\_\_\_ Names and locations of adjoining properties.

\_\_\_\_\_ Certificate of Ownership \_\_\_\_\_ Location sketch map.  
and Dedication.

\_\_\_\_\_ Certificate of Approval of Streets and Utilities.

\_\_\_\_\_ Certificate of Approval of Water and Sewage Systems.

\_\_\_\_\_ Certificate of Approval \_\_\_\_\_ Certificate of  
for recording. Accuracy.

\_\_\_\_\_ Proposed deed restrictions if not a zoned area.

\_\_\_\_\_ Conforms to General Requirements and Minimum Standards of Design.

\_\_\_\_\_ Required physical improvements have been made or bond posted in the amount of  
\$ \_\_\_\_\_.

Approval for Recording \_\_\_\_\_. Variances granted:

\_\_\_\_\_

Disapproved: \_\_\_\_\_ for the following reasons: \_\_\_\_\_  
date

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Signed: \_\_\_\_\_  
Secretary of Planning Commission

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**SUGGESTED FORMS FOR FINAL PLAT CERTIFICATION**

Many communities have successfully used rubber stamps to affix the following forms on the original plat.

**Form 1 CERTIFICATE OF OWNERSHIP AND DEDICATION**

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

\_\_\_\_\_ 20 \_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

-----  
**Form 2 CERTIFICATE OF ACCURACY**

I hereby certify that the plan shown and described hereon is true and correct survey to the accuracy required by the Covington, Tennessee, Regional Planning Commission and that the monuments have been placed as shown hereon, to the specifications of the County Superintendent of Public Works or City Director of Public Works.

\_\_\_\_\_ 20 \_\_\_\_  
Date

\_\_\_\_\_  
Registered Engineer or Surveyor

Form 3 CERTIFICATION OF THE APPROVAL OF WATER AND SEWERAGE SYSTEMS

I hereby certify that the water supply and sewage disposal utility systems installed, or proposed for installation, in the subdivision plat entitled: \_\_\_\_\_ fully meet the requirements of the Tennessee State Health Department, and are hereby approved as shown.

\_\_\_\_\_ 19 \_\_\_\_\_  
Date

\_\_\_\_\_  
County Health Officer or his  
Authorized Representative

\_\_\_\_\_

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Form 4 CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) that streets, utilities and other improvements have been installed in an acceptable manner and according to city (county) specifications, in the subdivision entitled: \_\_\_\_\_ or (2) that a security bond in the amount of \$ \_\_\_\_\_ has been posted with the Planning Commission to assure completion of all required improvements in case of default.

\_\_\_\_\_ 19 \_\_\_\_\_  
Date

\_\_\_\_\_  
County Superintendent or City  
Director of Public Works

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Form 5 CERTIFICATE OF APPROVAL FOR RECORDING

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

\_\_\_\_\_ 19 \_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Planning Commission