

# STEPS REQUIRED TO SUBDIVIDE PROPERTY IN MILLINGTON

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## **SUBDIVISION PROCESS**

The rules of Tennessee State Law, and the Millington Subdivision Regulations govern the division of property into lots or tracts in Millington. Any division of property into two or more lots containing 5 acres or less, or any division of property requiring new street or utility construction is a subdivision and must be approved by the Millington Planning Commission. The procedure for review and approval of a subdivision consists of three steps.

The Millington Subdivision Regulations can be downloaded or viewed on line at:

<http://www.millingtontn.gov/DocumentCenter/View/842>

The general design standards shall conform to the Local Government Public Works Standards and specifications as amended in the Millington Subdivision Regulations. This document can be downloaded or viewed on line at:

[https://trace.tennessee.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1256&context=utk\\_mtaspubs](https://trace.tennessee.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1256&context=utk_mtaspubs)

**RESIDENTIAL AND NONRESIDENTIAL SUBDIVISIONS FOLLOW THE PROCEDURES LISTED BELOW. HOWEVER, IN SMALL ONE OR TWO LOT NON RESIDENTIAL SUBDIVISIONS, A SITE PLAN APPLICATION MAY INCLUDE INFORMATION REQUIRED FOR THE DESIGN AND ENGINEERING PLAT. THESE PUBLIC IMPROVEMENTS MAY BE SUBMITTED AS A PART OF A SITE PLAN, BUT A SUBDIVISION CONTRACT IS REQUIRED IN SECTIONS F. AND G., BELOW.**

### **A. DESIGN PLAT**

The Design Plat is the initial formal plan for a proposed subdivision. It is recommended that an applicant consult with the staff of the Department of Planning and Development prior to submission of this plan for review. The Master plan is a preliminary design of the proposed subdivision on a topographic base map that shows, among other things: Location and size of existing utilities, streets, structures, and other features; A lot layout plan showing dimensions and sizes of all proposed lots, streets, easements, floodways, building setbacks and a drainage study. A copy of the Design Plat Checklist is attached. The Design Plat must be submitted at least 15 days prior to the Planning Commission meeting and shall be prepared by an Engineer registered in the state of Tennessee.

### **B. ENGINEERING PLAT**

The Engineering Plat is a fully engineered design of the improvements to be installed for the subdivision and must be prepared by an engineer registered in the State of Tennessee. A copy of the Construction Plan Checklist is attached, and this plan shall be submitted at least 30 days prior to the Planning Commission meeting.

### **C. FINAL PLAT**

The Final Plat, when approved and recorded serves as the permanent record of the survey of lots, rights-of-way, easements, and any restrictive covenants applicable to the lots. This Plan is recorded in the Office of the Shelby County Register; and serves as a vital instrument in the sale and transfer of real estate and the dedication of right-of-way. A copy of the Final Plan Checklist is attached.

### **D. SUBMISSION AND REVIEW OF PLANS**

The Millington Planning Commission meet the third Monday of each month and a complete application must be submitted fifteen days prior to the meeting at which the case is to be considered for the Design

Plat and Final Plat. The Engineering Plat shall be submitted at least 30 days prior to the meeting where it is to be discussed. -

The Master Plan must be submitted separately, but it is recommended that the Construction and Final Plans be submitted for review at the same meeting.

**Each application shall consist of the following:**

**1. DESIGN PLAT**

- A. DESIGN PLAT and Application Form, (2) copies each and one pdf copy of each and any attachments or additional documentation.
- B. Filing Fee, (\$300.00 plus \$10.00 per lot over 10)

**2. ENGINEERING PLAT**

- A. Construction Plans and Application Form, (2) copies each and one pdf copy of each and any attachments or additional documentation.
- B. Filing Fee, (\$200.00 plus \$50.00 per lot)

**3. FINAL PLAT**

- A. Final Plan and Application Form (2) copies each and one pdf copy of each sheet.
- C. Filing Fee, (\$300.00 plus \$1.00 per lot)

**E. MINOR SUBDIVISION**

When an existing property line between two existing parcels is being relocated; two (2) existing parcels are being combined into one (1); or two lots are being created; and there is no adjustment to an existing street or extension of water or sewer lines required, the subdivision is considered a minor subdivision. The procedure for approval of a minor subdivision shall be the same as a Final Plat.

**F. REVIEW OF THE PROPOSED SUBDIVISION PLANS**

The City Staff will coordinate a review of the proposed plans by the City Engineer and other departments and will make a recommendation on the plans to the Planning Commission. The Planning Commission may approve, reject, or approve an amended Master Plan. Upon approval of a Master Plan by the Planning Commission, the applicant may submit the Construction Plan and Final Plan or just the Construction Plan. The staff will review the Construction and Final Plans and make a recommendation to the Planning Commission. Once the Construction Plan is approved, the City Development Director will prepare a Subdivision Contract between the Developer (applicant or their assigns) and the City of Millington.

**G. BOARD OF MAYOR AND ALDERMEN ACTION (Subdivision Contract)**

The **SUBDIVISION CONTRACT** is then forwarded to the Board of Mayor and Aldermen for approval. This contract provides the terms under which the Developer will construct all the street and other improvements in the subdivision and Millington will accept the streets and other improvements upon completion. Additionally, all the development fees are made a part of this contract and the contract cannot be executed until the Developer pays all fees and furnishes the City a construction performance bond equal to 100% of the estimated construction cost. This bond includes the sidewalks, but the builders normally install them. After the Board approves the contract, the collection of fees and bonds, and processing of subdivision contracts is handled by the City Manager's Office.

**H. SUBDIVISION CONSTRUCTION AND RECORDING OF THE FINAL PLAN**

After the applicant or Developer has posted the bond, paid the fees, signed the subdivision contract, and submitted construction drawings revised to incorporate the conditions of approval, construction of the subdivision may begin, and the Final Plan may be recorded. The lots will not be released for building construction until the subdivision has been determined to be substantially complete by the Development Director.

### **BOND REDUCTION AND RELEASE OF SUBDIVISION FOR BUILDING PERMITS**

When the Developer has completed the construction of all improvements, other than sidewalks, and the City has approved them, the streets will be given the asphalt base course (2") and the subdivision is released for the issuance of building permits. Collector and Major Roads will require a different level of paving. The Subdivision Bond may be reduced to cover only the incomplete or unaccepted improvements.

### **COMPLETION OF THE SUBDIVISION**

At the time when construction is complete on 75% of the houses in the subdivision, the surface coat of the asphalt paving (1") may be installed, upon authorization of the City. Maintenance of the streets is the responsibility of the Developer until the final paving course is applied. After the paving has been completed, with no problems, the bond is released. If there have been problems with any of the improvements or if the builders have not completed all the sidewalks, the bond is reduced to cover the cost of the incomplete or deficient improvements and the bond is held until all improvements are completed and accepted by the City of Millington.

### **SUBDIVISION DEVELOPMENT FEES**

Recording Fee (first sheet)	\$ 50.00
Each additional sheet (maximum size of sheet 18" X 24")	\$ 15.00

Water Connection Fee Per lot – 1" meter	\$ 450.00
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Sewer Connection Per lot	\$ 500.00*
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\*Property located in the North Fork Creek Sewer Area is subject to a development fee of \$3000 per acre, with a minimum of \$1200 for any one lot.

\*Commercial Property is subject to an additional development fee of \$5.00 per linear foot of street frontage.

Street Light Fee Per lot	\$ 300.00
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Subdivision Inspection Fee Per lot	\$ 50.00
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