

MUNICIPAL
SUBDIVISION REGULATIONS
Covington, Tennessee

Prepared by the
Covington Municipal-Regional Planning Commission

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MUNICIPAL SUBDIVISION REGULATIONS

ARTICLE I: PURPOSE, AUTHORITY, 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 in 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 13-3-401 and 13-4-301 through 13-4-309, 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, or the division and plats of land petitioned by the owners among themselves either in court or by deeds.

ARTICLE II. DEFINITIONS

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

- A. Easement - 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, 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.
- C. 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.
- 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. 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.

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. 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 development.
3. Those which are used primarily for access to the abutting 3. Minor Streets 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.

H. Roadway: That portion of a street or road that is paved and ordinarily used for vehicular traffic.

I. 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, a change in an existing street, or the extension of water, sewer or gas lines.

ARTICLE III. PROCEDURE FOR PLAT APPROVAL

The subdivider should consult early and informally with the Planning Commission and its technical staff for advice and assistance before the preparation of the design 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 public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.

The procedure for review and approval of a subdivision consists of two (2) separate steps. The initial step is the preparation 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 resubdivide for this purpose, shall submit a plan of such proposed subdivision to the 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 secure review and approval of the planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a preliminary sketch plat as provided in Section B below. On approval of said preliminary design plan he may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Sections 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 two (2) copies of a preliminary sketch plat of the proposed subdivision drawn to a scale of not less than one inch equals 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.
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. At least seven (7) days prior to the meeting at which it is to be considered the subdivider shall submit four copies (black and white prints), together with any street profiles or other plans that may be required by the planning commission.

The plat shall be drawn to a scale of one inch equals one hundred (100) feet on sheets not larger than twenty-two (22) by thirty-four (34) 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.

3. When the plat has been approved by the planning commission two copies will be returned to the subdivider, with the approval of the planning commission certified thereon, one for filing with the county register as the official plat of record and one copy for the subdivider's records; and two copies will be retained in the records of the planning commission.
4. 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.
5. The final plat shall show:
 - a. The boundary lines of the area being subdivided with dimensions to the nearest tenth (1/10) of a foot and bearings to the nearest minutes. These boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with an error of closure not to exceed one (1) foot in five thousand (5000) feet.
 - b. The exact names, locations, center line bearings, and the widths along the property lines of all existing or platted streets intersecting or paralleling the boundaries of the proposed subdivision.
 - c. The accurate location and material of permanent reference monuments.
 - d. The exact layout including:
 - (1) 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 the true north point.
 - (2) The radius, central angle, points of curvature and tangent distance from the centerline of curved streets and curved property lines that are not the boundary of curved streets.
 - (3) All easements or rights-of-way where provided for or owned by public services.
 - (4) All lot lines with dimensions and with bearings or angles, if other than right angles to the street and alley lines.
 - (5) All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - e. Lots numbered in numerical order, and blocks lettered in alphabetical order.
 - f. The accurate outline of all property which is offered for dedication, or is reserved temporarily or permanently, for public use, including open drainage courses and suitable easements, streets and all property that may be reserved by covenant in deeds for the common use of the property owners in the subdivision, with the purpose indicated thereon.

- g. Location of all minimum building setback lines.
- h. Names and locations of adjoining subdivision and ownership of adjoining unsubdivided property.
- i. Names and addresses of owners of record, subdivider, licensed surveyor, or engineer.
- j. North point, graphic and original scale, date and name of subdivision.
- k. Private restrictions (restrictive covenants) and/or trusteeships and their period of existence. Should these restrictions or trusteeship be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.

