

Subdivision Regulations of the,  
Blount County Regional Planning Commission  
Blount County, Tennessee



September 1, 2006  
(Approved July 31, 2006)

These Regulations can be found online at: [www.blounttn.org/planning](http://www.blounttn.org/planning)

## **CERTIFICATION**

These Subdivision Regulations of the Blount County Regional Planning Commission were adopted pursuant to the provisions of TCA 13-3-101 through 13-3-105 and TCA 13-3-401 through 13-3-412 and subsequent amendments thereto.

The Major Road Classification Plan – Blount County Planning Region, was adopted on December 9, 1993 and was filed with the Blount County Register of Deeds on July 8, 1994.

The public hearing for citizen input concerning these regulations was held on July 31, 2006 after 30 days notice in the newspaper.

These regulations were adopted on July 31, 2006 by the Blount County Regional Planning Commission and became effective on September 1, 2006.

These regulations were adopted in whole to replace the previous Subdivision Regulations, as amended previous to the effective date of these regulations herein.

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Ed Stucky  
Chairman

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John Lamb  
Secretary

Blount County Regional Planning Commission

**BLOUNT COUNTY REGIONAL PLANNING COMMISSION  
and Review Committees**

These Subdivision Regulations were reviewed and recommended after an extensive review period. The process was assisted by two Subdivision Review Committees. Members of the 2002/3 committee were: J.C. Franklin, Charles Caldwell, Jim Gregory, Tom Howard, Mike Ross, and Mike Treadway. The 2005/6 committee consisted of Carl McDonald, Rick Brownlie, Ed Stucky, Jim Scully, and Tom Hodge. Support provided by John Lamb, Director of Planning, Douglas Hancock, Planner, Gary Ferguson, Director of Environmental Health, Bill Dunlap, Highway Superintendent, Tony Abbott and Ron Sharp of the Engineering Department, and Justin Teague Storm Water Coordinator.

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## **SECTION 1. General Provisions**

### 1.01. Title:

These regulations shall hereafter be known, cited, and referred to as the Subdivision Regulations of the Blount County Regional Planning Commission.

### 1.02. Authority:

These regulations are adopted under authority of the TENNESSEE CODE ANNOTATED, Section 13-3-101, and Sections 13-3-103 through 13-3-105 and Section 13-3-401 through Section 13-3-412 and other applicable laws, statutes, ordinances, and regulations of the State of Tennessee. The Blount County Regional Planning Commission does hereby exercise the powers and authority to review, approve, and disapprove plats for the subdivision of land with the designated Blount County Planning Region, which show lots, blocks or sites with or without new streets or highways.

### 1.03. Policy:

1. It is hereby declared to be the policy of the Planning Commission to consider the subdivision of land and the development of the subdivided platted land as subject to conformity with the Blount County Regional Planning Commission's most recent adopted land use plan and other plans for Blount County for the orderly, planned, efficient, and economical development of the County. Such plans are, but are not limited to: the Conceptual Land Use Plan for Blount County, adopted March 23, 2000 by the Blount County Planning Commission, Blount County Zoning Regulations adopted June 15, 2000 by the Blount County Commission and any amendments to such regulations and plans; and the Blount County Policies Plan (Adopted June 24, 1999). In addition, the subdivision and development of land shall be consistent with all applicable rules and regulations of Tennessee Code Annotated; Comprehensive Growth Plan - Section 6.58.101; The 1101 Growth Plan for Blount County; the Water Quality Plan for Blount County, Tennessee, adopted in April of 2003.
2. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from flood, fire, lack of water supply or other menace, and land shall not be subdivided until available public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities, roads and other improvements.

3. The subdivision and development of land shall be consistent with all applicable rules and regulations of the Zoning Resolution of Blount County, Tennessee (#00-06-101), adopted June 15, 2000; and the Blount County Floodplain Zoning Resolution (#00-06-011), adopted on June 15, 2000. And the Resolution to Protect Water Quality in the Unincorporated Areas of Blount County by Prohibiting, Suppressing, and Preventing the Contamination of Storm Water by Grading, Erosion, and Sedimentation, adopted December 16<sup>th</sup>, 2004.

#### 1.04. Purposes:

These *subdivision regulations* are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the County.
2. To guide the future growth and development of the County, in accordance with TCA; Comprehensive Growth Plan - Section 6-58-101; The 1101 Growth Plan for Blount County, the Blount County Policies Plan, the Zoning Resolution of Blount County, Tennessee, the Blount County Floodplain Zoning Resolution, and the Conceptual Land Use Plan for Blount County, 2000, the Water Quality Plan for Blount County and other plans for the physical development of land in Blount County.
3. To provide for adequate light, air, privacy, to secure safety from fire, flood, and other danger and to prevent overcrowding of the land and undue congestion of population.
4. To protect the character and the social and economic stability of all parts of the County and to encourage the orderly and beneficial development of all parts of the County.
5. To protect and conserve the value of land throughout the County and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
6. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage facilities, schools, parks, playgrounds, recreation, and other public requirements and facilities.
7. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the County, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
8. To establish reasonable standards of design and procedures for subdivisions and resubdivision, in order to further the orderly subdivision and use of land; and to insure proper legal descriptions and monumenting of subdivided land.
9. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.

10. To prevent the pollution of air, lakes, rivers, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the County in order to preserve the integrity, stability, and beauty of the community and the value of the land.
11. To preserve the natural beauty and topography of the County and to insure appropriate development with regard to these natural features.

1.05. Jurisdiction:

1. These subdivision regulations shall apply to all subdivisions of land as defined herein located within the planning region of the Blount County Regional Planning Commission.
2. No plat of a subdivision shall be used in the transfer of land within the planning region until:
  - a) The subdivider or his agent shall submit a preliminary plat of the parcel to the Planning Commission through its administrative staff.
  - b) Obtain preliminary and final approval of the plat by the Planning Commission.
  - c) The approved plat is filed with the Blount County Register of Deeds.
3. From and after the time when the platting jurisdiction of any regional planning commission of any region has attached by virtue of the making and adoption of a major road plan as provided in TCA 13-3-402, no county or court or board or officer thereof or any other public officer or authority shall accept, lay out, open, improve, grade, pave or light any road or lay or authorize water mains or sewers or connections or other facilities or utilities to be laid in any road located within such region and outside of the boundaries of municipal corporations, unless such road has been accepted or opened or has otherwise received the legal status of a public road by the process stated in TENNESSEE CODE ANNOTATED, § 13-3-406.

1.06. Enactment:

*In pursuance to authority set forth in section 13-3-401 et seq., Tennessee Code Annotated, in order that land may be subdivided in accordance with these purposes and policy, these subdivision regulations are hereby adopted.*

## 1.07. Interpretation, Conflict and Separability:

1 Interpretation: In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements for the promotion of the public health, safety, and general welfare.

Conflict with Public and Private Provisions:

(a) *Public Provisions.* The regulations are not intended to interfere with, abrogate, or annul any other provision of law. Where these regulations impose restrictions different from those imposed by any other provision of these regulations or any other applicable ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

(b) *Private Provisions.* These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive than in these regulations, enforcement of such shall be the responsibility of the private property owner concerned.

2. Separability: If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Planning Commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

## 1.08. Saving Provision:

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the County under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the County except as shall be expressly provided for in these regulations.

## 1.09. Reservations:

Upon the adoption of these regulations according to law, the Subdivision Standards for the Blount County, Tennessee Planning Region adopted March 30, 1978, as amended, are hereby repealed, except as to such sections expressly retained herein.

## 1.10. Amendments:

For the purpose of providing the public health, safety, and general welfare, the Planning Commission may from time to time amend the provisions of these subdivision regulations. The Planning Commission in the manner prescribed by TENNESSEE CODE ANNOTATED Title 13-3-403 shall hold public hearings on all proposed amendments.

## 1.11. Exercise of Police Power.

Conditions of regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision are an exercise of valid police power delegated by the State to this County. The developer or subdivider has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, improvement, and use of the land so as to conform to the physical and economical development of the County and to the safety and general welfare of the future property owners in the subdivision and of the community at large.

## 1.12. Re-subdivision of Land:

1. Procedure for Re-subdivision: For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plat legally recorded prior to the adoption of any regulations controlling subdivisions, such parcel shall be approved by the Planning Commission by the same procedure, rules and regulations as for a subdivision.
2. Procedure for Subdivisions--Where Future Re-subdivision Is Indicated: The Planning Commission may require a Concept Plan be submitted in such cases where future re-subdivision is indicated. The Planning Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be a requirement of any plat.

## 1.13. Variances:

- 1 General: Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:
  - (a) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property; and,
  - (b) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property; and,
  - (c) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.
  - (d) Economic considerations are not justification for a variance.
2. Conditions: In approving variances, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.
3. Procedures: A petition for any such variance shall be submitted in writing by the subdivider at the time the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

## 1.14. Enforcement:

- 1 General:
  - (a) It shall be the duty of the Administrative Staff of the Planning Commission to enforce these regulations and to bring to the attention of the Planning Commission and the Attorney for the County Mayor any violations or lack of compliance herewith.
  - (b) No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer, sell or negotiate to sell by reference to or exhibition of, or by other use of a plat of subdivision before the plat of such subdivision has received final approval in writing by the Planning Commission, in accordance with the provisions

of these regulations and state statutes, and the plat filed with the County Register of Deeds.

- (c) *Civil Enforcement.* Appropriate actions and proceedings may be taken by law or in equity to prevent any violations of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct or abate a violation, to prevent illegal occupancy of a building structure or premises, and these remedies shall be in addition to the penalties described above. These actions are specified in TENNESSEE CODE ANNOTATED 13-3-410 and 13-3-412.



## SECTION 2: Definitions

### 2.01. Usage

1. For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section.
2. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "these regulations".
3. A "person" includes an individual, corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

### 2.02. Words and Terms Defined.

Applicant: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises prior to the Planning Commission granting final approval of a subdivision plat.

Access: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

As-Built Plans and Certifications Letters: *As-Built Plans* refers to engineered drawings or plans that indicate the actual physical construction of a road, road grade, utility, or drainage facility or other improvement, and are substantially in conformance with any of the previously approved plans. Certification Letters shall be required to accompany as-built plans, to be supplied by surveyors, engineers, and contractors that the physical improvements are in conformance with plans and specifications approved under these regulations.

AASHTO: Association of American State Highway and Transportation Officials. All AASHTO standards herein referred to shall be from AASHTO's latest edition of A Policy On Geometric Design of Highways and Streets.

Attorney for the County Mayor: Person (firm) authorized to act as attorney for the county by the Blount County Commission, or the person (firm) designated by the Blount County Mayor, or working for the Blount County Mayor.

Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or moveable property of any kind, and including any structure, but excluding fences.

Building Setback Line: A line in the interior of a lot, which is generally parallel to, and a specified distance from, the street right-of-way lines or lines; which creates a space between such lines in which no building shall be placed.

County: Blount County, Tennessee or the governing body of Blount County.

County Engineer: Person holding said office of the Engineering Department of the Blount County Highway Department; usually the head of that department.

Cul-de-sac: A street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement. Length is measured from the center point of the turn around to the centerline of the adjoining street along the centerline of the street..

Deed Restrictions: A private covenant among the owners of the lots of a subdivision or development limiting uses or setting conditions within the subdivision or development.

Developer: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises if the developer is someone different from the owner. The term subdivider and developer may be used interchangeably.

Drainage Structure: A device composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point of storm water management drainage control, or flood control purposes.

Easement: The right to use another person's property, but only for a limited and specifically named purpose, where the owner generally continues to make use of such land since he has given up only certain, and not all, ownership rights.

Drainage Easement: A perpetual, unobstructed easement across property reserved to carry surface water or storm water drainage along specified routes to natural watercourses. Drainage easements shall not be filled or built upon in any way that will impede the flow of surface water.

Sight Distance Easement: An unobstructed easement for the purpose of the preservation of sight distance to promote safe vehicular and pedestrian travel. Areas identified as Sight Distance Easement shall be free from any permanent vegetation other than grass or sod (to be mowed regularly). No other planted materials or any permanent or temporary structures or signs above ground of any kind are permitted in the sight distance easement.

Utility Easement: An easement for the installation, operation, inspection, maintenance, repair, or replacement of public utility lines, cables, poles, ditches, pipes, manholes, etc. and the appurtenances belonging thereto.

Vehicular Easement: 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.

Environmental Health Department: The agency and person designated to administer the local health regulations and permits for septic disposal: the Blount County Environmental Health Department.

Erosion: The wearing away of land by action of wind, water, ice and gravity; intensified by land-clearing practices related to farming, development, road building and logging.

Erosion Control: Environmental management practices for the mitigation and control of the short and long term effects of erosion in a particular area.

Flag Lot: An interior lot located to the rear of another lot or within a larger parcel, connected to a road by a strip of land called the flag stem that provides access to the greater portion of the lot. See Interior One-Lot Subdivision as well. The flag stem of the lot area is for the purpose of permanent access and utilities. The area contained in the flag stem shall be in addition to the minimum lots size requirements. The flag stem shall be calculated in the total lot area however that area of the stem cannot be counted toward the minimum lot size for a buildable lot. Setbacks on flag lots shall be determined by the Building Commissioner. The minimum width of a flag stem shall be 25 feet.

Flood: A temporary rise or overflow of a body of water onto adjacent lands not normally covered by water.

Flood Hazard Area: The minimum area of the flood plain that, on the average, is likely to be flooded once every one hundred years (i.e., that has a one percent chance of being flooded each year).

**Other Flood-Related Terms are defined as follows:** (Also see the Blount County Floodplain Zoning Resolution)

Channel: A natural or artificial watercourse with definite bed and banks to confine and conduct continuously or periodically flowing water. The top of the banks form the dividing lines between the channel and the floodplain.

Floodplain: The relatively flat area or lowlands adjoining a watercourse or other body of water that has been or may be covered by water.

Floodway: The channel of the watercourse and those portions of the adjoining floodplain which are reasonably required to provide for the passage of flow from the regulatory flood (the 100-year Flood). This area must be left unobstructed in order to preserve the flood-carrying capacity of the stream and its floodplain without appreciably increasing the height of the floodwaters.

Floodway Fringe: That part of the floodplain located between the floodway and the designated outline of the 100-year Flood, which would be covered by floodwaters of the 100-year Flood.

National Flood Insurance Program (NFIP) Certification: The standards, rules and regulations governing the construction and development within a flood zone as identified on Flood Insurance Rate Maps for Blount County, Tennessee unincorporated. Specific regulations apply to all structures built within a floodplain when a county is participating in the National Flood Insurance Program by adopting a local Floodplain Zoning Ordinance. Compliance with the Blount County Floodplain Zoning Resolution, as adopted September 1<sup>st</sup>, 2000 is administered by the Blount County Building Commissioner. Certification that a particular structure is located outside or elevated above the floodplain is required for a building permit in areas identified on the Flood Rate Insurance Maps for Blount County. Certification is the responsibility of the owner to hire a qualified independent professional engineer to determine the minimum floor elevation to be above the floodplain as specified in the Blount County Floodplain Zoning Resolution. Any alteration of the floodplain itself, including cutting, filling, grading or other activities must be in compliance with the NFIP and the Blount County Floodplain Zoning Resolution. (see the Blount County Floodplain Zoning Resolution).

Regulatory Flood: A large flood selected for regulatory purposes and a basis for floodplain management. The 100-year Flood is the regulatory flood or base flood and there are no flood restrictions outside its limit. The 10-year Flood statistically has a one-percent chance of occurring each year.

Frontage: That line of a lot abutting on a road, street or lane that is ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot. A corner lot shall have frontage on both intersecting roads with no reserve strips.

Grade: Grade is the slope of a road, street, or other way (or ground), specified in percentage terms (%). Grade is calculated by the percentage that the horizontal distance is to the vertical rise that occurs within the horizontal distance; the rise (height) divided by the run (length) in percentage terms.

Highway Department: The Blount County Highway Department.

