

RESOLUTION _____

A RESOLUTION TO AMEND THE STANTON MUNICIPAL SUBDIVISION REGULATIONS REGARDING DEFINITIONS, AND AMENDING FINAL PLAT CONTENT

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-4-301 through 13-4-309, subdivision regulations have been adopted for Stanton; and,

WHEREAS, the Stanton Municipal Planning Commission has seen fit to amend Subdivision Regulations Regarding Definitions, and Amending Final Plat Content;

WHEREAS, pursuant to Tennessee Code Annotated Section 13-4-303, a public hearing was held by this body on Tuesday, the ___th day of _____, 2025 the time and place which was published with a 15-day notice;

NOW, THEREFORE, BE IT RESOLVED by the Stanton Municipal Planning Commission:

SECTION 1. That the Stanton Subdivision Regulations be amended with the insertion of the following in Article I, F. BASIC DEFINITIONS AND INTERPRETATIONS in the appropriate alphabetical order

Applicant - The owner of land proposed to be subdivided or his authorized representative. Consent shall be required from the legal owner of the premises(s). (also means a landowner or developer who is responsible for filing with the local government an application for a building permit, a development plan or application for a permit requisite to a development plan, or the representatives, assigns, successors, transferees, heirs or agents of such landowner or developer)

Construction The erection of construction materials in a permanent position and fastened in a permanent manner. Where excavation, demolition or removal of an existing building has been substantially begun prior to rebuilding, such excavation, demolition or removal shall be deemed to be construction; provided, that work shall be carried on diligently and complies with all applicable requirements

Development plan both a preliminary development plan and a final development plan

Development standards all locally adopted or enforced standards, regulations or guidelines applicable to the development of property, including, but not limited to, planning; local storm water requirements, layout, design; local construction standards for buildings, streets, alleys, curbs, sidewalks; zoning as provided for in Tennessee Code Annotated such as lot size; lot configuration; yard dimensions; and off-site improvements, including public or private infrastructure, in which an applicant may acquire vested rights or vested property rights according to Tennessee Code Annotated ; and Does not include standards required by federal or state law; or building construction

safety standards which are adopted pursuant to authority granted under Tennessee Code Annotated § 68-120-101;

Final development plan - A plan which has been submitted by an applicant and approved by a local government describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property. Such plan may be in the form of, but not be limited to, any of the following plans or approvals:

1. A planned unit development plan;
2. A subdivision plat;
3. General development plan;
4. Subdivision infrastructure construction plan;
5. Final engineered site plan; or
6. Any other land-use approval designation as may be utilized by a local government;

Unless otherwise expressly provided by the local government, such a plan shall include the boundaries of the site; significant topographical and other natural features affecting development of the site; the location on the site of the proposed buildings, structures, and other improvements; the dimensions, including height, of the proposed buildings and other structures or a building envelope; and the location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways. A variance shall not constitute a final development plan, and approval of a final development plan with the condition that a variance be obtained shall not confer a vested property right unless and until the necessary variance is obtained. Neither a sketch plan nor any other document which fails to describe with reasonable certainty the type of use, the intensity of use, and the ability to be served with essential utilities and road infrastructure for a specified parcel or parcels of property may constitute a final development plan;

Nonresidential subdivision- A subdivision whose intended use is other than residential, such as commercial or industrial.

Preliminary development plan A plan which has been submitted by an applicant and that depicts a single-phased or multi-phased planned development typically used to facilitate initial public feedback and secure preliminary approvals from local governments. Examples of information found on development plans include proposed land uses, density and intensity of development, public utilities, road networks, general location of off-street parking, building location, number of buildable lots, emergency access, open space, and other environmentally sensitive areas such as lakes, streams, hillsides, and view sheds. An approved preliminary development plan serves as a guide for all future improvements within defined boundaries;

SECTION 2. That the Stanton Subdivision Regulations be amended by the replacement of ARTICLE II, PROCEDURE FOR SUBDIVISION APPROVAL, E. Final Plat, 1 and 2 with the following:

E. FINAL PLAT

The Final Plat is the culmination of the land subdivision process. When approved and duly recorded as provided by law, the Final Plat becomes a permanent public record of the survey of the lots or parcels, rights-of-way, easement and public lands, and the restrictive covenants as may be applicable to the lots or parcels within the boundary of the subdivision. As such, it serves as a vital instrument in the sale and transfer of real estate, in the dedication of rights-of-way, easements, and public lands, and in future land survey of the properties contained in or adjoining the subdivision.

1. Submission of Final Plat

- a. Eight (8) copies of the Final Plat shall be submitted to the Stanton Town Hall no less than fifteen (15) days prior to the scheduled Planning Commission meeting. The Final Plat shall conform substantially to the approved Engineering Plan Submission.
- b. The original of the Final Plat shall be in black permanent ink on mylar drafting film, twenty-four inches by thirty inches (24" x 30"), to a scale of one-inch equals one-hundred feet (1" = 100'). If more than one (1) sheet is required, an index sheet of the same size shall be filed and shall show a key map of the entire area being platted. The separate sheets of the Final Plat shall be keyed alphabetically and shall match lines with the adjoining sheets.
- c. At least one copy of the stamped Final Plat shall be provided to the Town of Stanton Planning Department as a PDF file, or other format as may be required by the Planning Commission.