6. Certificates

- a. Certification showing that the applicant is the land owner and is dedicating and/or reserving streets, rights-of-way and any sites for public use. (Form 1)
- b. Certification by surveyor or engineer to the accuracy of the survey, drawn plat and placement of monuments. (Form 2)
- c. Certification by the appropriate health officer, when necessary, as to the suitability of the land for private sewage disposal and water supply systems. (Form 3)
- d. Certification by the city engineer that the subdivider has complied with one of the following alternatives. (Form 4)
 - (1) All improvements have been made and installed in accord with the requirements of the regulations, or
 - (2) A cash or corporate bond has been posted to assure completion of all required improvements.
- e. Certification of approval to be signed by the secretary of the planning commission. (Form 5)
- f. 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 final 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 final plat shall show:
 - (1) The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, 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 subdivisions and streets and the location and ownership of adjoining unsubdivided property.
 - (6) Date, title, name and location of subdivision, graphic scale, and 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.
- h. The following certification shall be presented with the final plat:
- (1) Certification showing that the applicant is the land owner of the land, and that he dedicates streets, rights-of-way and any sites for public use.
 - (2) Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
 - (3) Certification by the appropriate health officers or environmentalist when individual sewage disposal or water systems are to be installed.
 - (4) Certification by the city engineer that the subdivider has complied with one (1) of the following alternatives:
 - 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 by the holder(s) of any mortgage, lien or encumbrance on the property that said holder joins in and consents to the dedication of the land described in the plat and agrees that its mortgage, lien, or encumbrance shall be subordinated to the dedication.
 - (6) Certification of approval to be signed by the secretary of the planning commission.

ARTICLE IV: GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

A. General Considerations

The Covington, Tennessee Municipal-Regional Planning Commission has adopted a regional 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 subdivision 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 where such scattered or premature subdivision would involve danger of injury to the health, safety, or prosperity by reason of the lack of water supply, proper drainage, good transportation and roads, or other public services, or would necessitate an excessive expenditure of public funds for the supply or maintenance of public services. Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, or may aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation or other menaces to satisfactory living conditions.

B. Streets

1. Conformity to the Major Road and Street Plan

The location and width of all streets and roads shall conform to the official Major Road and Street Plan which may include a major street plan within a municipality and/or a major road plan within an unincorporated area.

2. Relation to Adjoining Street System

The proposed street system shall extend existing streets or projects at the same or greater width, but in no case at 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 rights-of-way, measured from lot line to lot line, shall be as shown on the Major Road and Street Plan, or if not shown on such plan, shall be not less than as follows:

- a. Arterial Streets.....80 feet, or as may be required by Federal or State Agencies
- b. Collector Streets.....60 ft.
- c. Minor Residential Streets.....50 ft.
- d. Marginal Access Streets.....50 ft.
- e. Dead-end Streets
(cul-de-sacs).....50 ft.
- f. Alleys.....20 ft.

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. Whenever the Major Road and Street Plan specifies, or the planning commission requires, a street right-of-way greater than is needed to serve the subdivision through which the street passes, the excess width may be reserved rather than dedicated.

4. Additional Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street 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 center line 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

When a tract fronts on an arterial street or highway, the planning commission may require such lots to be provided with frontage on a marginal access street or an interior street.

When a lot of commercial or industrial use fronts on an arterial street or highway, the planning commission may require access points to be designed in such a way to accommodate sharing with adjacent lots. Furthermore the planning commission might also require a shared access easement between adjacent lots.

6. Streets 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

Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve of 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 street intersections shall be not less than twenty (20) feet and where the angle of street intersection is less than seventy-five (75) degrees the planning commission may require a greater radius.

10. Tangents

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

11. Street Jogs

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

12. Dead-end Streets

a. Minor terminal streets or courts designed to have one end permanently closed shall be not 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.

b. 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 with a temporary turn-around having a roadway diameter equal to the required right-of-way of the street.

13. Private Streets and Reserve Strips

There shall be no private streets platted in any subdivision. Every lot in subdivided property shall be served from a publicly dedicated street. 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, drive, way, 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 a tract proposed to be subdivided, the remaining half or whatever amount of right-of-way is necessary to bring such road up to minimum standard as provided in Section B-3, of this article shall be platted within such tract.