Hillside Development: Those subdivisions in mountainous areas that fall within the Hillside Development Standards of these regulations. While the bulk of the mountainous terrain is in the Rural-2 Zone, several mountainous areas exist elsewhere. Hillside Development standards shall be applied based on an evaluation of the physical characteristics of the tract, including grade of roads and steepness or slope of land.

Improvements, Subdivision: Road pavement or resurfacing, road widening, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related facilities normally associated with the development of raw land into building sites and which may be required by subdivision regulations either directly or as condition precedent to subdivision development.

Individual Sewage Treatment Facility: A sewage disposal system developed to function on an individual lot basis. A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

Interior One-Lot Subdivision: A one-lot subdivision which creates a lot having more than 25 feet and less than 50 feet of road frontage. A flag lot is an example of an interior one-lot subdivision. The minimum width of the access strip shall be no less than 25 feet.

Lot: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

Lot Area: Lot area is that portion of the lot that is deemed suitable for septic fields. This area does not include areas which have been filled, areas within TVA flowage easement(s), lands which lie within flood hazard areas. For purposes of subdividing individual lots in the Blount County Planning Region; proposed lots that have buildable areas for the structure with slopes greater than 25%, or proposed lots where the slopes are greater than 50% for the purpose approval by the Environmental Health Department, or areas where the soil is designated unsatisfactory by the Soil Conservation Service's or private soil scientist are considered unusable.

Lot Improvement: Physical changes made to raw land and structures on or under the land surface in order to make the land more usable for human activities. Typical improvements in these regulations would include but not be limited to grading, street pavement, curbs, gutters, drainage ditches, and street name signs. Certain lot improvements may be properly secured as provided in these regulations.

Lot, Non-residential: A lot intended to be used for purposes other than residential structures and their accessory uses; such as for commercial or industrial development.

Lot of Record: A designated tract of land as shown on a plat or other document properly executed and recorded in the County Register's Office or the County Assessor of Property's Office.

Major Subdivision: All subdivisions not classified as minor subdivisions, including but not limited to subdivision of five (5) or more lots, or any size subdivision requiring any new road, or extension, or the installation of any public improvements.

Minor Subdivision: Any subdivision containing not more than four (4) lots fronting on an existing road, not involving any new , or the extension of utilities, or the creation of any public improvements, and not adversely affecting the remainder of the property or adjoining property. Flag-lots with appropriate "fee-simple" flag-stems to the existing county road (minimum of 25' feet in width, capable of constructing a driveway upon) may be considered in a minor-division. The use of a common driveway easement to serve lots off of the roadway is not a minor-division no matter if there are less than 4 lots.

Monuments: Markers used to establish definitely all lines on the plat of a subdivision, including all lot corners, boundary lines, and points of change in road alignment. Concrete monuments or steel pins not less than three-fourth (3/4) inches in diameter and two (2) feet long.

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

Offer of Dedication: The act of granting land or roads to an entity, such as the government, association, person, etc. The offer of dedication shall not constitute the acceptance of such land or roads by the local government, association or person.

Off-Site: Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant requesting subdivision plat approval.

One-Lot Subdivision: The subdivision of a larger tract, parcel, or lots into two lots, in which only one additional lot is created. Both lots may be platted. The combining of two or more existing lots which creates a single lot. (This type subdivision must adhere to the definition of a minor subdivision and the requirements specified in these regulations).

Owner: Any person, group of persons, firm or firms, corporation or corporation or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under the regulations.

Percolation Test: An examination of subsoil used in determining the acceptability of the site and the design of the subsurface disposal field. The procedure of administering the test is set forth in TCA 68-221-403. The Environmental Health Department may require preliminary and final soil mapping, in lieu of, or in addition to other soil testing.

Planning Commission: The Blount County Regional Planning Commission.

Planning Region: The land within the Blount County Planning Region. More specifically, all land in Blount County that is outside the incorporated municipalities and their planning regions, as applicable.

Planning Staff: The planners and/or engineers in the Blount County Planning Department and other Blount County Government staff utilized to review plats.

Plat: The scale drawing or map of a subdivision including plat, plan, plot, map or re-plat.

Preliminary Plat: A subdivision plat showing the proposed lot arrangement and with provisions contained in Section 5.02 (including, road profiles, road cross sections, drainage calculations, drainage plan, soils information, etc.). The preliminary plat is generally submitted to the planning commission for approval prior to preparation of the final plat.

Final Plat: The plat or record of a subdivision and any accompanying material in accordance with these regulations. The final plat is designed to be placed on record with the County Register of Deeds after approval by the planning commission.

Public Improvement: Any drainage ditch, roadway, sidewalk, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

Public Utility: A public utility is a business, organization, or government entity which is regularly supplying the public with some commodity or service to include, but not limited to, natural gas, electricity, water, telephone, off-site sewage collection, on-site sewage collection, cable television, etc., which requires the extension and/or construction of lines, poles, cables, wires, pipes, field lines, and appurtenances belonging thereto; to individual buildings and which is being regulated for the public convenience and necessity by the appropriate state agency (Tennessee Regulatory Authority), and other federal,

state, and local government authorities.

Register of Deeds: Blount County Register of Deeds.

Resubdivision: A change in a map of an approved or recorded subdivision plat if such change affects any road/street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Right-of-Way: A strip of land occupied or intended to be occupied by a road/street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for roads/streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the owner of the property on which such right-of-way is established. Sidewalks and other special features such as outdoor lighting, drainage areas, shall be contained out of any public right-of-way, as plated, and shall be contained in an easement with maintenance by a property owners association. Such rights-of way shall not become a government responsibility until accepted, however.

Road: Any right-of-way designed for vehicular movement. "Road" includes the full width of the right-of-way between property lines as well as the traveled portion thereof. "Road" includes "street", "highway", or any other designation of a right-of-way designed for vehicular movement.

Roadway: The actual road surface which is utilized to transport motor vehicles including necessary road shoulders and drainage facilities including ditches and curbing and guttering.

Road Paving Material Class: "Class" refers to the type and cleanliness of the paving material.

Road Paving Material Grade: "Grade" refers to the size of the aggregate in the paving material.

Road Bed: The graded portion of a highway within top and side slopes, prepared as a foundation for the pavement structure and shoulders.



Road Classifications: (See Section 6.02.1)

Road Types: For the purpose of these regulations, the following road types are defined and shall fall into one (or more) of the above referenced road classifications:

1. *Interstate:* Limited access highway designated as such on the Blount County, Tennessee, Major Road Map.
2. *Arterial:* A major or minor arterial road designated as such on the Blount County, Tennessee, Major Road Map. Arterials are the principal traffic carriers.
3. *Collector:* A road which primarily carries traffic from local roads to arterials. Collector roads include those designated as such on the County's Major Road Map. Some large subdivisions may require a collector road.
4. *Land Service Street:* A minor road or street primarily for providing access to residential, commercial, or other abutting property.
5. *Access Road:* A minor road parallel and adjacent to an arterial road which offers access to abutting properties and is used to limit access points on an arterial.
6. *Cul-de-sac:* A local road with only one outlet, sometimes called a "dead-end" road. A cul-de-sac is measured from its ingress to the dead-end.
7. *Loop Road:* A local road which has its only ingress and egress at two points on the same local or collector road.
8. *Private Road:* A privately maintained road constructed on a recorded permanent easement (minimum 50' wide) and built according to the standards set forth in these regulations based on the size and number of lots (less than four-lots exclusively served by the easement may be classified as a common drive-way). Minimum lot size for non-paved roads shall be greater than five acres each. A property owner's association must be established for the maintenance of a private road, with the appropriate legal instruments and recorded in the Register's Office along with final plat.
9. *Common Driveway:* A privately-maintained drive constructed on a recorded permanent easement (minimum 25' wide) and built according to the standards set forth in these regulations based on the number of lots (maximum of four-lots exclusively served by the easement may be classified as a common drive-way). A maintenance agreement between all exclusive lots served by the common driveway easement must be established for the maintenance of the common driveway; with the appropriate legal instruments and recorded in the Register of Deeds Office along with the final plat.

Road Right-of-Way Width: The distance between property lines measured at right angles to the centerline of the street.

Sanitary Sewer System: A municipal, state chartered, public utility or state approved on-site sewage collection, treatment, and disposal system of a type approved by the Environmental Health Department.

Service Provider: Provider of Telephone, High Speed Internet, Cable Television, and/or Natural Gas.

Security: A form of surety including a cashiers check or a cash escrow in an amount and form satisfactory to the planning commission for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement with the planning commission. A three-party agreement shall accompany any security, between the developer, guarantor, and Blount County. (See Section 3.05).

Setback Line: A line established by the subdivision regulations (and Zoning), generally parallel with and measured from the lot lines, delineating the minimum allowable distance between the property line and a building on a lot within which no building or other structure shall be placed except as otherwise noted.

Sight Triangle (Distance): A triangular shaped portion of land established at road intersections or driveway locations in which nothing is placed, erected, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance by motorists, entering or leaving the roadway (or drive).

Sight Distance Easement: The area identified on the final plat for the purpose of maintaining sight distance from any permanent vegetation other than grass or sod (to be mowed regularly). No other planted materials or any permanent or temporary structures or signs above ground of any kind are permitted in the sight distance easement. A Property Owner's Association shall maintain the area identified as "Sight Distance Easement"

Street Line: The legal line between street right-of-way and abutting property.

Subdivider: Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot parcel site, unit, or plat in a subdivision, or who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision or any interest, lot, parcel site, unit, or plat in a subdivision, and who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing. (see also: developer)

Subdivision: The definition in these regulations shall conform to the meaning set forth TCA 13-3-401 and any amendments or revisions thereto. The term “subdivision” means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose whether immediate or future, of sale, or building development, and includes resubdivision.

**There are two types of “subdivision” development or division as listed:**

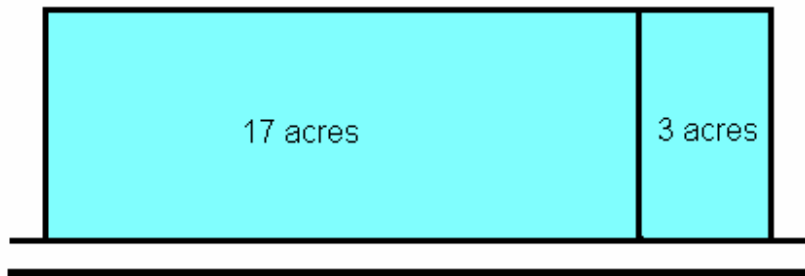
All such divisions where one or more of the resulting tracts is less than five acres in size.

All such divisions where a new road or public utility installation (water or sewer) is required, regardless of the size of any or all the parcels.

**The following type of division is not “subdivision”:**

1. Divisions where the resulting tracts are all five (5) acres or more, all have frontage on an existing road and where no extension of utility lines are required, other than direct utility connections to individual lots.
2. Divisions and plats partitioned by owners exempted as per TCA 13-3-408.

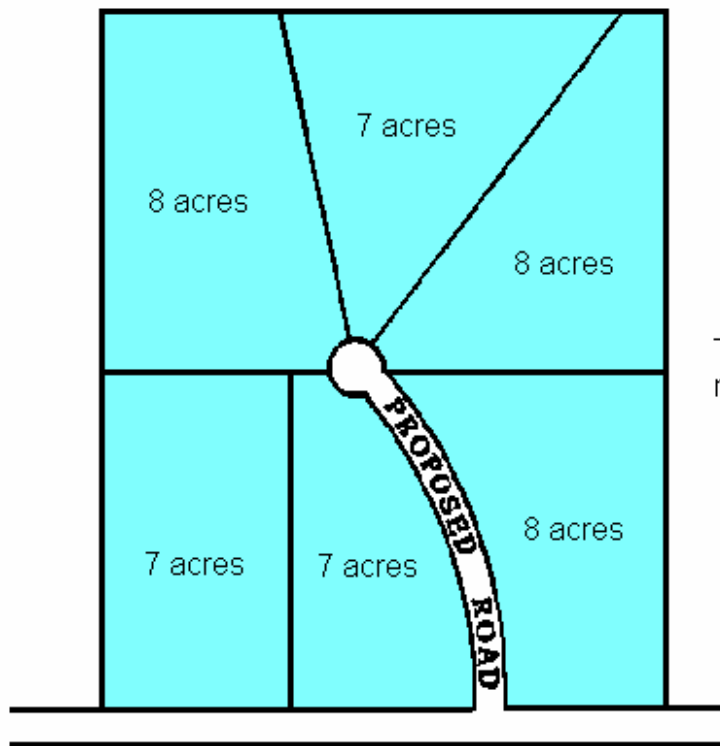
What is a Subdivision?



This is a Subdivision because one lot is less than five (5) acres

\* Remainder >5 acres does not require survey be shown on plat

County Road



This is a Subdivision because a new road is needed for access

County Road



This is not a Subdivision because all lots are greater than (5) acres each and no new roads or public utilities are required

County Road with Utilities

Subdivision Agent: Any person who represents, or acts for or on behalf of a subdivider or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot parcel, unit, site or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

Subdivision Plat: The final map or drawing, described in these regulations, on which the subdivider's plan of subdivision is presented to the Planning Commission for approval and which, if approved, may be submitted to the Register of Deeds for recording.

Subdivision Restrictions: A set of private restrictive covenants among the residents of a subdivision or development limiting uses or setting conditions within the subdivision or development. These covenants may include the responsibilities of the Property Owners Association. The Subdivision Restrictions may also include additional covenants pertaining to the individual lots, The Subdivision Restrictions are a separately recorded legal instrument and are not governed by these Subdivision Regulations

Surveyor: A qualified person registered and currently licensed to practice surveying in the State of Tennessee.

Temporary Improvement: Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of any security.

Variance: See Section 1.13.

Water Hazard Area: The area adjacent to continuously flowing waterways which due to its proximity to the waterway, soils and/or other topographic information is deemed not suitable for residential structures or septic fields due to potential water pollution.

## 2.03. Commonly Used Acronyms

|        |  |
|--------|--|
| AASHTO | Association of American Highway and Transportation Officials |
| ADT    | Average Daily Traffic  |
| ARAP   | Aquatic Resources Alteration Permit (by TDEC)                |
| BCED   | Blount County Engineering Department                         |
| BCHD   | Blount County Highway Department                             |
| BCRPC  | Blount County Regional Planning Commission                   |
| EPA    | United States Environmental Protection Agency                |
| FEMA   | United States Federal Emergency Management Agency            |
| FIRM   | Flood Insurance Rate Map                                     |
| kV     | kiloVolt   |
| NFIP   | National Flood Insurance Program                             |
| NPDES  | National Pollutant Discharge Elimination System (by TDEC)    |
| PC     | Planning Commission (Referring to the BCRPC)                 |
| POA    | Property Owner's Association                                 |
| PUD    | Planned Unit Development                                     |
| ROW    | Right-of-way   |
| SWPPP  | Strom Water Pollution Prevention Plan                        |
| TCA    | Tennessee Code Annotated                                     |
| TDEC   | Tennessee Department of Environment and Conservation         |
| TDOT   | Tennessee Department of Transportation                       |
| TRA    | Tennessee Regulatory Authority (or current state authority)  |
| TVA    | Tennessee Valley Authority                                   |

### **SECTION 3. Assurance for Completion and Maintenance of Improvements**

#### 3.01. Improvements and Performance Security

3.01.1 Completion of Improvements: Before the final plat is signed by the Secretary of the Planning Commission, all applicants shall be required to complete, in accordance with an approved preliminary plat by the Planning Commission, all the road, drainage, sanitary sewer, water, electric and other improvements including lot improvements on the individual lots of the subdivision as required in these regulations, specified in the final subdivision plat, and as approved by the Planning Commission, and to dedicate those road and drainage improvements in the (dedicated) right-of-way to the County, free and clear of all liens and encumbrances on the property and public improvements thus dedicated. All other improvements, sanitary sewer, water, electric and other improvements must be certified by the respective public utility on the plat to be recorded.

