

GILES COUNTY REGIONAL PLANNING COMMISSION SUBDIVISION STANDARDS

SECTION 1 – 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 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.

SECTION 2 – AUTHORITY

These subdivision standards are adopted under the authority granted by Sections 13-3-401 through 13-3-414, Tennessee Code Annotated. The Giles County Regional Planning Commission has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such standards, having filed a certified copy of the Major Road Plan¹ in the office of the Registrar of Giles County, Tennessee.

SECTION 3 – JURISDICTION

These regulations shall govern all subdivision of land within all unincorporated areas of Giles County, Tennessee. Any owner of land within this area wishing to subdivide land shall submit to the Giles County Regional Planning Commission a plat of the subdivision according to the procedures, standards and requirements herein. Improvements shall be installed as required by these standards.

SECTION 4 – DEFINITIONS

As used in these standards and regulations, the following words or phrases shall have the following meaning or definition:

"Planning Commission" shall mean the Giles County Regional Planning Commission.

"Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new streets and roads, utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision and when appropriate to context, relates to the process of re-subdividing or to the land or area subdivided.

SECTION 5 – ENFORCEMENT

1. No plat or plan of a subdivision of land into two (2) or more lots located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the County Register of Deeds until said plat or plan has received final approval in writing by the Planning Commission.
2. No board, public officer, authority or department shall accept, lay out, open, improve, grade, pave or light any road, or lay or authorize to be laid water mains, sewers, or other facilities or utilities including connections thereto in any road within the jurisdiction of these regulations unless such road has been accepted or opened or has otherwise received the legal status of a public road prior to the effective date of these regulations, or unless such road corresponds in

its location and lines with a road shown on a subdivision plat approved by the Planning Commission, or on a road or street plat adopted by the Planning Commission.

3. The Giles County Register of Deeds shall not file or record a street plat or plat of a subdivision of land within the area of jurisdiction of the Planning Commission unless the approval of the Planning Commission is certified thereon by the Secretary or Chairman thereof.
4. If a parcel of land is divided to give or sell to family or other individuals, approval by the GCRPC is not required as long as any building placed on the property requires only driveway connections and no other roads. If building a house that connects directly to an existing road, and requires only driveway connection, approved State or County regulations for driveway connections must be met as controlled by those organizations, but coming to the GCRPC is not required.

SECTION 6 – PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of two (2) separate steps. The initial step is the preparation and submission to the Planning Commission of a preliminary plat of the proposed subdivision. The final step is the preparation and submission to the Planning Commission of a final plat. This final plat becomes the instrument to be recorded in the Giles County Register of Deeds Office when duly signed by the secretary of the Planning Commission.

Any person authorized to endorse approval in writing on the final plat, as provided in these regulations, may refuse to endorse approval of the plat and request consideration of the plat by the Planning Commission at the next regularly scheduled meeting.

6A – PRELIMINARY PLAT

1. At least fifteen (15) calendar days prior to the meeting at which it is to be considered, the prospective subdivider shall submit to the Planning Commission seven (7) copies of a preliminary plat of the proposed subdivision. All copies are to be delivered to the Giles County Executive's Office. **Included shall be the proposed subdivision's name and location, the name(s) and address(es) of the owner(s), and the name of the designer of the plat or set of plans, whom shall be a licensed engineer or surveyor in the State of Tennessee.** Preliminary Plats shall include signature lines for Giles County Highway Department, Giles County Health Department, Electric System, Water Utility District, E- 911, Office of Emergency Management and Giles County Planning Commission.
2. Within sixty (60) days after submission of the preliminary plat, the Planning Commission will review it and indicate its approval or disapproval. If the plat is not approved, the reasons for such will be stated in writing, or approve with suggested modifications.
3. It will be the responsibility of the developer to make the Planning Commission and the Giles County Highway Department aware of any changes he/she wants to make in the plat or plan design.
4. Naming of new streets or roads will have to be approved through Giles County E-911 to be accepted.
5. If any portion of the land or road being subdivided is subject to flood or in the flood plain, this must be noted on the plat shown in the plans and must be approved by the Giles County Office of Emergency Management.