17. Alleys

- a. Alleys shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.
- b. Alleys shall be provided in commercial and industrial districts. However, the planning commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading and unloading and for parking consistent with and adequate for the uses proposed.
- c. No alley shall be less than twenty (20) feet wide.
- d. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities as determined by the planning commission.

18. Bridges

Wherever a natural barrier, such as a drainage ditch, a chasm or stream, traverses land which is being developed and/or suitable for development, the planning commission may require that 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.

Whenever bridges are required within the corporate limits of Covington, the city shall have full control of their design and construction.

C. Blocks

1. Length

Blocks shall be not 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 blocks 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 lot lines shall be at right angles to straight street lines or radial to 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.

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 a 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 fifty (50) feet wide at the building setback line nor less than six thousand four hundred (6,400) square feet in area.

b. Residential lots not served by a public sewerage system or public water supply system shall be not less than eighty-five (85)

feet wide at the building line nor less than fifteen thousand (15,000) 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 condition 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 subdivisions 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.

4. Building Setback Lines

The minimum depth of building setback lines from the street shall not be less than thirty (30) feet and in the case of corner lots, thirty (30) feet from the side street, unless higher standards are required by an existing zoning ordinance.

E. Public Use and 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 in 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 plat, 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. Church Sites

Subdividers are encouraged to reserve suitable sites in good locations for future churches. A church site should be no smaller than two (2) acres and larger sites frequently are required. Studies have shown that a ratio of one church site for every 1,500 persons is generally adequate. A site at or near the intersection of major streets is desirable for a church with a community-wide membership, and a

site located centrally in a neighborhood on a collector street is suitable for a church serving a more concentrated congregation.

3. Easements

a. Utility Easement

Except where alleys are permitted for the purpose, the planning commission may require easements, not exceeding six (6) feet in width, 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 Easement

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.

c. Shared Easement

To accommodate shared traffic between adjacent commercial lots, shared easements are encouraged. These easements should be a minimum of twenty (20) feet in width. Commercial lots created through the subdivision process may front on said easement without frontage on a public street provided the following conditions exist.

- i. The easement is shown on a plat, recorded in the office of the Tipton County Register of Deeds either prior to, or concurrently with the platting of lots being served by said easement.
- ii. In approving commercial shared easements, the planning staff shall consider such factors as circulation, access, ingress and egress, parking, as well as maintenance of yard area and other zoning requirements of any lot(s) affected by said easement.
- iii. The development of the parcels involved in the easement agreement shall have been approved by the Planning Commission through the appropriate site plan review process.

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 streets in the future and for logical further subdivision.

G. Group Housing Developments

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 reasoning 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 or dimensions noted herein and those contained in zoning regulations, building codes, 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 until he can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. The following tangible improvements are required before final plat approval in order to assure the physical reality of a subdivision which approval and recordation will establish legally.

A. Required Improvements

Every subdivision developer shall be responsible for the installation of improvements in accordance with the specifications listed below:

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 street corners, at all points where the street lines intersect the exterior boundaries of the subdivision and at angle points and points of curve in each street. The top of each monument shall have an indented cross to identify the location properly and shall be set flush with the finished grade.
- b. All other lot corners shall be marked with a metal pipe not less than three-fourths (3/4) inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

2. Grading

All streets, 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, deviations from 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 first cleared of all stumps, roots, brush and other objectionable materials and of all trees not intended for preservation.
- 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 scarified to a depth of twelve (12) inches below the subgrade.
- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches loose, and then compacted. The filling of 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 all surface water.

Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit a full width roadway and the required slopes. The size 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 end pointing in the direction of the flow and the ends fitted and matched to provide tight joints and a 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 (1) foot below the road bed.

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 compacted 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 (2) 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 development or rural roads involving parking and/or considerable traffic.
- c. Collector Streets.....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. Curbs and Gutters

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 in the vicinity of schools sites. When required, sidewalks will be located so that walls, hedges or other plantings placed on the property line will not interfere with pedestrians.

8. Permanent Easements, Vehicular

A permanent vehicular 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 easement 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 of 4-21-87, 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.

