

Proposed Changes to the Crossville Regional Planning Commission

Oct 2023

- **Required Changes:**

- Adding Essential Nexus Verbiage
 - Article III (D) (3) – Additional Width on Existing Streets

Existing Text:

Subdivisions that abut existing streets shall dedicate additional right-of-way to meet the minimum street right-of-way width requirements:

Proposed Text:

Subdivisions that abut existing street may be required to dedicate additional right-of-way to meet the minimum or proposed street right-of-way for a future road project, if an essential nexus exists between the dedication and a legitimate local governmental interest and the dedication is roughly proportional both in nature and extent to the impact of the proposed use or development of the property.

- This would bring the sub regs into compliance with the new state law.
- Expiration of a Preliminary Plat
 - Article II (3) -Plat Approval (C) Expiration of Preliminary Plat bullet (i)
 - Under the current sub regs, a preliminary plat expires in 12 months, if no work has begun. A new state law has come into effect in regard to vested property rights. The new law grants vested property rights to start on the date of a preliminary plat approval and last 3 years. There are many other triggers that can extend vested rights up to 10 years, but that requires permits, final plat, construction beginning, and others that does not need to be addressed in the subdivision regulations. I do feel that the expiration of a preliminary plat mirrors the vested property rights law.

- **Correction of Errors or for Clarity:**

- Article III (D) (14) (a) - Street Construction Procedures and Specifications, Road Dimensions
 - For “Gravel Base Width for Local (Curbs) is listed as 22ft. Should be 26ft.
 - This will be the text into agreement with the attached illustration 7
- Article III (D) (7) – Visibility of Intersections
 - To match illustration 10, Maximum 3% grade for 50 feet needs to be added.
 - Proposed Text:

In order to provide visibility for traffic safety, the maximum grade approaching an intersection shall not exceed 3% for a minimum of 50 feet. Any corner lot (whether at an intersection of new streets or existing streets) shall be leveled and cleared of brush (except isolated trees) and obstructions above the level of three feet (3 ft.) higher than the centerline of the street. If directed, the ground shall be excavated to achieve visibility.
- Article III (D) (12) – Sidewalks (Optional)
 - Remove “(Optional)” from the title.
 - The text itself states that they may be required by the Planning Commission. Leaving it as optional has led to the developer thinking they are optional by them and not the Planning Commission. The developer always has a choice to add sidewalks, but the intent of this section is to state that the Planning Commission can REQUIRE sidewalks under certain circumstances.
- Article III (E) (3) (d) – Fire Protection
 - Current regulations state: “To provide fire protection, fire hydrants shall be spaced approximately 700 feet apart in residential areas and **no less than 350** feet apart in commercial-industrial areas, with all measurements made along road frontage”
 - Shouldn't this read, “no more than 350”? or possibly “and approximately 350 feet apart in commercial-industrial areas, “
- Appendix
 - Add certificate for Storm Water Financial Guarantee
 - Update agreement for Certified Check in lieu of completed improvements
 - Current agreement states the check will be held in safekeeping.
 - We are required to deposit the check and then issue a refund once the agreement has been met and financial guarantee released by the Planning Commission

- **Suggested Changes for Consideration and Discussion:**

- Changes to “In-House” approval threshold
 - Under a new state law, a Planning Commission may grant Staff the ability to approve subdivisions, up to 25 lots, that have previously been approved in Preliminary Plat by the Commission, if no significant changes have occurred during construction or up to 5 lots if it did not receive preliminary plat approval and does not involve any financial guarantees or variances.
 - This could reduce the number of plats having to be reviewed by the full commission and allow a speedier conclusion for the developer, by not having to wait for a regular meeting of the Planning Commission.
- Move the submission deadline for Planning Commission:
 - Currently the Subdivision Regulations allow submission of a plat 14 working days prior to the regularly scheduled meeting.
 - Staff would like to push that back to the 3rd Thursday of the previous month to allow a more accurate review of the preposed plats and have a hard deadline of the second Thursday of a month for a corrected plat be submitted. **Review Fees and plat submission (via digital or hard copy) must be submitted to staff by 4pm on the third Thursday of the previous month. Any corrections or changes required by staff must be resubmitted in hard copy format (minimum of 5 copies) by the second Thursday of the month, one week prior to the scheduled meeting of the Crossville Regional Planning Commission.**
- Requirement of TDOT Driveway permit prior to approval of a final plat (if applicable)
 - The sub regs, under Article III (D) (7) states”

IMPORTANT: Any proposed street or driveway intersecting onto a state highway must be reviewed and approved by State Dept. of Transportation Region II Engineer in Chattanooga.