6. Before a preliminary plat is signed by the Planning Commission, the developer shall be required to post a surety bond in sufficient amount as determined by the Giles County Highway Department Superintendent to assure such completion of the construction, installation, or dedication of improvements.

6B – FINAL PLAT

1. The final plat shall conform substantially to the preliminary plat as approved.
2. At least fifteen (15) calendar days prior to the meeting at which it is to be considered, the prospective subdivider shall submit to the Planning Commission seven (7) copies of a final plat of the proposed subdivision with all signature lines to be signed by an authorized representative of the Giles County Highway Department, Giles County Health Department, E-911, Electric System, Water District, Office of Emergency Management, and the Giles County Regional Planning Commission.

SECTION 7 – REQUIRED IMPROVEMENTS

Before a final subdivision plat is signed by the Secretary of the Planning Commission, the developer shall be required to:

1. Complete improvements, based on the recommendations of the Giles County Highway Superintendent, Giles County Office of Emergency Management, and in accordance with the requirements of the Planning Commission, and in accordance with the Americans with Disability Act.
2. Maintain a Surety Bond to insure the construction, installation, or dedication of improvements.

The developer shall be required to meet the Minimum Standards for New Road Developments for Acceptance of Road and Streets by the Giles County Highway Department and the Giles County Commission that are currently in effect at the time of the submission of the plat or plans for approval and which are considered as a part of these Subdivision Regulations. After all procedures have been followed and final inspections have been made, the Giles County Highway Superintendent will make a recommendation to the Giles County Highway Committee and be referred on to the Planning Commission for review and recommendation to be sent on to the full Giles County Commission for acceptance into the Giles County Road system. The developer will be responsible for all road signs that are required by law and by the Giles County Highway Superintendent. All required road signs shall be in place before the roads are accepted by the county.

SECTION 8 – GUARANTEE IN LIEU OF COMPLETED IMPROVEMENTS

Prior the preliminary plat being signed and any improvements being made, the developers must secure a Surety Bond or Irrevocable Letter of Credit (LOC) from an approved financial institution for 120% of the estimated cost of the proposed project. For purposes of this section, an "approved financial institution" is a bank or trust company chartered by the State of Tennessee or a national bank or federal savings associated chartered and regulated by the Office of the Comptroller of the Currency. The financial institution must submit the original copy of the Surety Bond or LOC via certified mail to the Giles County Financial Office located at 222 West Madison Street, Pulaski, Tennessee 38478

The Giles County Highway Superintendent will provide an estimate for the project that includes all lot improvements and private access improvements required pursuant to these regulations, including necessary off-site improvements.

The Surety Bond or LOC shall be renewed and/or maintained for the length of the project (project not to exceed two years from the date of final approval) and must list the Giles County Planning Commission and/or Giles County Highway Department as the beneficiary.

Failure to complete the approved project or perform satisfactory work, Giles County will enforce the conditions of the Surety Bond or LOC for any unfinished work and/or damages. The developer shall be responsible for the cost and fees, including but not limited to any legal cost, incurred by Giles County during such proceedings.

Developers may request the amount of the Surety Bond or LOC reduced. Determination of applicable Road Project Percentages will be considered by the Giles County Road Superintendent and Giles County Highway Committee. Consideration will be based on the construction project stage of completion. A letter will be sent to the Giles County Regional Planning Commission supporting or not supporting the request.

SECTION 9 – ADOPTION AND EFFECTIVE DATE

Before adoption of these subdivision standards and regulations a public hearing as required by Title 13, Tennessee Code Annotated was duly noticed and afforded any interested person or persons and held on August 6, 2015.

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

Adopted _____
Title

Effective _____
Date