#### 3.01.2 Performance Security for Required Improvements:

*Security: Reflect all bonds as security/assurance. County to accept Cash Escrow only and only after Binder course and curbs in place, otherwise project is not close enough for final plat consideration. Temporary cul-de-sacs are allowable. A three party agreement must be approved by the Planning Commission for any "security" situation.*

*The developer shall be responsible for all collateral damage to existing infrastructure. Estimates shall be coordinated with the Blount County Highway Department. All haul routes during any and all phases of construction including delivery or equipment on site shall also be coordinated with the Blount County Highway Department.*

(a) The Planning Commission in its discretion may waive the requirement that the applicant complete all public improvements prior to the signing of the subdivision plat, and that, as an alternative, the applicant post a performance security, including labor and material payments, at the time of application for final subdivision approval in an amount 1.5 times the estimated cost as established by the County Engineer as sufficient to secure to the County the satisfactory construction, installation, and dedication of the incompleting portion of required improvements.

(b) Such performance security shall comply with all statutory requirements and shall be satisfactory to the Attorney for the County Mayor as to form, sufficiency (i.e., inflation or rising construction costs shall be taken into account of the security amount), and manner of execution as set forth in these regulations. A copy of the three-party agreement or other legal instrument approved by the Attorney for the County Mayor shall be

attached. The period within which required improvements must be completed shall be specified by the Planning Commission in the resolution approving the final subdivision plat and shall be incorporated in the security and shall not in any event exceed one (1) year from date of final approval. See Section 3.5 for types of securities that may be accepted by the Planning Commission.

(c) Such security shall be approved by the Planning Commission as to amount and security and conditions satisfactory to the Planning Commission. The Planning Commission may, upon proof of difficulty, grant extension of the completion date set forth in such security for a maximum period of one (1) additional year. The Planning Commission may at any time during the period of such security accept a substitution of principal or sureties on the security. As work progresses on improvements, the planning commission may reduce the amount of security and release part(s) of the amount of security equivalent to improvements completed.

- 3.01.3 Temporary Improvement: The applicant shall build and pay for all costs of temporary improvements required by the Planning Commission and shall maintain same for the period specified by the Planning Commission. Prior to construction of any temporary facility or improvement, the developer may be required to file with the Planning Commission a separate suitable security for temporary facilities, which security shall insure that the temporary facilities will be properly constructed, maintained and removed (e.g. temporary cul-de sac), or converted to permanent improvements.
- 3.01.4 Costs of Improvements: All required improvements shall be made by the applicant, at his expense, without reimbursement by the local government.
- 3.01.5 Governmental Units and Utilities: Governmental units and utilities to which these securities and contract provisions apply may file in lieu of said contract or security a certified resolution or ordinance or certificate from officers or agencies authorized to act in their behalf, agreeing to comply with the provisions of this Section.
- 3.01.6 Failure to Complete Improvements: In those cases where a performance security has been posted and required improvements have not been installed within the terms of such performance security, the Planning Commission thereupon shall declare the security to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the security is declared to be in default. The procedure of this foreclosure is specified in TCA 13-3-403(b) Enforcement.



3.01.7 Acceptance of Dedication Offers: Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by resolution of the Blount County Commission. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the County of any street, easement, park, or other public area shown on said plat.

### 3.02. Inspection of Improvements

3.02.1 General Procedure: The Planning Commission shall provide for inspection of required improvements during construction and insure their satisfactory completion. If the Planning Staff or County Engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the construction standards and specifications of the Planning Commission's or agencies involved, the applicant shall be responsible for completing the improvements. Wherever the costs of any improvements are covered by a performance security, the applicant still shall be responsible for completing the improvements according to specifications.

### 3.02.2 Release or Reduction of Performance Security:

(a) *Certificate of Satisfactory Completion:* The Planning Commission will not release nor reduce a performance security, and the governing body will not accept dedication of required improvements (including all road and drainage improvements within the public right-of way to be dedicated), until the Planning Staff and County Engineer concur that improvements have been completed and the County Engineer has submitted a letter or memo certifying that all required improvements have been satisfactorily completed and until the applicant's engineer has certified to the County Engineer, through submission of "as-built" information of the subdivision, indicating location, dimensions, materials, road grades, drainage details, state permits (as necessary) and other information required by the Planning Commission or County Engineer, that the layout of the line and grade and final construction of all public improvements is in accordance with construction plans for the subdivision. Upon such approval and recommendation, the governing body may thereafter accept the improvements for dedication in accordance with the established procedure. Any utilities must be secured through the appropriate public utility company including sanitary sewer, water, electric, and other improvements.

(b) *Partial Releases of Performance Security:* A performance security shall not be reduced, rather it may be released back to the developer, in part or in whole, upon actual dedication of public improvements within the right-of-way to be dedicated, including the road and drainage

facilities and any other improvements required (other than utilities) after final plat approval.

3.03. Maintenance of Improvements.

3.03.1 Maintaining Improvements: The applicant shall be required to maintain all improvements on any and all land or parcels specified on the final plat, including the individual subdivided lots, roads, drainage areas, common areas, and proposed right-of-ways (to be dedicated) until acceptance of said improvements by the County.

3.03.2 Maintenance Security: The applicant/developer shall be required to file a maintenance security including labor and material payments with the Planning Commission, prior to dedication. The security shall be an amount considered adequate by the Highway Department, upon recommendation by the Director of County Engineering, and in order to assure the satisfactory condition and maintenance of the required improvements, including all lot improvements on the individual subdivided lots, drainage facilities, and roads (and all improvements in the dedicated right-of ways) for a period of one (1) year after the date of their acceptance by the governing body and dedication of same to the County. The maintenance security shall be accompanied by a three-party agreement between the developer, guarantor, and county highway department; or other legal instrument approved by the Attorney for the County Mayor along with the actual security. The maintenance security shall include all of the improvements made on private easements, individual lots, roads and those right-of-ways dedicated to the county, and all drainage improvements and facilities. In lieu of a maintenance security the Planning Commission may accept a certificate of Road Guarantee from the road, drainage, grading or other contractor (for the road and/or drainage portion only that they have constructed). The maintenance security shall meet the security terms specified above and shall specify the developer as responsible should the contractor(s) default. A maintenance security shall include money to insure collateral damage to existing roadways outside of the new development, which may be damaged during construction of improvements, or during the first year of construction (building homes) within the new subdivision.

3.03.3 Property Owners' Association (POA): A POA shall be established and shall be charged with the responsibility to insure future maintenance for all common area(s), including but not limited to all private roads, common driveway easements, and drainage facilities in all subdivisions of two or more lots that exist outside of the publicly dedicated right-of-way. The POA documentation shall be submitted for review prior to final plat, and a final executed version shall be recorded in the Register of Deeds office along with the Final plat. In cases where more than two lots within a

- proposed development are to be served by private road(s), the applicant shall be required to establish a POA charged with the responsibility to insure the future maintenance of all roads, common driveways, common areas, and drainage facilities. The Blount County Regional Planning Commission has no role in this process beyond requiring the establishment of such a system and reviewing the POA documentation for completeness.
- 3.03.4 Maintenance Agreement For Common Driveways: A maintenance agreement between all exclusive lots served by the common driveway easement must be established for the maintenance of the common driveway; with the appropriate legal instruments so recorded in the Register's Office along with the final plat. The agreement should specify all property owners responsible for the perpetual maintenance of the driveway and any drainage facilities, and such driveway shall be maintained as built according to the standards set forth in these regulations.
- 3.04. Results of Required Submission Items and Improvements.
- 3.04.1 Any plat submission items identified in *Section 5 - Specifications For Documents To Be Submitted*, or any studies or reports as identified in *Section 6 - General Requirements And Minimum Standards For Improvements, Reservations, and Design* shall be prepared by appropriate qualified, licensed or certified persons, businesses or agencies. The results, recommendations and/or findings of such studies or reports may produce information that the Planning Commission, in its judgment, may use to determine appropriate mitigation, modifications, approval, or denial of any proposed subdivision in the Blount County Planning Region in the interests of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of public facilities.
- 3.04.2 Whenever it is deemed necessary by the Planning Commission to defer the construction of any improvements required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant may be required to pay his share of the costs of the future improvements to the County prior to signing of the final subdivision plat, or the applicant may post a security insuring completing of said improvements upon demand of the County.
- 3.05. Other Methods of Assurance for Completion and Maintenance of Improvements.

The Planning Commission may accept an assurance in the form of *Security* that is adequate to insure completion and maintenance of

improvements. A *Cash Escrow* may be considered for acceptance of said security; no other forms of security shall be accepted. The exact terms of this alternative shall be satisfactory to the Attorney for the County Mayor and Planning Commission. A three-party agreement must be presented with the security (Cash Escrow), between the developer, guarantor, and the County. In addition, these alternatives shall be written so that they are collectable by the County upon presentation with a letter from the Director of Engineering of the Blount County Highway Department verifying that the proposed improvements are not completed as scheduled for a performance security. The same shall apply for a Maintenance Security for the improvements if said improvements fail to withstand the first year of use without damage.

Any off-site improvements, including but not limited to road width improvements along existing county roads, acquisition of right-of-ways, easements and other properties are the responsibility of the developer to negotiate with the Highway Department. A condition precedent to develop a major subdivision is that the existing county roadway must have a paved surface a minimum of 18 feet wide with two foot shoulders on both sides. When a major subdivision is proposed along a county roadway that is less than 18 feet wide of existing paved surface with two foot wide shoulders on both sides, the developer must make the necessary improvements to bring the existing roadway up to the minimum of 18 feet wide of pavement with two foot wide shoulders on both sides including necessary ditching and right-of-way acquisition to the next county roadway that meets the minimum road width requirement. Any agreements between the developer and the Highway department must be in writing and supplied to the Planning Staff along with preliminary plat requirements. All off-site improvements must be agreed to in writing prior to any on-site construction. All off-site improvements must be complete prior to any final plats are signed by the secretary of the planning commission, including any [phased developments as well as existing road frontage lots.

### 3.06 Road Maintenance and Drainage Assurance After Final Plat:

A maintenance security (letter-of credit) for the maintenance and repair of any new public road and all drainage facilities located within the dedicated right-of-way (as shown on the final plat) is required. This maintenance security is separate from the construction security for required improvements. The maintenance security shall be a three-party agreement executed by the developer (and guarantor) to the county for a period of one-year from the date the final plat is recorded. The amount of the maintenance security will be determined by the county engineer based on the particulars of the road and drainage facilities.

## **SECTION 4: Subdivision Application Procedure and Approval Process**

### 4.01. General Purpose

*The purpose of this section is to establish the step-by-step procedures that shall be followed by the developer in submitting plats to the Planning Commission for review.*

4.01.1 The procedure shall consist of three main steps: (a) Informal consultation, (b) submission of the preliminary plat, and (c) submission of the final plat.

4.01.2 The purpose in having a three-step procedure is to assure that subdivisions develop soundly. Other objectives are as follows:

(a) To assist the developer in the environmentally sound and economical development of his property through the examination of the suitability of the property for subdivision development before surveying expenses and improvement costs are incurred.

(b) In order that administrative and utility agencies may aid in the design of proposed subdivisions so that improvements, including roads and utilities, may be installed appropriately with minimal impacts.

### 4.02. General Procedure

*The developer shall follow four (4) general steps when subdividing land within the Blount County Planning Region*

4.02.1 Informal Consultation: The developer shall consult early and informally with the Planning Commission and/or its technical staff for advice and assistance prior to submitting any plat. This will enable the applicant to become thoroughly familiar with these regulations, the major street and road plan, and other official plans or public improvements that affect the area. Such informal consultation should prevent unnecessary and costly revisions. This consultation is not the same as either the Preliminary Plat Conference or the Pre-Construction Meeting specified in Section 4.04.

4.02.2 Concept Plan: A concept plan may be required by the Planning Commission when future re-subdivision is indicated. The Planning Commission recommends that any major subdivision plats consider supplying a Concept Plan whenever design or development issues are critical to the overall development. A Concept Plan shall be a scaled drawing indicating the intent of the overall design for a particular parcel. No other formal information is required and no formal action shall be taken by the PC in regards to Concept Plan submission.

#### 4.02.3 Submission of Preliminary Plat:

(a) *Purpose.* The preliminary plat is the first of two plats required by these regulations. The preliminary plat is required in order to properly identify the property being subdivided, to insure the adherence to required design standards, to determine improvement proposals, and to guide construction of the required improvements.

(b) *Preparation of Preliminary Plat.* Prior to making any street improvements or installing any utilities, the applicant shall submit to the Planning Commission a preliminary plat as provided in Section 5.01 and 5.02 of these regulations. Note that the specific information required varies depending on the subdivision's classification.

#### 4.02.4 Submission of Final Plat:

(a) *Purpose.* The approved final plat, filed with the Register of Deeds, is the permanent record of the subdivision as constructed. It shows all property lines, rights-of-way, easements, notes, certifications, other dimensions, and other matters pertaining to the land that are important for the accurate and legal transfer of property, and records the location of road lines, easements, utilities and improvements as they exist upon the ground and anything else pertaining to the land as required by planning staff or the county engineer.

(b) *Preparation of Final Plat.* After the preliminary plat has been approved by the Planning Commission and the required improvements have been installed or appropriate assurance for completion and maintenance of improvements has been filed, the final plat shall be prepared in conformance with Section 5.03 of these regulations by a surveyor licensed in the State of Tennessee.

(c) *Submission Within Period of Currency of Preliminary Plat.* Approval of a preliminary plat shall be valid only for a period of twenty-four (24) months following date of preliminary approval by the Planning Commission unless a request for an extension has been received and approved by the Planning Commission prior to expiration of preliminary approval. Upon expiration of preliminary approval, a final plat of the same subdivision shall not be considered by the Planning Commission unless said preliminary plat is submitted for preliminary approval based on standards in effect at the time of resubmission. For preliminary plats approved with conditions restricting the number of final lots to four or less in a 12 month time period; the addition of a fifth or more lot from the same parent tract shall constitute a Major Subdivision.

(d) *Extension of Period of Currency of Preliminary Plat.* If the developer is unable to complete subdivision improvements required for final approval within the original currency of preliminary plat, he may present in writing to the Planning Commission a request for an extension of time setting forth the reasons for the extension, and submit any changes to any of the proposed plans. The developer shall submit his request to the Planning Commission no later than 30 days prior to the preliminary plat expiration date. In the event such an extension is granted, the Planning Commission shall state the time limit of the extension which shall be recorded in the minutes of the Planning Commission. The maximum extension of preliminary plat approval shall be twelve (12) months. As stated above, if the developer is unable to complete subdivision improvements within the original currency of preliminary plat, he may present, in writing, a request for an extension of time. Once the preliminary plat has expired (including any extension), or if no substantial development or progress has occurred then any further action towards subdivision shall require the preliminary plat and all required plans to be submitted and reviewed under all of the "current" regulations.

#### 4.03. Classification of Subdivisions.

*For the purposes of these regulations, subdivisions shall be classified into three (3) types. The specific review procedure the subdivision plat follows:*

- 4.03.1 Major Subdivisions: All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of five (5) or more lots, or any size subdivision requiring any new road or extension of the local governmental facilities, or the creation of any public improvements. The use of a common driveway easement shall classify a plat with three or more lots as a major subdivision. One-lot subdivisions, as defined below, where one of the lots is served by a common driveway easement is not considered a major plat and the physical construction of the drive is not required for the lot served by the easement, beyond assuring that an actual drive can be constructed within the easement.
- 4.03.2 Minor Subdivision: Any subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road, or the extension of local government facilities, or the creation of any public improvements, and not adversely affecting the remainder of the property or adjoining property. Flag-lots with appropriate "fee-simple" flagstems to the existing county road (minimum of 25' feet in width, must be capable of constructing a driveway within) may be considered in a minor-division. The use of a common driveway easement to serve lots off of the roadway is not a minor-division no matter if there are less than 4 lots.