Should the permit be REQUIRED before final approval??

- Fire Hydrants required for Simple Subdivisions:
 - Currently Fire hydrants are only required on Regular and may be required on small subdivisions.
 - A need has been brought up by City Staff, that if a Simple or Small subdivision has the intent of being commercial, industrial, or multifamily residential, that a fire hydrant should be required.
- Article III (E) (4) (b) – Subsurface Sewerage Disposal system
 - Current regulations requires that any subdivision that does not have access to the city sewer system, must have the signature and approval of the State Environmentalist.
 - In the past, many variances have been granted not requiring this. The majority of those on Simple subdivisions, especially when a lot is gaining size. Staff would like to add an exclusion for any simple subdivision that is gaining size or can show the existing septic field lines are not being impacted by a reduction in size.
- Cluster Mailboxes –
 - With the recent requirements from the US Postal Service, any subdivision over 8 lots is required to have a cluster mailbox and no longer have

driveway side mailboxes. Most subdivisions that have been submitted since that requirement have installed the cluster boxes on/near ROW. I feel this needs to be addressed... either to officially allow it to be located within our ROW or strictly forbid it. Either way, some safety concerns have been brought to staff's attention about proper access to the cluster mailboxes, mainly dealing with a proper safe (probably needs to be ADA compliant) surface to access it.

- Requirement for Stormwater structures to be shown on Preliminary plats
 - With the new stormwater ordinance coming within the next 12 months, any land disturbance over 1 acre will require storm water detention of some kind. Per conversations with our Stormwater Department, any permanent stormwater structures must be located on common ground within a subdivision to avoid the structures being located on a single owner's private lot. This avoidance is due to the requirements that will now be part of the new permit, like having to hire a professional engineer or landscape architect to inspect the structure every 5 years and provide the city a letter of compliance, or what repairs or changes that must be made to bring the structure into compliance.
 - Due to this requirement of common ground, planning staff feels that common ground with potential stormwater structures need to be shown on preliminary plats. This will force the developer to do a bit more planning upfront but hopefully reduce the need for resubmittals of a preliminary plat due to significant changes once the stormwater plan is established.
- Article III (F) (3) – Minimum Lot Size
 - Some discussion has been had in regard to reducing population density
 - Under the current regulations, Residential lots served by public water and public sanitary sewer have a minimum size of 6,000sqft.
 - With a few recent subdivisions using these minimum lot sizes, one can see how small the lots really are. When the creation of the Multi-Family/Cluster Housing ordinance was underway, it was brought to the attention of planning staff that proper recreational or open space was needed. That requirement was included in the ordinance. Staff is posing the question to the Planning Commission - do we want to increase our minimum lot size to allow more open space per lot or allow smaller higher density with required common ground/open space located in the development? Or just leave it the way it is.
 - One option would be to increase minimum lot size to 10,000sqft
 - Allow 6,000sqft to remain, but require a minimum size open space common ground area, size to be determined.
 - This option would need to change part of Article IV - Special Developments
- Article III (D) (14) (f) – Binder Course and Final Wearing Surface
 - Current regulations states that the developer is responsible for the binder course and the city of Crossville will apply the final wearing surface at 70% build out, 6 years, or sooner if deemed necessary for all developments inside the city limits. Outside city limits, the binder course

is required and the County Road Department will install the wearing surface when deemed necessary.

- Staff is recommending changing this requirement to requiring the developer to install final top coat/final wearing surface 2 to 5 years after binder coat has been applied and possibly provide a financial guarantee or possibly postpone the acceptance of the road as a city street until the final wearing surface has been installed and approved by the City Street Department.

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