2. Contents of Final Plat Content

The Final Plat shall include the following information:

- a. The lines of all streets and roads with names, alley lines, lot lines, building setback lines, lots numbered in numerical order, reservations for easements and any areas, such as entrances, medians, sidewalks, or landscaping to be dedicated for private and 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 curved property lines that are not the boundary of curved streets.

- c. All dimensions to the nearest one hundredth (100th) of a foot and bearings to the nearest minute.
- d. Location and description of monuments.
- e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining properties.
- f. Date, title and name of the subdivision, surveyor/designer of the subdivision, vicinity map, graphic scale, total acreage subdivided and note pertaining to acreage of the parent tract or remaining property, if applicable; zoning classification of subject tract and adjoining properties and true north arrow.
- g. Tax Map, Group, and Parcel Number as well as the most recent recorded deed book number and page number for each deed constituting part of the property being platted.
- h. Location, size, and type of all existing utilities (i.e. water, fire hydrant, sewer, electric, septic, wells, and gas) as well as existing buildings and structures.
- i. Any restrictive covenants which are to apply to lots or other parcels within the subdivision.
- j. One hundred (100) year floodplain, floodway boundaries and elevations of each as well as the current zone on the effective Flood Insurance Rate Map panel and effective date with confirmation that there are no federally-identified one hundred (100) year floodplain, floodway boundaries and elevations (ie. C, D, X, or any other zone);
- k. Major environmental features, including but not limited to rivers, streams, drainage ditches and groupings or stands of trees;

SECTION 3. That the Stanton Subdivision Regulations be amended by the addition of the following certificates in E. Final Plat 3:

- g. Certificate of Fire Department Review
- h. Certificate of Approval of Street Names (or Letter)
- i. Certificate of Availability of Utilities (Minor Subdivision Only)
- j. Certificate of Approval of Access to a Public Street (Minor Subdivision Only)
- k. Certificate of Approval Availability of Electricity (or Letter)
- l. Certificate of Approval of the Availability of Natural Gas (or Letter)

SECTION 4. That the Stanton Subdivision Regulations be amended by the addition of the following certificates in the Appendix:

CERTIFICATE OF FIRE DEPARTMENT REVIEW

I, _____, do hereby certify that the subdivision plat has been reviewed related to emergency vehicle access and distance/access to hydrants.

_____, 20_____
Date

Fire Chief
Town of Stanton

CERTIFICATE OF APPROVAL OF STREET OR ROAD NAMES

I, _____, do hereby approve the street or road names for the subdivision and certify that the Haywood County 911 Commission has been consulted to ensure updates to the E911 Service.

_____, 20_____
Date

Public Works Director
Town of Stanton

CERTIFICATE OF AVAILABILITY OF UTILITIES

(Minor Subdivision Only)

I, _____, do hereby certify that I have reviewed the minor subdivision and certify that electric, gas, public water, and public sewer are available.

_____, 20_____
Date

Public Works Director
Town of Stanton

REVIEW OF AVAILABILITY OF ACCESS TO A PUBLIC STREET
(Minor Subdivision Only)

I, _____, do hereby certify that I have reviewed the proposed subdivision and certify that all lots have access to an adopted public way.

_____, 20____
Date

Public Works Director
Town of Stanton

CERTIFICATE OF AVAILABILITY OF ELECTRICITY

I, _____, do hereby certify that I have reviewed the proposed Site Plan and certify that electrical service is available.

_____, 20____
Date

Authorized Representative
Electric Utility Provider

CERTIFICATE OF AVAILABILITY OF NATURAL GAS

I, _____, do hereby certify that I have reviewed the proposed Site Plan and certify that electrical service is available.

_____, 20____
Date

Authorized Representative
Natural Gas Utility Provider

SECTION 5. BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption, the public welfare requiring it.

Passed and adopted by the governing body on the ____ day of _____, 2025.

ROGER PECK, Chairman
Stanton Planning Commission

ATTEST:

KATHLEEN MCDONALD, Secretary
Stanton Municipal Planning Commission

NOTICE OF PUBLIC HEARING

Pursuant to Tennessee Code Annotated Section 13-4-303, notice is hereby given of a public hearing to be held by the Stanton Municipal Planning Commission on _____, _____, _____ at 5:00 PM in the Stanton Town Hall. The hearing is to receive public input into proposed amendments to the Stanton Subdivision Regulations by amending provisions Regarding Definitions and Final Plat Content. A full copy of the amendment may be viewed in the office of the Stanton City Hall during normal business hours. All interested persons are invited to attend and comment.