4.03.3 One-Lot Subdivision: This is a Two-lot plat, not two lots with a remainder:

- (a) A One-Lot subdivision plat is the subdivision of a larger tract, parcel, or lot into two lots, in which only one additional lot is created. Both lots shall be platted for a One-lot subdivision when both lots are individually less than five acres in size. One-lot subdivisions where one of the lots is served by a common driveway easement is not considered a major plat and the physical construction of the drive is not required for the lot served by the easement, beyond assuring that an actual drive can be constructed within the easement.
- (b) The combining of two or more existing lots, which creates a single lot or a re-plat of two adjacent lots into one-lot is also defined as a One-Lot subdivision. When lot lines are removed, a dashed line indicating the old line to be removed per the new plat must be shown and a note added to the plat that the lot line and easements are to be abandoned per the new plat.
- (c) When the remainder is greater than five acres, the remaining tract (greater than 5 acres) can be so noted on plat without the actual boundary being shown on the final plat to be recorded.
- (d) Staff may approve a one-lot subdivision plat administratively, after review and all required certifications without placing the plat on the planning commission agenda or being approved at a regularly scheduled meeting of the Planning Commission provided there are no variances to these regulations (Section 4.04.4).
- (e) All One-Lot subdivisions must have all the same certifications as any other final subdivision plat. Only the electric certification can be waived when only a service connection by the electric utility is necessary to serve both lots.

4.03.4 One-lot subdivisions served by a permanent easement: An interior lot located to the rear of another lot or within a larger parcel, connected to a road by a permanent easement that provides access to the greater portion of the lot. See Interior One-Lot Subdivision as well. The easement serving the lot is for the purpose of permanent access and utilities. The area contained in the easement is not calculated in the minimum lots size requirements. Setbacks on such lots shall be determined by the Building Commissioner. The minimum width of an access easement serving one lot shall be 25 feet.

All flag lots, lots served by a permanent easement, and all one-lot subdivisions shall meet the same lot size requirements, design criteria, buildable area requirement, usability criteria and meet the same sight



distance safety requirements as all other lots. All interior one lot subdivisions, flag lots and lots served by a permanent easement shall contain a usable area for access to the lot area. All flag lot areas and access easements to be platted shall allow for the construction of a driveway and utilities to be contained completely within the flag stem or easement area.

The flag stem or access easement shall not be greater than 20% grade, shall not be inaccessible from the physical construction of a driveway and utilities due to such things as topography, a flood plain or floodway, sinkhole, gas line easement, or other development hindrance. That area of the flag stem or access easement shall also contain adequate room and access for all utility service lines to the buildable lot area.

#### 4.03.5 Order of Standardization: (This Section Reserved)

#### 4.04. Specific Procedures for Each of the Three Classifications of Subdivisions.

*A general overview of the review process is provided herein. Although the standards and design criteria are the same for all subdivisions, the specific review procedure varies significantly depending on the classification of the subdivision as described in Section 4.03. The following is an explanation of each of the steps:*

##### 4.04.1 Policy Regarding All Subdivisions:

(a) It is strongly recommended that an *Initial Consultation* with the Planning Commission and/or its technical staff occur prior to any platting process, even prior to a conceptual plan. This should enable the developer to become familiar with these regulations and should prevent unnecessary and costly plan revisions at a later date. The owner and/or representative of any Concept Plan, Preliminary Plat or Final Plat submission is encouraged to attend any official meeting when their item is on the agenda.

(b) As a general rule an attorney should be helpful in answering questions regarding legal matters of land subdivision and private restrictions.

(c) The surveyor who prepares the subdivision plats must be licensed to practice in the State of Tennessee. It is recommended that the surveyor participate in the *initial consultation* with the Planning Commission and/or its technical staff prior to making any survey or drawing a plat. All submitted plats must be certified by the surveyor with the surveyor's stamp, license number, date and original signature.

(d) All engineering plans submitted along with any plat; including drainage plans, calculations, road plans, road profiles, construction specifications, water and utility plans must be prepared by a Tennessee Certified engineer with the engineer's stamp, license number, date and original signature.

(e) A Preliminary Plat Conference may be called by planning, engineering, or environmental health department staff with the submittal of a preliminary plat for any major subdivision (See Section 4.04.2, Step 2). This is not the same as the *informal consultation* noted in Section 4.01.

(f) A Pre-Construction Meeting shall be mandatory for all major subdivisions prior to any construction as part of any preliminary plat approval, unless waived by staff in cases where a new road, driveway, drainage area, or extension of utilities is not being proposed. This conference shall be scheduled by developer and staff following the preliminary plat approval of a major subdivision prior to any on-site construction, grading, earth moving, or clearing activities. This meeting shall include some or all of the following: planning staff, environmental health staff, engineering department staff; as well as the developer, project developer, surveyor, and project engineers (employed by developer), clearing and grading contractors, utility contractors, road contractors, drainage contractors, and any other contractors to be employed by the developer for the express purpose of making any and all improvements necessary to meet these regulations. This meeting may occur on-site of the proposed development, when feasible, and shall be coordinated by the developer and planning staff (see Section 4.04. Step 6). All Major subdivisions shall require that the developer submits any and all necessary permits at the time of the Pre-Construction Meeting. Including, but not limited to: Blount County Grading Permit, State SWPPP, ARAP, NPDES, TDOT Driveway Connection Permits, In addition to notification by the developer to Tennessee One Call, and the Utility Inspector for the Blount County Highway Department for any proposed work in the County ROW.

#### 4.04.2 Minimum Road Width Standards for Division:

(a) One-lot subdivisions may occur along any paved surface county road, regardless of road pavement width, provided that there are no future divisions within ninety (90) days.

(b) Minor subdivisions of four (4) lots or less may occur on roads with pavements less than 18' wide with 2' shoulders on either side, provided that no future divisions are proposed from the parent tract.

(c) Major Subdivisions of five (5) or more lots. Minimum off-site Road Standards as Criteria Precedent to Platting. Except upon recommendation of the County Road Superintendent, a minimum off-site road of eighteen (18) feet of paved width with two (2) foot shoulders on either side shall be present from entrance to any subdivision or development to intersection with any road with same standard or better, for consideration of any major plat of five (5) lots or greater. In determining the status of a proposed subdivision as a major plat, this section shall apply also to any combined division of the same property within one year of consideration of any plat involving that property, and to overall platting of any land in phases. (See section 6.01.2 (b))

#### 4.04.3 Procedure for Major Subdivisions; Preliminary through Final (Steps 1-14):

(a) **Step 1.** The information required on the preliminary plat is described in Section 5 of these regulations. Fifteen (15) copies of the information described in Section 5.01. (preliminary plat) and three (3) copies of the information described in Section 5.02. (construction plans) shall be submitted to the Planning Commission staff. In addition, three (3) copies of a *Preliminary Soil Map*, prepared by a state licensed soil scientist, shall be supplied with the preliminary plat (when lots are smaller than five (5) acres). The standards and design requirements for subdivision plats are specified in Section 6 of these regulations. The deadline for submission of a preliminary plat, final plat, variance request, road plat, and miscellaneous requests to the Planning Commission staff shall be the first (1st) calendar day of the month in which approval is requested, provided that if the first calendar day falls on a holiday or weekend, the deadline shall be the next regular working day. The Agenda is prepared and sent to the newspaper for publication 8 days prior to the meeting (to allow for five days public notice). The Planning Commission *Memorandum* containing all recommendations is prepared seven (7) days prior to the regular meeting. The Regular Meeting of the Planning Commission is held on the fourth Thursday of every month (unless otherwise scheduled for holidays). The Planning Commission staff will review the plat and construction plans to be sure they meet the specifications of these regulations. On-site inspection(s) shall be made of the subdivision by the Planning Commission staff. Preliminary Plats for major subdivisions must be accompanied by all documentation, as required for preliminary submittal as described in Section 5.

(b) **Step 2.** Planning, engineering, or environmental health department staff shall (at staff discretion) schedule a *Preliminary Plat Conference* [4.04.1(e)] with the developer and surveyor after a preliminary plat has been submitted to the planning commission (at staff discretion for particular concerns or regulatory requirements that have not been covered in the *Initial Consultation* [4.04.1(a)]. Planning Commission staff may

request utility providers as well as project engineers to engage in this meeting. This is not the pre-construction meeting (Step 6).

(c) **Step 3.** The subdivider/developer is responsible for having the preliminary plat reviewed by the Blount County Environmental Health Department and the Blount County Highway Department.

(d) **Step 4.** Although no signature of approval is required by the water, electric, sewer utility boards, or other certifying providers or departments at this point; it is required that these agencies review the preliminary plat so the developer may be assured that the subdivision can be adequately and economically serviced by utilities and services.

(e) **Step 5.** The Planning Commission staff shall present the plat along with its recommendation to the Commission for formal action. Staff will advise the subdivider of the recommendation prior to the meeting. The developer or a representative of the developer is strongly recommended to be present at the Planning Commission meeting when any of their plats are being considered in order to answer any potential questions from staff of Planning Commission members. After the Commission meeting, staff will supply a copy of the action taken on any given plat in writing to the developer for any major subdivision in a timely fashion.

(f) **Step 6.** A *Pre-Construction Meeting* shall occur prior to any on-site development as part of any preliminary plat approval for a major subdivision or any subdivision requiring the construction of any common facilities including a common driveway or drainage. This meeting shall occur at the Blount County Highway Department or on-site when deemed necessary by Planning staff [See Section 4.04.1(f), above]. Any construction activities, clearing, grading or earth moving prior to this conference is solely at the risk of the developer. Prior to any on-site construction activities, all erosion control measures must be in place according to the developer's project engineer's plan. A county grading permit and any other permits for clearing, grading, earth moving, or highway connections from TDEC or TDOT must be supplied to planning staff prior to any on-site construction activities and shall be submitted prior to the Pre-Construction Meeting. It shall be the developer's responsibility to contact the Engineering Department to schedule the Pre-Construction Meeting. The developer shall be familiar with and comply with the Developer's Construction Checklist and policies of the Highway Department (Appendix III) for all road and drainage improvements and installation.

(g) **Step 7.** In this step the developer makes site improvements such as grading and street construction in accordance with the design and specifications of the preliminary plat. Any unforeseen difficulties in site

development shall be reported to the Planning Commission staff. The preliminary plat may need to be modified in such circumstances but this may be done only with approval by the Planning Commission. Assurance for completion of improvements such as construction securities are permitted in lieu of improvements as specified in Sections 3.01.2. and 3.05 and only with the recommendation of staff. A maintenance security shall also be supplied as specified in Sections 3.03.2. and 3.06 when deemed necessary by the Blount County Highway Superintendent..

(h) **Step 8.** The final plat shall conform substantially to the preliminary plat and shall meet all requirements specified in these regulations. Major design changes may act to make an approved preliminary plat null and void and thus staff may not make a favorable recommendation for any final plats to the Planning Commission, pending modification to the design plans or resubmission of the preliminary plat to the Planning Commission. The information required on the final plat is described in Section 5.03. Ten (10) copies of this information shall be submitted to the Planning Commission staff on the plat submission date [1st calendar day of the month].

(i) **Step 9.** It is the developer's responsibility to have each of the listed appropriate agencies review the final plat and sign the agency's stamp of certification. These certifications include water (if available), sewer, electric, environmental health department, emergency/911, highway department, surveyor's accuracy certificate, all owners, and the planning commission (last). The Environmental Health Department shall certify all plats under the rules and regulations governing that office.

(j) **Step 10.** After all certification stamps are signed the developer shall submit five (5) copies of the final plat to the Planning Commission staff for their final review. [All documentation, engineering plans and plats shall contain certifications]

(k) **Step 11.** The Planning Commission staff shall submit the final plat along with its recommendation to the Commission for formal action. Staff shall inform the developer of their recommendation prior to the Planning Commission meeting. The Planning Commission Secretary shall sign only prints of the final plat that exhibit original signatures of certification, and only after the plat is certified by planning staff signature to the Secretary.

(l) **Step 12.** Any security must be completely submitted. All documentation, agreements, certifying letters, as built plans and/or security instruments shall be in the possession of the Blount County Planning Commission and fully executed for the designated time period prior to releasing the final plat. In addition all platting fees and/or attorney

fees shall be paid in full prior to the final plat being released from the planning department.

(m) **Step 13.** The Property Owner's Association (POA) documentation for all drainage facilities, common areas, private roads, common driveways and other improvements located outside of the public right-of-way(s) shall be submitted prior to final plat submission to be reviewed and approved by staff. An executed original (signed by owner and notarized) shall be prepared to be recorded with the final plat in the Register of Deeds Office along with the final plat. A copy of the original shall be supplied to the Planning Office.

(n) **Step 14.** The developer shall submit the approved final plat to the Blount County Register of Deeds for recording in the official plat file. A plat cannot legally be recorded unless it has been approved by the Planning Commission. Also, lots cannot legally be sold using an approved plat unless said plat is recorded in the office of the Blount County Register of Deeds, along with any necessary POA documentation (as required herein). Any final plats that have a common driveway(s) easement serving two or more lots shall have a Maintenance Agreement to be registered along with the final plat.

#### 4.04.4 Procedure for Minor Subdivisions (Steps A through E):

(a) **Step A.** Minor subdivisions may be submitted to the Planning Commission for both preliminary and final approval simultaneously since there are no public improvements involved. The developer shall submit ten (10) copies of all pertinent preliminary and final plat information described in Sections 5.01. - 5.03. to the Planning Commission staff no later than the first (1st) calendar day of the month in which approval is requested, provided that if the first calendar day falls on a holiday or weekend, the deadline shall be the next regular working day of the month in which Commission approval is requested. Staff shall make an on-site review of the subdivision.

(b) **Step B.** The developer shall be responsible for having the listed appropriate agencies review the preliminary and final plats and sign the certification stamps attached to the final plat, three (3) originals with all signatures is required. These certifications include water (if available), sewer, electric, environmental health department, emergency/911, highway department, surveyor's accuracy certificate, all owners, and the planning commission (last).

(c) **Step C.** After all certification stamps are signed, the developer shall submit the final plat to the Planning Commission staff for their final review.

(d) **Step D.** Planning staff may approve a one-lot subdivision plat

administratively, after review and all required certifications without placing the plat on the planning commission agenda or being approved at a regularly scheduled meeting of the Planning Commission provided there are no variances to these regulations. If a variance request is required, the Planning Commission staff shall submit the final plat along with its recommendation to the Commission for formal action. Staff shall inform the developer/owner of the recommendation prior to the Planning Commission meeting. The Planning Commission Secretary shall sign only prints of the final plat, which exhibit original signatures of certification and only after the plat is certified by staff signature to the Secretary. In addition, all platting fees and/or attorney fees must be paid in full prior to the final plat being released from the planning department.

(e) **Step E.** The developer shall submit the approved final plat to the Blount County Register of Deeds for recording in the official plat file. A plat cannot legally be recorded unless it has been approved by the Planning Commission. Also, lots cannot legally be sold using an approved plat unless said plat is recorded in the office of the Blount County Register of Deeds, along with any necessary POA documentation (as required herein). Any final plats that have a common driveway(s) easement serving two or more lots also require a Maintenance Agreement to be registered along with the final plat.

#### 4.04.5 Procedure for one-lot subdivisions (one lot into two):

a) One lot subdivisions shall follow the same procedure as minor subdivisions except for three (3) variations.

- (1) The electric utility board need not sign the final plat.
- (2) The deadline for submittal of the plat stated in Step A is waived. Since one-lot subdivisions are easily reviewed, they may be submitted to the Planning Commission staff at any time.
- (3) The time schedule for review of one-lot subdivisions may be accelerated compared to the review schedule of major and minor subdivisions. The Planning Commission staff may approve a one-lot subdivision final plat in Steps A-D and the Planning Commission Secretary may certify said plat for recording prior to the regularly scheduled monthly Planning Commission meeting.

b) Before a one-lot subdivision may follow the one-lot subdivision procedure the following requirements must be met.

- (1) The subdivision must meet the requirements of the one-lot subdivision definition (as defined in Section 2.02.).
- (2) The plat must meet all requirements and standards of the Planning Commission without exception.