9. Installation of Utilities

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 are 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 for fire protection.

The size of water mains, the location and types of valves and hydrants, the amount of soil cover over the pipes or 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 shall 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 sewage system, sanitary sewers shall be installed in such a manner as to serve adequately all 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 system before and after installation to insure protection of the public health.

All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. On-site waste disposal systems shall 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 chance of motor accidents and enjoy more 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 cash or corporate

bond in an amount equal to the estimated cost of installation of the required improvements along with a schedule of when the improvements will be completed, 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 recordation 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 planning region shall be admitted to the land records of the county or received or recorded by the Tipton County Registrar of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-4-302 and 13-3-402 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 commission, as provided in Sections 13-4-307 and 13-4-306, Tennessee Code Annotated.

B. Penalties

1. No county register shall receive, file or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-4-302 and 13-3-402, 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: "That whoever, being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the regional planning commission and obtained its approval as required by this Act 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 the 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. Within a municipality, the solicitor or other official designated by its chief legislative body, may enjoin unapproved transfer or sale of property by action or injunction as provided in Section 13-3-406, Tennessee Code Annotated.
4. 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 county attorney or other official designated by the Quarterly County Court may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308 and 13-3-411, Tennessee Code Annotated.

ARTICLE VII: ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision regulations or any amendment therefore, a public hearing thereon shall be held by the planning commission; fifteen (15) days notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the county lying wholly or partly in the planning region.
- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adopted: _____

Effective: _____

Amended: _____

Amended: _____

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

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.

WHEN PRELIMINARY APPROVAL HAS BEEN GRANTED:

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 _____

Ph: _____

Agent _____ Address _____

Ph: _____

Surveyor _____ Address _____

Ph: _____

Date submitted for preliminary approval _____.

Check List

- ___ Copies submitted as required prior to meeting.
- ___ Drawn to required scale.
- ___ Approval of County Environmentalist, if necessary.
- ___ Name, location, owner and surveyor.
- ___ Date, north point and graphic scale.
- ___ Location of all existing physical features on 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 at required scales.
- ___ Contours at not more than 5' intervals.
- ___ Acreage of land to be subdivided.
- ___ Conforms to general requirements and minimum standards of design.

Approved _____ to proceed to final plat.
date

Subject to following modifications:

Variances granted: _____

Disapproved: _____ For following reasons:
(date)

Signed: _____
Secretary of Planning Commission

SUBDIVISION RECORD

FINAL PLAT

Name of Subdivision _____

Location _____

Civil District _____ Zoning District _____

Owner _____ Address _____

Ph: _____

Preliminary approval granted: _____ Submitted for FINAL
(date)

approval _____
(date)

Check List

- ___ Submitted within specified time from preliminary approval.
- ___ Copies submitted as required prior to meeting.
- ___ Drawn to a scale of _____ equals _____ on sheets
in. ft.
not larger than _____ x _____.
- ___ 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 setback lines.
- ___ Lines/names of all streets and roads.
- ___ Location and description of monuments.
- ___ Lots numbered in numerical order.
- ___ Names, locations of adjoining properties.
- ___ Certificate of ownership and dedication.
- ___ Certificate of Accuracy.
- ___ Certificate of Approval of Water and Sewerage Systems.

___ Certificate of Approval for Recording.

___ 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 \$ _____.

Approved for Recording _____.

Variance granted: _____.

Disapproved: _____ for the following reasons:
(date)

Signed: _____
Secretary of the
Planning Commission

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.

_____ 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 the City Director of Public Works.

_____ 19 ____
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: _____
I 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/Director,
Covington Public Works

Form 4 CERTIFICATION OF THE APPROVAL OF STREET AND UTILITIES

I hereby certify that streets, utilities and other improvements have been installed in an acceptable manner and according to city specifications in the subdivision entitled: _____ and that the developer's participating cost share will be posted with the City of Covington.

_____ 19 ____
Date

Director of Public Works

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