- (3) There can be no variances requested from the subdivision regulations.
- (4) There cannot be, as a result of such subdivision, a creation of any lot, which fails to meet all requirements of the subdivision regulations.
- (5) Each subdivider may have only one single lot subdivision using the one-lot procedure per month.
- (6) Additional street right-of-way dedication shall be given in cases where the existing right-of-way does not meet the present minimum right-of-way width.
- (7) Further, each subdivider shall be limited to only one interior one-lot subdivision approval.

c) Subsequent to meeting all requirements, the favorable review of the Planning Commission staff, and signature of certification of the Planning Commission secretary with staff certification. In addition all platting fees and/or attorney fees must be paid in full prior to the final plat being released from the planning department.

#### 4.05. Submission Dates:

*The official submission date shall be considered the date of the Commission meeting at which a plat is considered for approval. This is not the date upon which the plat is submitted to the Planning Commission staff for review. Plats shall be submitted to the Planning Commission staff on or before the first (1st) calendar day of the month in which approval is requested.*

#### 4.06. Notice of review:

*The Planning Commission or its technical staff shall mail notice of the time and place of the plat review meeting five (5) days prior to the date of the meeting. The notice shall be mailed to the address specified on the plat.*

#### 4.07. Action by the Planning Commission:

##### 4.07.1 Preliminary Plat Review:

(a) Within sixty (60) days after the official submission date of the preliminary plat, the Planning Commission will review the plat and indicate its approval, disapproval, or approval subject to modifications. Failure of the Planning Commission to act on the preliminary plat only within this sixty (60) days will be deemed approval of the preliminary plat only. The Planning Commission will review the plat and indicate its approval, disapproval or approval subject to modifications, specifically stating any modifications required in the minutes of the meeting.



(b) The approval of the preliminary plat by the Planning Commission serves as a basis for preparation of the final plat but does not constitute acceptance of the final plat, and preliminary approval will not be indicated on the preliminary plat.

4.07.2 Final Plat Review:

- (a) Within sixty days after the official submission date of the final plat, the Planning Commission will review it and indicate its approval or disapproval. Grounds for disapproval shall be stated upon the records of the Planning Commission.
- (b) The Planning Commission Secretary shall sign only prints of the final plat, which exhibit original signatures of certification.
- (c) After approval of the final plat, one print shall be returned to the subdivider for his records and one print shall be returned by the subdivider duly certified for filing to the County Register of Deeds as the official plat of record. One copy shall be retained by the Planning Commission for its records.
- (d) Approval of the final plat shall not constitute acceptance by the public of the dedication of any improvements, roads, way, or ground; however, upon satisfactory completion of all required improvements, and the recording of the approved plat in the Office of the Blount County Register of Deeds. The Highway Department's recommendations for such acceptance to the Blount County Commission are solely at the discretion of the Blount County Highway Superintendent.

## SECTION 5 Specifications For Documents To Be Submitted

*In addition to the specifications set forth in this Section, all documents submitted for review must meet the minimum standards as set forth in the Rules of Department of Insurance Division of Regulatory Boards, Board of Examiners for Land Surveyors Chapter 0820-3 "Standards of Practice" and any amendments thereto.*

### 5.01. Preliminary Plat:

*Preliminary plats submitted to the Planning Commission, prepared in pen or pencil, shall be drawn to a convenient scale of not more than one hundred (100) feet to an inch and shall show the following information:*

#### 5.01.1 Name:

- (a) Name of subdivision if property is within an existing subdivision.
- (b) Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded.
- (c) Name of property if no subdivision name has been chosen. (This is commonly the name by which the property is locally known.)

#### 5.01.2 Ownership:

- (a) Name and address, including telephone number of developer and the name and address of the current property owner as recorded or otherwise documented if different than the developer.
- (b) All plats shall show the name of the current legal owner(s) if different than the person(s) developing the property; as listed By Tax Assessor for Blount County.
- (c) Citation of any existing legal rights-of-way or easements affecting the property.
- (d) Reference to existing covenants on the property, if any.
- (e) Name and address, including telephone number, of the professional person(s) responsible for subdivision design, for the design of public improvements (engineers) and for surveys.

#### 5.01.3 Description: Location of property by tax map and parcel number.

#### 5.01.4 Features: The preliminary plat shall show the following:

- (a) Location sketch map showing the relationship of the subdivision site to the surrounding area.
- (b) The location of property with respect to the surrounding property and streets, the names of all adjoining property and streets, the names of all

adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.

(c) The approximate location of all boundary lines of the property. Total acreage of land to be subdivided in Blount County: and other county(s) if applicable.

(d) The location of existing and platted streets, easements, water bodies, water courses (including sinkholes, dry stream beds, and pond overflow streams), drainage basins and facilities, buildings (including mobile homes), railroads, parks, cemeteries, bridges, sewers, water mains, culverts, wells, lands subject to flood (with flood map number) and other pertinent features.

(e) The location and dimensions of all proposed or existing lots.

(f) The location and dimensions of all property proposed to be set aside for open space, park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.

(g) Names of all new streets and their classification.

(h) Indication of the use of any lot (single-family, two family, multi-family) and all uses other than residential proposed by the subdivider.

(i) All lots in each subdivision shall be consecutively numbered.

(j) If applicable, a notation specifying the subdivision lies within the AIR Zone (Airport Semi-Autonomous Planned Area), as specified in the Zoning Regulations: Blount County, Tennessee, and the implication of its location relative to airport induced impacts on land use. Notification to the Airport Authority for potential impact is required.

(k) If applicable, a notation specifying that utility water is not presently available to the subdivision.

(l) The preliminary plat shall be accompanied by a "Preliminary Soil Map" to be supplied to the Blount County Health Department along with all other preliminary plat documents as specified in Section 5.02.2.

#### 5.01.5 Impact Assessment: (This Section Reserved)

5.02. Supporting Items to be submitted with Preliminary Plat:

5.02.1 General: Construction plans shall be prepared for all required improvements. Plans shall be drawn at a scale of no less than one (1) inch equals one hundred (100) feet, and map sheets shall be of the same size as the preliminary plat. A title block shall appear on (a)-(f) below and shall contain the name of the subdivision, name, address and telephone number of the professional person responsible for the subdivision design.

5.02.2 Features: The following shall be submitted:

(a) A Preliminary Soil Map: A Preliminary Soil Map shall be supplied to the Planning Commission, Highway Department, and the Environmental Health Department for all major subdivisions. The Preliminary Soil Map must be prepared by a state licensed Soil Scientist. The soil map shall be on the topographic map described above and shall show proposed lots, streets, and other pertinent information. If required by the regulating agencies, percolation tests performed by a licensed surveyor or registered engineer shall be supplied. A list of approved soil scientists may be acquired from the Environmental Health Department. For proposed tracts over 5-acres each; A Soil Letter from a state licensed soil scientist may be substituted for the preliminary soil map, provided that sufficient soils information is submitted for Highway Department review of road plans. The Soil Letter must indicate that each proposed tract has adequate soil and area to accommodate a three-bedroom home, including septic tank, field lines and all reserve area required by the Environmental Health Department.

A High-Intensity Soil Map is required by the Planning Commission to be submitted to the Environmental Health Department prior to final plat approval. This map does not have to be submitted at the time of the preliminary plat submission, unless preliminary and final plats are sought at same meeting date.

This map must be prepared by a state licensed Soil Scientist. The soil map shall be on the topographic map described above and shall show proposed lots, streets, and other pertinent information.

(b) A High-Intensity Soil Map is required by the Planning Commission to be submitted to the Environmental Health Department prior to final plat approval. (This map does not have to be submitted at the time of the preliminary plat submission, unless preliminary and final plats are sought at same meeting date). This map must be prepared by a state licensed Soil Scientist. The soil map shall be on the topographic map described below and shall show lots, streets, and other pertinent information.

(c) Road Plan showing the location of all roads and right-of-ways, as well as tiles, culverts, basins, and other features associated with the construction of the road. Prior to any construction of any roads or utilities along any existing county road, a Construction Work Plan should be submitted to the county engineer and all traffic warning signs should be installed prior to any on-site work, this plan should also specify, in writing, that no heavy equipment will be used on or driven across existing county roads without prior permission of the Highway Department.

(d) Road Profiles showing existing and proposed elevations along center lines of all roads at a scale not less than one inch equals one hundred (100) feet horizontally and one inch equals ten (10) feet vertically. Where a proposed road intersects an existing road or roads, the elevation along the centerline of the existing road or roads within one hundred (100) feet of the intersection, shall be shown, along with the approximate radii of all curves, lengths of tangents and central angles on all streets. Stations shall be shown on profiles as well as plans at intervals not greater than one hundred (100) feet. As-built profiles will be required for any roads approaching maximum or minimum grades (see Section 5.02.4).

(e) The Planning Commission shall require, where steep slopes exist or where cut or fills are anticipated to be six (6) feet or greater, that Cross-Sections be prepared at one hundred (100) foot stations throughout the area of concern. The cross sections shall be on standard cross-section paper at a scale not less than one (1) inch equals ten (10) feet (horizontally and vertically). Cross-sections shall be drawn perpendicular to the proposed centerline of the road and extend a minimum of twenty-five (25) feet on each side of the street line. Additional cross section information may be required by county agencies if deemed necessary for adequate review.

(f) A Topographic Map with contours at vertical intervals of not more than five (5) feet, at the same scale as the preliminary plat, for all major subdivisions. The date and method of preparing the topographic survey shall be stated. Interpolation of Tennessee Valley Authority Quadrangle Maps will be accepted only through prior approval of the County Engineer and only for plats with lots of 5-acres or greater. Staff may make an exception for excessively large tracts or severely mountainous terrain.

(g) A proposed Drainage Plan (prepared on a topographic map for the proposed subdivision) for any major subdivision showing the locations, types and sizes of drainage structures, tiles, culverts, swales, control structures, catch basins, spillways, drainage basins, ponds, rivers, streams, creeks, or branches and any other pertinent information. In addition, the Calculations used in devising the plan shall be submitted as well as the method of calculation used to devise the drainage plan.

Calculations for the drainage plan shall use procedures found in the U.S. Soils Conservation Service, Urban Hydrology for Small Watersheds, Technical Release No. 55. The drainage plan and calculations shall be prepared by a Tennessee licensed engineer. Alternative methods of calculations may be used with prior approval of the County Engineer. The Drainage Plan shall accommodate at a minimum the 5, 10 and 25 year, 24 hour storm event. Where detention or retention facilities are required, the plan shall accommodate site runoff generated from the 5, 10, 25 and 100 year, 24 hour storm events considered individually. For the purposes of computing runoff, lands in the site shall be assumed, prior to development, to be in good condition (if the lands are lawns, pastures, or parks), with good cover (if lands are wooded), or with conservative treatment (if the land is cultivated) regardless of conditions existing at the time of computation. (See section 7.01.3 for further design criteria)

(h) Four (4) copies of the Erosion Control Plan shall be submitted to the Planning Commission with the preliminary plat for any major subdivision. The Erosion Control Plan should be prepared on a topographic map for all major subdivisions, this plan should incorporate the erosion control practices as specified in the Tennessee Erosion and Sediment Control Handbook, 2<sup>nd</sup> Edition (available from the Blount County Soil Conservation Service or on-line from the State of Tennessee, Department of Environment and Conservation). The Erosion Control Plan must also be in compliance with the Blount County Soil Erosion and Sediment Control Resolution, 2004. The owner/developer shall secure a Blount County Grading Permit when disturbing at least 1/10<sup>th</sup> of an acre, unless the project meets the exemption of the above referenced resolution. All Major subdivisions shall require that the developer submit any and all necessary permits at the time of the Pre-Construction Meeting. Including, but not limited to: Blount County Grading Permit, State SWPPP, ARAP, NPDES, TDOT Driveway Connection Permits, In addition to notification by the developer to Tennessee One Call, and the Utility Inspector for the Blount County Highway Department for any proposed work in the County ROW.

The subdivider shall comply with all State and County erosion control permitting requirements prior to any on-site construction in addition to the requirements of the Planning Commission. The erosion control plan shall be supplied with the preliminary plat, reviewed by staff and the Blount County Stormwater Coordinator and approved prior to construction. All required state and county permits shall be supplied at the time of the preconstruction conference. All applicable control measures shall be in place prior to any construction on-site.

Whenever a Storm Water Pollution Prevention Plan (SWPPP) permit is required, as per the Tennessee Department of Environment and

Conservation (TDEC) for site preparation or other activities; or any other permits for site preparation or stream crossings are necessary (NPDES, ARAP or other permits), it is the responsibility of the developer to comply with the State of Tennessee regulations and all permits and application documents shall be submitted to planning staff prior to any on-site construction activities.

(i) Plans of Proposed Utility Layouts (sewer, electric, telephone, cable television, natural gas, water and fire hydrants) showing feasible connections to the existing utility system, or any proposed utility system. The name of each utility supplier, address, and phone number must also accompany the utility layout. These plans may be submitted on the preliminary plat showing the proposed locations of said utilities. Detailed utility plans shall be submitted to the appropriate utilities, as per their requirements. Planning Staff may require copies of the detailed utility plans if adequate information is not presented on the preliminary plat. In the case where on-site sewer systems are employed, staff shall require detailed plans as well as certification for the appropriate state agency that the utility provider is state chartered and licensed to operate as a public utility.

5.02.3 Relation to Preliminary Plat: The construction plans listed above are part of the preliminary plat information and shall be submitted for staff review at the time the preliminary plat is submitted and prior to any onsite construction activities.

5.02.4 As-Built Plans/Certifying Letters Prior to Final:

a) *As-Built Plans (as-builts)* are required for all roads, drainage, utilities, and other facilities, unless waived by planning and engineering staff. The as-builts should be supplied upon completion of the improvements, prior to final plat request. Additional as-builts (during) particular construction may be requested by staff. As-builts include engineered drawings or plans that indicate the actual physical construction of a road, road grade, utility, or drainage facility or other improvement, and are substantially in conformance with any of the previously approved plans.

b) *Certifying Letters* shall accompany as-builts, to be supplied by surveyors, engineers, and contractors that all physical improvements are in conformance with approved plans and the specifications of these regulations. This may be waived by staff upon adequate field inspection.

### 5.03. Final Subdivision Plat:

5.03.1 General: The final plat shall conform substantially to the preliminary plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop to all requirements of these standards.

5.03.2 Features: The final plat shall show the following information:

- a) The final plat shall be drawn to a scale of one inch equals one hundred (100) feet on sheets eighteen (18) by twenty-four (24) inches (or larger if acceptable to the Register of Deeds). 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, or the location sketch map shall show the relationship of the separate sheets. A One-lot subdivision plat and replats may be on paper size eight and one-half (8 1/2) inches by fourteen (14) inches.
- b) Location sketch map showing relationship of the subdivision site to the surrounding area.
- c) The location of the property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.
- d) Graphic scale, date, north point, name of the subdivision, name, address and phone number of legal owner or agent of property.
- e) The dimensions of all boundary lines of the property and lot lines expressed in feet and hundredths of a foot and bearings and angles to the nearest minute. This same information shall be shown for the County boundary lines and National Park boundary lines where applicable.
- f) The total acreage of land to be subdivided in Blount County. If less than one (1) acre, the square footage of each lot and if one (1) acre or greater the acreage of each lot. If the amount of land remaining from a land subdivision is less than five (5) acres, all of such remaining land shall be shown on the plat.
- g) The location, width and classification of all existing and proposed streets and easements, alleys, and other public ways, and easement and proposed street rights-of-ways and building setback lines.
- h) Sufficient data acceptable to the County Engineer to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments. This shall



include the radius, the central angle and the tangent distance for the centerline of curved streets and curved lines.

- i) All lots in each subdivision shall be consecutively numbered through the several additions if there exists more than one.
- j) The location and dimension of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof and conditions, if any, of the dedication or reservation.
- k) Delineation of the flood hazard area and floodway if applicable. Based on data provided in the FEMA Flood Insurance Rate Maps, Blount County, Tennessee, Unincorporated Areas.
- l) If applicable, a notation that utility water is not presently available to the subdivision and individual private water supplies shall be located by the County Health Department prior to construction (see Appendix VII).
- m) If applicable, a notation of the subdivision lying within the Airport Hazard Area Boundary as delineated in the McGhee Tyson Off-Airport Land Use Study and Zoning Ordinance by the Blount County Planning Commission and the implication of the subdivision's location relative to airport induced impacts on land use.
- n) Certification showing the applicant is the land owner and dedicates streets, rights-of-way and any sites for public use.
- o) Certification by a licensed surveyor to accuracy of survey and plat and placement of monuments. In cases where the owner or developer divides only a portion of an entire tract, the surveyor shall certify that the remaining lands are not of substandard size.
- p) Certification by County Road Superintendent or an authorized representative that the subdivider has installed street improvements, according to county specifications and these subdivision regulations or proper provisions have been made for their installation.
- q) Certification by the local utilities board, if applicable, that public utility facilities have been provided or proper provisions have been made for their installation.
- r) Certification of approval to be signed by the Secretary of the Planning Commission.
- s) Certificate of Approval of Road Names and Property Numbers (E-911) .

t) Notes shall also be affixed to the plat indicating the setbacks (front, rear and side, in accordance with the Zoning Resolution of Blount County, Tennessee the Zone in which the property is located, Tax Map and Parcel Number, Flood Map Number, Developers name and address (and owner's if different). Explanation of all easements on plat; including drainage areas, drainage facilities, open space, and other applicable easements. Reference to Property Owner's Association or Maintenance Agreement if applicable. Planning staff may require or affix additional notes as necessary prior to releasing final plat.

#### 5.03.3 Private Roads/Property Owner's Association:

In cases where more than two lots within a proposed development are to be served by private road(s), the final plat shall be accompanied by the necessary legal documents to establish a property owners' association to insure the future maintenance of said road(s). The association shall have the authority to levy assessments for road maintenance, and the power to impose liens, if necessary, to enforce such action. All private improvements and easements must be noted on the final plat. All drainage improvements, common areas, private road easements and common driveway easements and the physical improvements on the land must be specified in the property owner's association documentation. The POA documentation must be submitted to staff for review and consistency with the final plat. Once the final plat is approved, the final POA documentation must be recorded along with the final plat for any subdivision requiring the creation of a Property Owner's Association.

**SECTION 6:           General Requirements And Minimum Standards  
For Improvements, Reservations, and Design**

6.01. Suitability of the Land:

6.01.1 Land Physically Unsuited for Subdivision:

Land which the Planning Commission has found to be unsuitable for development

- a) because of flooding, bad drainage, steep slopes, rock formations, and other such features which may endanger health, life, or property, aggravate erosion, increase flood hazard, or necessitate excessive expenditure of public funds for supply and maintenance of services, or
- b) when other public agencies concerned have investigated and found in the best interest of the public a situation not suitable for the type, scale, or location of platting and development proposed,

shall not be approved for subdivision unless adequate methods are formulated by the developer for overcoming or mitigating the problems created by subdivision of such land. Such land within any plat shall be set aside for such uses as shall not produce unsatisfactory living conditions.

- c) The developer/subdivider is responsible for acquiring any necessary *Permits and/or Certification Letters* from the appropriate department of the State of Tennessee, or other regulating agency (.i.e. EPA, Army Corps of Engineers, TVA, etc.), as may be required, regarding any special natural features, physical limitations, roadway connections, or other considerations. Permits, and/or certification letters shall be required, when applicable, and copies submitted by the developer along with all other preliminary and/or final plat information. The planning commission and planning staff may require studies and mitigation plans, engineering reports, or other pertinent information it deems necessary when one or more of the following is present and/or affected by the development of a proposed subdivision:

(1) Geological studies for sinkholes, or other geological and manmade features; including old quarries and/or mines.

(2) Flood study for proposed developments in proximity to rivers, streams, creeks, and branches or for any proposed construction in a flood hazard area.

(3) Drainage studies for drainage facilities utilizing ponds, creeks, streams, branches, or rivers, and/or geological features such as depressions or sinkholes.

- (4) Construction plans and permits for the construction of ponds, lakes, and/or dams, and any proposed construction of roads across dam sections.
- (5) Additional erosion control plans along creeks, streams, branches, rivers, or state roads.
- (7) Construction plans in a Well-Head Protection area.
- (8) Driveway permits and roadway connections to state and/or county roads.
- (9) Well or ground water studies when deemed necessary.
- (10) Traffic studies for potentially excessive new traffic on local roadways or collector roads or near or at intersections or areas that might create undue congestion or and unsafe traffic patterns.
- (11) Construction plans, permits and state service area authorization for public or private utilities, including private water supply, shared wells, private sewer, and or on-site public sewer.
- (12) Additional permits may be required from a variety of sources, not considered in the above list, the Planning Commission may require the developer to apply for any necessary permit(s), and/or certify such permits or other permissions back to planning staff.

The results of any or the above studies or reports must be prepared by appropriate qualified, licensed or certified persons, businesses or agencies. The results, recommendations and/or findings of such studies or reports may produce information that the Planning Commission may use to determine appropriate mitigation, modifications, approval, or denial of any proposed subdivision in the Blount County Planning Region.

#### 6.01.2 Land Unsuitably Located for Subdivision:

*The Planning Commission shall not approve what it considers to be scattered or premature subdivision of land which would endanger health, safety or property because of lack of or adverse effect on water supply, schools, proper drainage, good transportation, other public services or public funds for the supply or maintenance of such services.*

(a) In establishing the impacts of subdivision of land on public infrastructure or the public health, safety and welfare, the Planning Commission shall require studies of such potential impact to establish a factual basis for decision, shall refer to expert opinion and professional standards for infrastructure service, shall require cost estimates for any needed improvements to overcome deficiencies, and shall establish a record for each decision under this section. The Planning Commission may require the developer or subdivider to provide such studies and other information as part of subdivision plat consideration. The following subsection(s) present specific criteria and procedures for land suitability or infrastructure of concern, but shall not limit consideration of other issues of land suitability under this section.

(b) Minimum off-site Road Standards as Criteria Precedent to Platting. Except upon recommendation of the County Road Superintendent, a minimum off-site road of eighteen (18) feet of paved width with two (2) foot shoulders on either side shall be present from entrance to any subdivision or development to intersection with any road with same standard or better, for consideration of any major plat of five (5) lots or greater. In determining the status of a proposed subdivision as a major plat, this section shall apply also to any combined division of the same property within one year of consideration of any plat involving that property, and to overall platting of any land in phases.

For the purpose of determining paved width of roads, the roads list maintained by the Blount County Highway Department showing road pavement width shall be the basis for determination, provided that direct measurement showing roads of greater width than listed may be considered.

For the purpose of this section, shoulder shall mean an area outside of two nine (9) foot paved travel lanes (18 foot total travel surface) with the following characteristics:

- i) two feet of unobstructed and well drained width at outside of travel lanes,
- ii) no more than eight (8) percent slope from outside edge of travel lanes, and in no instance more than seven (7) percent maximum algebraic difference in slope between travel lane and shoulder grades, and
- iii) surface treatment of hard pavement, gravel or compacted earth, flush with the surface of travel lanes.

The traffic and roads condition study shall be done by a qualified engineer licensed in the State of Tennessee and acceptable to the County Road Superintendent.

The traffic and roads condition study shall at a minimum contain present road and shoulder width of off-site roads measured at intervals of no greater than one-tenth (0.1) miles, present and expected future ADT (average daily traffic), and specific impact of the proposed subdivision or development on the safety of traffic on off-site roads. Upon determination and recommendation by the County Road Superintendent or his designee, the study shall also assess road geometry (vertical and horizontal curves, etc), sight distances, bridges, and roadside hazards as part of determining safe and acceptable road conditions. The study shall also include

estimates of cost to improve the existing roads to safe and acceptable conditions.

The traffic and roads condition study shall assess whether or not existing road width and shoulder width and other design factors of off-site roads would be sufficient to protect the public health, safety and welfare of existing and future county residents in relation to additional traffic generated by a proposed subdivision or development. Engineering standards and practices acceptable to the County Road Superintendent or his designee shall be the basis for determining traffic generation from the proposed subdivision or development and assessing traffic impact and acceptable road conditions, such standards and practices to include: A Policy on Geometric Design of Highways and Streets, published by American Association of State Highway and Transportation Officials (AASHTO), 2001; and Designing Safer Roads: Practices for Resurfacing, Restoration, and Rehabilitation, Special Report 214, by Transportation Research Board of the National Research Council, 1987.

In considering lesser pavement width and shoulder width under this subsection, the Planning Commission shall not approve a major subdivision which has ingress and egress on off-site road(s) with pavement width less than sixteen (16) feet; provided that any such off-site road(s) with less than two hundred (200) ADT (average daily traffic) may have distances of fifty (50) feet or less with pavement width between fourteen (14) and sixteen (16) feet if there are warning signs and adequate approach sight distances as approved by the County Road Superintendent or his designee. The Blount County Highway Superintendent can increase minimum standards based on posted speed limits, ADT, usage, road characteristics, or reports as necessary.

(c) Standard of School Capacity as Criteria Precedent to Platting. Except in accordance with provisions below, no major plat of five (5) lots or greater shall be approved for subdivision if the school capacity of the elementary school, middle school or high school serving a proposed subdivision is classified "intolerable". Such classification "intolerable" shall be based on yearly November study and report from the Blount County Board of Education, initial report for the purposes of this Section being dated November 5, 2004 and received at the November 23, 2004 regular meeting of the Blount County Planning Commission, in files of the Blount County Planning Department. In determining the status of a proposed subdivision as a major plat, this section shall apply also to any combined division of the same property within one year of consideration of any plat involving that property, and to overall platting of any land in phases.

The Planning Commission may consider a plat of five or more lots under this Section under the following conditions:

- i. The Blount County Board of Education certifies that classification of “intolerable” for affected schools will be reasonably changed in the future based upon redistricting of school district areas; or
- ii. The Blount County Board of Education certifies that classification of “intolerable” for affected schools will be reasonably changed in the future based upon assured funding, design, siting and contract approval of new or expanded school facilities affecting subject schools; or
- iii. The Blount County Board of Education submits an amendment to its yearly report changing the classification of an “intolerable” school to a lesser classification; or
- iv. The subdivider or developer agrees to limit final plating of lots to no more than four (4) lots per twelve (12) month period; or
- v. The subdivider or developer submits compelling evidence accepted by the Planning Commission, that the proposed subdivision will not generate substantial school aged children that would impact capacity of schools affected by the proposal.

The provisions of this Section shall not apply if the plat under consideration is in part or in whole a final plat of a current preliminary plat approved on or prior to January 27, 2005 for Subsection (b) and March 24, 2005 for Subsection (c).

#### 6.01.3 Land Subject to Flood:

Land within any floodway shall not be platted for residential occupancy or other building site and shall not be raised by fill. Other land subject to flood may be platted for residential use only if filled to such height as will secure a flood-free site based on data submitted by the subdivider and prepared by competent engineers, provided such use or fill does not endanger health, life, or property or restrict the flow of water or increase flood heights. To prevent such hazards, fill material should be taken from between the stream bank and the area to be filled. In applying these provisions, land subject to flood shall be defined as follows: land lying within the Special Flood Hazard Area including any Flood Way as indicated on the Flood Insurance Rate Map, Blount County, Tennessee, Unincorporated Areas. The areas shown in the floodway shall not be included when calculating required lot area. All lots shall have a buildable area of at least 7,500 square feet exclusive of area within required setbacks, or more based on findings of the Blount County Environmental Health Department, outside of any flood hazard area. Any application for development/subdivision on land subject to flooding must be in

conformance with these regulations and the Blount County Floodplain Zoning Resolution.

6.01.4 Water Hazard Areas:

*To help lessen the potential of water pollution, the following areas shall be considered within the water hazard area, where both residences and private septic systems shall not be situated.*

- a) Along Fort Loudoun Reservoir: No portion of a subsurface sewage disposal system shall be installed below the elevation of 815 feet nor closer than fifty (50) horizontal feet from the 813-foot contour elevation. This is considered a minimum standard in all cases and shall not be varied below the minimum. The Planning Commission shall require the application of a higher standard of setback from the 813-foot elevation upon recommendation by the Blount County Environmental Health Department. The required setback from the 813-foot elevation contour shall be shown on the final plat with notation of restriction for private septic systems and residence location.
- b) No portion of any subsurface sewage system shall be closer than 25 feet from any well-head (water), spring, closed depression, cave, sinkhole, or natural or constructed swale or drainage facility, including natural or man-made lakes, ponds, retention and detention facilities and other geological formations such as rock outcroppings.
- c) No portion of a subsurface sewage disposal system shall be installed closer than 50 feet from the bank of the Little River, nor along all other constantly flowing rivers, "blue-line" streams and creeks or commonly shared bodies of water, to include, but not limited to all tributaries of the Little River, and including Four Mile Creek, Nine Mile Creek, Baker Creek, Lackey Creek, Taylor Branch, and Gallagher Creek. This is the minimum standard in all cases. The Planning Commission shall require the application of a higher standard of setback upon recommendation by the Blount County Environmental Health Department. The bank of such river, stream, creek or commonly shared body of water, and required setback shall be shown on the final plat with notation of restriction for private septic systems and residence location.



## 6.02. Streets

### 6.02.1 Classification:

*Streets and roads are classified according to Major Road Classification Plan for the Blount County Planning Region as adopted December 9, 1993. Streets and roads are hereby classified by the function that they are to serve, the type, speed, and volume they will carry, and the required standards of design. The broad categories shall be (a) arterials, (b) collectors, and (c) land service streets. The designation in the major road classification plan of arterials and collectors does not prevent other streets proposed in or adjoining subdivisions from being similarly classified. Classifications are defined as follows:*

#### a) Arterials – (A).

(1) Principal Arterials - (A-1). Those major streets used for high speed and high volume traffic between Maryville, Alcoa and other urban centers and regions; access at intersections with other arterials and at major local centers.

(2) Major Arterials - (A-2). Those major streets used for traffic of moderate to fast speeds and high volumes between major local centers of employment, recreation, and shopping and suburban centers; access at intersections with other arterials, collector streets and major local centers.

(3) Minor Arterials - (A-3). Those other arterials used for traffic of moderate speeds and high volumes which connect the higher classified arterials with each other and with local centers and public facilities; access with other arterials, collector streets, and some minor streets.

#### b) Collectors - (C).

(1) Those major streets used for traffic of moderate speeds and high peak volumes between minor streets and the system of arterials or serving as principal entrance streets or primary circulation routes within a neighborhood or other limited area; access at all other streets and some private ways.

#### c) Land Service Streets (R).

(1) Residential streets: Those minor streets used for traffic of low volumes situated predominantly within a neighborhood or other

limited area; access with higher classified streets and private property.

(2) Minor Industrial or Commercial Streets: Those minor streets designed to provide access to abutting commercial or industrial property and to discourage their use by through traffic. Industrial or commercial streets may include marginal access streets, cul-de-sacs, and service drives.

#### 6.02.2 Relation to Present, Proposed and Future Street System:

- a) The location and width of all streets and roads shall not be in conflict with the Major Road Classification Plan; Blount County Planning Region currently filed with the Register of Deeds and the County Highway Department and any amendments thereto.
- b) For the purpose of these design standards, existing streets which terminate at or adjoin a subdivision boundary shall be deemed a part of the subdivision. The proposed street system shall extend the right-of-way of existing streets at no less width than the required minimum width. Subdivisions that adjoin only one side of existing streets shall dedicate one-half of the additional right-of-way needed to meet minimum width requirements. If any part of the subdivision includes both sides of an existing street all the required additional right-of-way needed to meet minimum width requirements. Dedication of right-of-way shall be to the Blount County Commission by plat reference.
- c) Where, in the opinion of the Planning Commission, it is necessary to provide for street access to adjoining property, proposed streets shall be extended by dedication of right-of-way to the boundary of such property. A temporary turn-around having a roadway diameter at least eight (80) feet shall be provided or a permanent T-turnaround with a permanently dedicated right-of way. Platted stub-outs with dedicated right-of-way may also be required, road and drainage improvements on stub-outs may be required prior to final plat approval should the planning commission deem them necessary.
- d) When an arterial street adjoins or is included in a subdivision, lots therein which abut the arterial shall be provided with another means of access, e.g. -- (1) platting a single tier of lots which back to the arterial and front on a minor street, or (2) other method approved by the Planning Commission. Subdivision streets which intersect the arterial shall do so at intervals not less than as follows: Principal arterial (A-1) 1,200 feet; major arterial (A-2) 800 feet; minor arterial (A-3) 600 feet.

e) 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 re-subdivision.

### 6.02.3 Design Standards for Streets:

a) Width of street rights-of-way: The minimum width of right-of-way measured from lot line to lot line shall be as follows:

| <u>Classification</u>    | <u>Width of ROW</u> |
|--------------------------|---------------------|
| Arterials:               |                     |
| Principal Arterial (A-1) | 120'                |
| Major Arterial (A-2)     | 80'                 |
| Minor Arterial (A-3)     | 60'                 |
| Collectors:              |                     |
| Collector (C)            | 60'                 |
| Land Service Streets:    |                     |
| Major Residential (R-2)  | 50'                 |
| Minor Residential (R-1)  | 50'                 |
| Other:                   |                     |
| Marginal Access          | 50'                 |
| One-Way Street (Public)  | 50'                 |
| Boulevard (Minimum)      | 80'                 |

**Note:** A turn-around of at least one hundred (100) feet in diameter or an approved alternate design shall be required for all dead-end streets, cul-de-sac roads, or closed-end streets. Only a temporary turn-around or stub-out for future development may utilize an eighty (80) foot diameter turn-around. A boulevard shall be contained within an 80' or greater right-of-way.

When approved by the planning commission, one-way streets may be paved no less than 14' wide and prepared in accordance with these regulations including grading, paving, and drainage standards. Such one-way streets shall be platted on a minimum of a 50' wide right-of-way, to be dedicated if applicable. (Private one-way streets shall be contained on a minimum of a forty (40) foot wide easement. In the case where Hillside development standards are applicable for private developments, a forty (40) foot right-of-way easement may be used in cases where topography is a constraint to a wider right-of-way. When the developer proposes sidewalks for a major subdivision along proposed minor residential streets, the Planning Commission may vary the right-of way to be dedicated to a minimum of forty (40) feet wide for roadways that serve no more than 20 lots total (not through streets). The sidewalk must be platted in an easement outside of the right-of way to be dedicated and the easement

and sidewalk must be maintained by the property owner’s association and shall be so noted on the final plat to be recorded.

b) Minimum Width of Pavement: Measured between curbs, required for surface treatment of arterials and residential streets shall be as follows:

| <b>Classification</b> | <b>Width of Pavement (Feet)</b>  |
|-----------------------|----------------------------------|
| Primary Arterials     | As Negotiated, Not less than 36' |
| Major Arterials       | Not less than 36'                |
| Minor Arterials       | Not less than 36'                |
| Collectors            | Not less than 26'                |

Residential Streets:

| <b>Width of Pavement<br/>(not less than)</b> |          | <b>Density</b> |
|--|----------|----------------|
| <u>A</u>                                     | <u>B</u> |                |
| 18'  | 22'      | 1--30          |
| 22'  | 22'      | 31—50*         |
| 24'  | 24'      | 51-above*      |

Width of Pavement A: Width of pavement required on streets with compacted stone shoulders up to the height of the wearing surface at least three feet wide on each side and ditches outside of required shoulders, as necessary.

Width of Pavement B: Width of pavement on streets with curbs, pavement width to be measured between the curbs.

\*In order to develop land that may otherwise be difficult to access there is not a maximum road length for roads that terminate with a cul-de-sac.

The total number of lots to be served by a street shall be used to determine the required width of pavement.

c) Density: Maximum number of lots permitted on cul-de-sac or streets that connect with two different external streets (i.e., through streets), or roads with internal looping. The minimum width of pavement for through streets shall be no less than 24 feet. The maximum number of lots off of a single entrance shall be 120 lots (total) provided that internal looping shall

be incorporated. Without internal looping 40 lots shall be the maximum, internal loops may be incorporated up to the maximum of 120 lots. A maximum of 20 lots may be gained with each (consecutive) internal loop up to the 120-lot total (4 internal loops).

d) A boulevard or dual roadway may be incorporated into the design of subdivision in order to meet the criteria for multiple access points and provide for alternative access in the event of an emergency and to allow for access to the subdivision should one of the roads be under repair in the future. The internal road plan for a split boulevard entrance shall be to the point of looping roads serving the internal lots. The internal lots will thus be served by a higher order road, and then internally by looping roads. This is an acceptable design with provision that no more than 120 lots be off of any set of loops extending from the end of the boulevard (80 lots maximum off of one point of access, plus 20 lots extra per internal loop to a maximum of 120 lots off of one dual access.

A boulevard may be incorporated into a proposed development provided traffic safety and ease of use be accommodated in the design and on the ground. This alternative road design should provide for fewer disturbances to the natural area in addition to allowing for dual access to parcels that do not have road frontage for more than one access road.

The entire boulevard shall be contained within a widened right-of-way (80 feet wide or greater) to be dedicated to the county. The inside medium sections from back of curb to back of curb between the roadways shall remain private property and shall be maintained by the property owners association. Each road will be a two-lane (one-way road) on either side of a medium strip - a minimum of 20 feet wide between the curbs to allow for 10 foot wide travel lanes (20 foot wide road between curbs allowable for one-way, directional two-lane road only). Painted driving lanes shall be required for the length of each road. The medium shall be 20 feet wide from back of curb to back of curb. Both roads shall be curbed with mountable curbing for emergency access and to allow all maintenance equipment and vehicles to maneuver completely off the roadway to maintain the mediums. The paved turn sections between the roadways will be built to county standards and be contained in the public right-of-way.

The boulevard entrance at the county road shall be widened to avoid any confusion of turning movements into the development (as per the recommendation of the Highway Department). The widening of the county road section shall require additional dedication and a painted turning lane into the development, thus allowing for a through lane in both directions on either side of a defined left hand turn lane within the county road. A deceleration lane and widened right-of-way shall also be incorporated into

the road design. Road signage and lane painting will be required by the Highway Department as necessary to promote traffic safety.

Any private subdivision signs for the development will be on either side of the widened entrance roads outside of the public right of way only and not contained in the medium to allow for the greatest sight distance. There shall be no underground utilities installed below the paved surface. All underground utilities shall be installed completely outside of the graded road surfaces of both roads and paved turn areas; with the exception of conduit, pipes, and culverts that are designed to cross beneath the road and completed prior to the binder course application.

e) Vertical alignment of streets. Grades on arterials, collectors, and minor industrial streets shall not exceed seven (7) percent; grades on major residential (R-2) and minor commercial streets shall not exceed ten (10) percent; grades on all other roads shall not exceed thirteen (13) percent. Minimum road grades shall not be less than 2% to promote positive drainage on all proposed road sections. All roads shall be constructed with a crown with a minimum of 2% fall from the center crown to the curb or edge of pavement. Road grades at intersections shall not exceed 4% for the first 50 feet from intersection of centerlines. Variances shall only be considered to road grade for physical limitations and only for short sections, less than 200 feet (total), and only to a maximum grade of 15% only when hillside development standards for mountain developments apply.

f) All changes in grade shall be connected by a vertical curve so constructed as to afford a minimum sight distance, said sight distance being measured from the driver's eyes, which are assumed to be three and three-fourths (3 3/4) feet above the pavement surface, to an object six (6) inches high on the pavement.

The minimum sight distance shall be the minimum stopping sight distance for wet pavement for the design speed of streets as follows:

| <b><u>Design Speed of Street (MPH)</u></b> | <b><u>Minimum Stopping Sight Distance</u></b> |
|--|---|
| 50   | 400'-475'                                     |
| 45   | 325'-400'                                     |
| 35   | 225'-250'                                     |

Stopping Sight Distances from AASHTO, *A Policy on Geometric Design of Highways and Streets, 1990.*

g) A Sight Distance Easement shall be required upon staff review. Said easement shall be an unobstructed easement for the purpose of the

preservation of sight distance to promote safe vehicular and pedestrian travel. Areas identified as Sight Distance Easement shall be free from any permanent vegetation other than grass or sod (to be mowed regularly). No other planted materials or any permanent or temporary structures or signs above ground of any kind are permitted in the sight distance easement. The Maintenance of said easement shall become the responsibility of the Property Owner's Association and noted in the POA documentation and on the final plat.

h) Vertical curves shall be constructed in accordance with the following design controls. The design of all streets shall provide adequately for the discharge of surface water from the right-of-way. Roads subject to inundation by floodwater shall be approved in accordance with the Floodplain Zoning Resolution for Blount County, Tennessee. Fill may be used for streets if fill, drainage, and openings provided do not unduly increase flood heights.

i) Horizontal Alignment of Streets. Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, the radius of curvature of the center line of said street shall be not less than as follows:

| <b>Classification of Street</b> | <b>Minimum Radius of Curvature of CENTERLINE (WITHOUT SUPER ELEVATION)</b> |
|---------------------------------|--|
| Principal Arterial (A-1)        | 690'   |
| Major Arterial (A-2)            | 430'   |
| Minor Arterial (A-3)            | 310'   |
| Collector (C)                   | 230'   |
| Major Residential (R-2)         | 150' (or 90'*)   |
| Minor Residential (R-1)         | 90' (or 50'*)  |

\*Where approved, to make efficient use of land, a tangent of at least one hundred (100) feet in length shall be introduced between reverse curves on arterial and collector streets.

i) Street jogs with centerline offsets of less than the minimum stopping sight distance (in accordance with Section 6.02.3.f.) of the street intersected shall not be allowed.

j) Turning radii for all local public roads shall be a minimum of 50' on either side of the road at the Entrance to the subdivision; the same shall apply for Private roads whether paved or gravel surfaced. Common Driveways shall have Turning Radii of 40' on either side.

#### 6.02.4 Intersections:

- a) All streets shall intersect at right angles where possible; such intersecting streets shall continue as perpendicular from the center point of the intersection for not less than the minimum stopping sight distance for their respective rated speeds in accordance with Section 6.02.3.b of this article. No intersection shall be at an angle of less than sixty (60) degrees.
- b) Right-of-way lanes at street intersections shall have a radius of curvature of not less than fifty (50) feet along county roads that are paved and to be dedicated to the county. When deemed appropriate by the engineering department, the radius may be reduced to forty (40) feet provided that adequate turning radius does not allow vehicles to cross the centerline of the roadway they are entering. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the street right-of-way line at such street corner shall be rounded or otherwise setback to permit such construction.
- c) Grades at intersections shall not be greater than four (4) percent for a distance of not less than fifty (50) feet measured from the intersection of centerlines.
- d) Deceleration lanes and turning lanes along existing county roads may be required when deemed necessary by the county engineer for safety purposes (See Section 6.02.6.c). As much as possible, acceleration lanes should be avoided and not planned for new roads entering onto existing county roads unless such design is approved by the county engineer or required by TDOT along state roadways.

6.02.5 Private Streets and Reserve Strips: Private streets may be platted in a subdivision in accordance with the provisions of this section. In general, the design and improvement standards set forth within these Subdivision Regulations shall apply to both public and private streets, except as specifically modified below.

- a) Developments using private streets for access are classified into various types, and the streets within these developments will vary based upon the size and density of the projects:
  - 1) Type 1 - Common Driveway Development: A Type 1 development consists of no more than four lots served exclusively by the common driveway easement. The lot sizes are restricted only by the minimum area standards established by the Subdivision Regulations and the Health Department. Access may be provided



by a private easement or right-of-way twenty-five feet in width. Access shall be for vehicles as well as utilities to be contained within this easement. Drainage improvements shall be required, as necessary, and the driveway itself shall consist of compacted gravel 4" deep of rolled "pug-mix" gravel, at least ten (10) feet in width, upon a prepared subgrade with a crown. Compacted shoulders three (3) feet wide on both sides shall be slightly lower than the road surface. These shoulders shall be sown in grass and covered in straw to facilitate germination and to stabilize the shoulders. Ditches on both sides (outside the shoulders) shall run the length of the common driveway (when applicable) and rip-rap or other energy dissipaters may be required. Turnouts may be required by the Planning Commission depending upon the length and alignment of the drive. A T- or Y - turnaround shall be contained within the easement at the end of the common drive. The common driveway shall be constructed to the last (furthest) lot to be served. All common driveways entrances located on collector streets or greater shall be paved from the edge of the existing pavement to the edge of the right-of way to promote safety and keep loose gravel off of the county road. The paved entrance shall contain 50 foot turning radiuses and the paved surface shall be on a prepared gravel surface and built to the same specifications as a county road. Common driveways serving more than one parcel must be maintained by a maintenance agreement for all lots served by the common driveway. The maintenance agreement must accompany the final plat and be recorded in the Register of Deeds Office along with the final plat and referenced in the deeds for separate lots. The plat and deed(s) shall note the restriction that no more than four lots may be served by a Type 1 drive. The maximum grade for a common driveway shall not exceed fifteen (15) percent. Preliminary Plats of 3 or more lots served by a Common Driveway shall be submitted as a Major Plat and shall be submitted first as a Preliminary Plat with at least One Month before submission of a Final Plat. Any construction prior to pre construction meeting with staff and any required permits is at the sole risk of the developer.

- 2) Type 2 - Low Density Development. A Type 2 development consists of tracts at least five acres in size. Access shall be provided by a private easement or right-of-way fifty (50) feet in width. Access shall be for vehicles as well as utilities to be contained within this easement. Drainage improvements shall be required, as necessary, and the private road itself shall consist of 6" deep rolled "pug-mix" gravel, at least eighteen (18) feet in width, upon a prepared subgrade with a crown. Compacted shoulders three (3) feet wide on both sides shall be slightly lower than the

road surface. These shoulders shall be sown in grass and covered in straw to facilitate germination and to stabilize the shoulders. Ditches on both sides (outside the shoulders) shall run the length of the road (when applicable) and rip-rap or other energy dissipaters may be required. A cul-de-sac turnaround shall be contained within the easement at the ends of the private road, the easement shall be increased in size to incorporate a minimum of a forty (40) foot radius cul-de-sac. All private road entrances must be paved from the edge of the existing pavement to the edge of the right-of way to promote safety and keep loose gravel off of the county road. The paved entrance shall contain 50 foot turning radiuses and the paved surface shall be on a prepared gravel surface and built to the same specifications as a county road. The width of the roadway(s) shall be in accordance with the Subdivision Regulations (Section 6), based upon its design. A preliminary plat containing all information for preliminary plat submittal is required (See Section 5). A Property Owner's Association (POA) must be established to insure continuing maintenance of the road(s), drainage and other improvements. The POA documentation must accompany the final plat and be recorded in the Register of Deeds Office along with the final plat and referenced in the deeds for separate lots. The maximum grade for a private road shall not exceed fifteen (15) percent. The final plat shall contain a note concerning the restriction against resubdivision of a Type 2 development if the lot sizes would be less than five acres.

- 3) Type 3 – Preserved Open Space (Cluster) Development. A Type 3 subdivision may be developed at an overall density of three acres per dwelling unit, with the stipulation that at least one-half of the gross land area be preserved as open space. The restriction governing the open space shall be appropriate for each specific development and must be approved by the planning commission and referenced on the plat. A preliminary plat containing all information for preliminary plat submittal is required (See Section 5). A Property Owner's Association (POA) must be established to insure continuing maintenance of the road(s), drainage and other improvements. The POA documentation must accompany the final plat and be recorded in the Register of Deeds Office along with the final plat and referenced in the deeds for separate lots. The minimum road standards are the same for Type 2 (Low Density) developments. All road standards and maximum road grades and POA requirements are the same as above for Type 2 developments.

- 4) Type 4 – Standard Density Private Development: A Type 4 development is comparable to a conventional subdivision in terms of minimum lot size, layout, road improvements and approval process except that the developer chooses for the roads to be private. A preliminary plat containing all information for preliminary plat submittal is required (See Section 5). A Property Owner's Association (POA) must be established to insure continuing maintenance of the road(s), drainage and other improvements. The POA documentation must accompany the final plat and be recorded in the Register of Deeds Office along with the final plat and referenced in the deeds for separate lots.
- 6.02.5 (b) Reserve Strips - there shall be no reserve strips controlling access to streets (public or private) except where the control of such strips is definitively placed with the Planning Commission.
- 6.02.6 Additional Street Information:
- (a) *Street Names:* All streets, whether public or private, shall be named. Proposed streets that are obviously in alignment with; and a continuation of others already existing and named streets shall bear the names of existing streets. In no case shall the name for a proposed street duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, road, pike, drive, way, place, court, or other derivatives. The developer shall coordinate with E-911 in naming streets for proposed developments, E-911 shall be responsible for addressing all new lots.
- (b) *Service Drives:* Service drives may be provided to the rear of all lots used for business purposes, but shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the Planning Commission of the need for alleys, such as subdividing adjacent to an arterial road. Any alleys to be dedicated must contain roads built in accordance with these regulations and meet all the same standards for road and drainage improvements. Alleys shall be built to the same standards and specifications as to the number of lots served according to these regulations.
- (c) *Deceleration Lanes:* Deceleration, acceleration and turning lanes within existing county roads may be required on County roads when deemed necessary by the Planning Commission or the Blount County Highway or Engineering Departments and shall meet the specification of standard engineering practice (See section 6.02.4 (d)).

### 6.03. Blocks

6.03.1 Length: Blocks shall be neither less than four hundred (400) feet nor more than twelve hundred (1,200) feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street pattern.

- (a) There shall be no maximum allowable length of a road with a cul-de-sac at the end when the length of the road is affected by physical limitations of the land or parcel. Whenever possible, roads shall be looped back into themselves. In addition, the planning commission may require additional roads to be designed for multiple access into or out of a new subdivision, these may include alternate roads, one-way streets, and/or emergency exits. The planning commission, at its discretion, may require turn-outs (T - turns, half-circles, or hammer heads) as it deems necessary for safety and conveniences purposes for both public and private roadways.
- (b) In blocks greater than eight hundred (800) feet in length (or at the ends of cul-de-sacs) the Planning Commission may require at locations it deems necessary one (1) or more public cross walks of not less than ten (10) feet in width to extend entirely across the block, or pedestrian easements in lieu thereof.

6.03.2 Width: Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets is provided or where prevented by topographic conditions or size of the property or location next to an arterial, in which case the Planning Commission may approve a single row of lots. Screening, berming, or a vegetative buffer shall be required and employed along the back of the lots along an arterial, both lot frontages shall contain the appropriate front setback for each street the lot abuts. All new lots should be accessed from within the subdivision on the new roads proposed in order to lessen the traffic impacts on existing streets and for safety purposes.

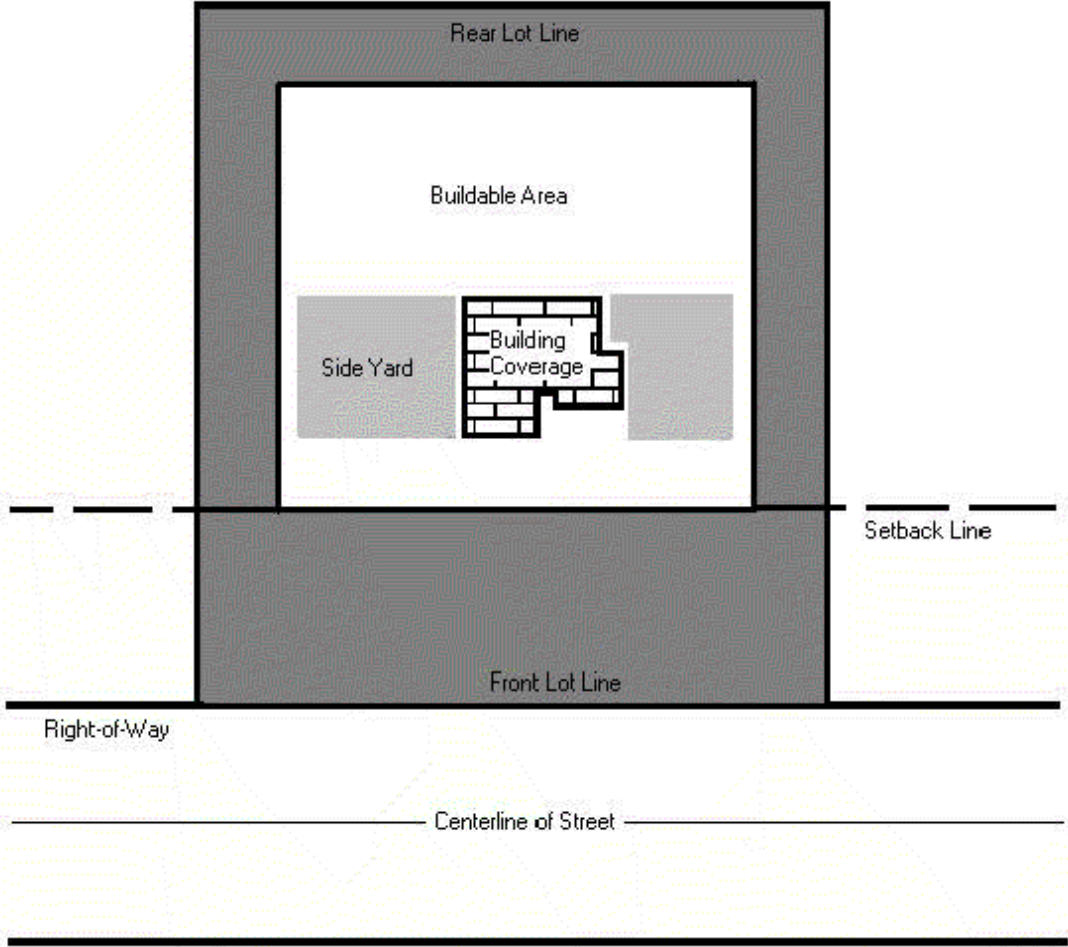
### 6.04. Lots

1. Adequate Building Sites: Each lot shall contain a building site not subject to flood as defined in Section 6.01.3 of this article and outside the limits of any building setback lines required by Subsection 6.04.3.b of this section and any easements required by Section 6.05 of this article.
2. Arrangement: Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines.

3. Minimum Lot Dimensions and Areas:

*The size, shape and orientation of lots shall be such as the Planning Commission deems appropriate for the use contemplated, type of water supply and sewage disposal services, soil characteristics, improvements, and relation to the street system.*

Typical Lot Layout and Setbacks



6.04.1 (a) Minimum lot requirements: Depending on the location and zoning regulations the actual size of lot may be required to be greater than the minimums specified as per the chart below:

| Classification of Street of Access | Frontage on Street of Access | Lot Width at Building Line | Lot Area w/Public Water and Sewer (sf) | Lot Area w/o Public Sewer (sf) [See Note 1] | Lot Area w/o Public Water and with or w/o Sewer (Note 2) |
|------------------------------------|------------------------------|----------------------------|--|---|--|
| Principal Arterial (A-1)           | 400'*                        | 100'                       | 43,000                                 | 43,000                                      | 43,000   |
| Major Arterial (A-2)               | 200'*                        | 100'                       | 43,000                                 | 43,000                                      | 43,000   |
| Minor Arterial (A-3)               | 150'*                        | 100'                       | 30,000                                 | 30,000                                      | 35,000   |
| Collector (C)                      | 100'                         | 75'                        | 12,500                                 | 30,000                                      | 35,000   |
| Residential and Other              | 50'                          | 75'                        | 7,500                                  | 30,000                                      | 35,000   |
| Interior One Lot                   | 25'                          | 75'                        | 7,500                                  | 30,000                                      | 35,000   |

**Note 1:** Direct access off of Arterial roads is not recommended. If feasible, developers shall provide frontage roads or common easements serving multiple lots with limited points of access along arterial roads. Frontage along road of access for Primary, Major Arterials, and Minor Arterials may be reduced to 100 feet, provided that points of direct access are no less than 400 feet apart for Primary Arterials, and no less than 200 feet apart for Major arterials, and lots are served by common easements or frontage roads.

**Note 2:** In all land not requiring greater area through zoning or otherwise, the following minimum lot size shall apply: Minimum lot size for any lot served by private septic shall be 30,000 square feet outside of any area of development hindrance (see definition below under Note 4).

No residential lot on a private septic system shall be approved for less than a three-bedroom house design, unless there are severe constraints in the undivided land itself that would warrant an approval and restriction to a lesser number of bedrooms. For lots not served by public sewer and/or public water, the Planning Commission may require greater lot width and lot area upon

findings of the Blount County Environmental Department on suitability of the lots for private septic systems and/or private water sources.

**Note 3:** Interior One-Lot divisions (flag lots) shall not be approved along Arterial roads. Interior One-Lot divisions shall not be located with adjacent twenty-five (25) foot frontages, and multiple 25-foot frontages within any one development shall be separated by at least 150 feet. The portion of the lot acting as a 25-foot corridor (flag stem) to a building site shall not be used to meet minimum lot area requirements. Only a single One-Lot division may be submitted by an individual subdivider within a 90 day period.

**Note 4:** For the purposes of this section, area of development hindrance shall be defined as any area within a sink hole, flood way, easement of access, set back required from water well, setback required from water body, area within the 25 foot "flag stem" of an interior one-lot flag lot, area geologically constrained by rock outcrop, or any area deemed as a development hindrance in assessing lot area required for septic capability by the Director of the Blount County Environmental Department based upon field inspection.

The following shall also apply as minimum lot requirements:

(1) Corner lots shall be required to have greater area, and a minimum lot width at building line greater by two-thirds ( $2/3$ ) the amount of the minimum building setback, to allow for minimum building setback lines as provided below or in the Blount County zoning regulations.

(2) Due to the permissive nature of Public Acts 1975, Chapter 301 as it applies to Blount County, any proposed lot that requires percolation soils test(s) to receive Environmental Health Department approval shall be required to have a minimum lot area of 2.5 acres.

(3) Areas which have been filled, or which are within floodways cannot be used for septic fields and shall not be counted towards any lot area requirement where septic fields are used. The minimum lot area requirements specified in this section shall be outside such areas, and in addition to such areas.

(4) The minimum size of residential lots to be served by a private source of water supply may be required to be larger as determined by the Planning Commission after an investigation of the soil type, proposed sewerage system, depth of ground water, topography, proximity to streams or other water sources, and other pertinent water related factors.

However, for lots with individual private sources of water (wells), lot area shall not be less than 35,000 square feet outside of any area of development hindrance (see definition above under Note 4), the lot width at the building setback line shall not be less than one hundred and fifty (150) feet, and the minimum building setback from any private sources of water shall be fifty (50) feet.

(5) In all land not requiring greater area through zoning or otherwise, the following minimum lot size shall apply: Minimum lot size for any lot utilizing private septic shall be 30,000 square feet outside of any area of development hindrance (see definition above under Note4).

(6) For lots located on slopes predominantly over 30% but less than 50% slope the minimum lot size shall include one-acre of useable area for septic system and reserve. For land with a majority of the area in slopes greater than 50%, sufficient contiguous area of two acres of useable area for septic system and reserve with slope less than 50% shall be required for any new lot. Both of the above shall require certification of slope by a civil engineer to be supplied to the Environmental Health Department.

(7) The following reserve areas shall be required for all lots based on the type of soil and soil ratings:

| <b><u>Soil Rating of:</u></b> | <b><u>Reserve Area Required</u></b>        |
|-------------------------------|--|
| 45 mpi–60 mpi (min. per inch) | Duplicate reserve area                     |
| 75 mpi                        | 1acre minimum with triplicate reserve area |
| 75+ mpi                       | 2.5 acre minimum (w/ triplicate reserve)   |

(8) Along Fort Loudoun Reservoir: No portion of a subsurface sewage disposal system shall be installed below the elevation of 815 feet nor closer than fifty (50) horizontal feet from the 813-foot contour elevation; No portion of a subsurface sewage disposal system shall be installed closer than 50 feet from the bank of the Little River. Along all other constantly flowing rivers; including but not limited to, “blue-line” streams and creeks or commonly shared bodies of water, to include all tributaries of the Little River, including Four Mile Creek, Nine Mile Creek, Baker Creek, Lackey Creek, Taylor Branch, and Gallagher Creek, no portion of a subsurface sewage disposal system shall be installed closer than 50 feet from the bank of any constantly flowing river, stream or creek, or commonly shared body of water. This is considered a minimum standard in all cases and shall not be varied below the minimum. The river, stream or creek bank, or bank of commonly shared body of water, and required setback shall be shown on the final plat with notation of restriction for private septic systems and residence location. No portion of any subsurface sewage



system shall be closer than 50 feet from any well- head (water), spring, closed depression, cave, sinkhole, or natural or constructed swale or drainage facility, including natural or man-made lakes a, ponds, retention and detention facilities and other geological formations such as rock outcroppings.

(9) On all plats, the following notation shall be placed “The owner and/or developer of any lot, in developing the lot into building, whether primary structure or accessory structure, or conducting any development or use that will disturb soils on the lot, shall reserve and maintain area sufficient for primary, secondary (and tertiary when applicable) septic field lines appropriate to the size and use of buildings and other development or activities. The Blount County Environmental Health Department should be consulted prior to any construction to determine appropriate area to be reserved undisturbed for septic field use.”

10) Interior One-Lot subdivisions shall have at least 25 feet of frontage on a private or public road.

6.04.1 (b) The minimum depths of building setback lines for lots platted for all purposes shall be as follows:

1) Subject to the additional requirements for corner lots in Subsection 4 below, the setback distance from each adjoining street to the building setback line shall be as follows:

| <b>CLASSIFICATION OF ADJOINING STREET (MAJOR ROAD PLAN) PROPERTY</b> | <b>MINIMUM DEPTH OF BUILDING SETBACK LINE FROM LINE OF THAT STREET</b> |
|--|--|
| Principal Arterial   | 60 feet  |
| Major Arterial   | 40 feet  |
| Other minor roads  | 30 feet  |

The Planning Commission may approve a lesser distance where a wall, high fence, or other substantial separation is included in the platted improvements to the subdivision adjoining an arterial or collector street, provided that no infringement is made upon sight lines at intersections established by Subsection 4 below.

2) Where easement widths are not definitely established the setback distance from electric transmission lines shall be as follows:

| <b>MINIMUM DEPTH<br/>BUILDING SETBACK LINE<br/>FROM CENTER OF<br/>VOLTAGE<br/>OF LINE</b> | <b>TRANSMISSION<br/>LINE</b> |
|---|------------------------------|
| 46 kV   | 37.5'                        |
| 69 kV   | 50.0'                        |
| 161 kV AND OVER   | 75.0'                        |

3) Stream and fill setbacks. In areas subject to flood where no fill is proposed, the building setback line shall be located no closer to the stream than the edge of such area along small streams as defined in Section 6.01. Wherever fill is proposed to raise land, the building setback line shall be located not less than twenty-five (25) feet interior to the outer edge of the fill.

4) To prevent infringement of sight lines at intersections, the setback distances for corner lots shall be based on the minimum stopping sight distances for automobiles approaching the intersection as cited in Section 6.02 of this article. The building setback line for the corner lot shall be no nearer the street right-of-way line than that line which connects the two points located on the center lines of the two streets the prescribed minimum stopping sight distance from the center of the intersection.

5) In order for planning staff to determine whether a lot has an adequate building site, setbacks shall conform to the appropriate zone as specified in the Zoning Resolution for Blount County, Tennessee. Setbacks shall be so noted on the final plat.

6.04.1 (c) Properties reserved or platted for commercial or industrial purposes shall be adequate in size to provide for the off-street service and parking facilities required by the type of use and development contemplated as required by the Blount County Zoning Regulations. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes. Land shall not be platted for commercial or industrial purposes unless the sub-divider can demonstrate to the Planning Commission:

1) A site arrangement that prevents undue interference with through traffic. (Each industrial subdivision or area shall utilize a single collector for all heavy traffic between the area and the general system of streets and roads. Minor industrial streets and individual industrial parcels shall be oriented at right angles with the collector and with adjacent railroads.)

2) An integrated parking area.

- 3) Buffer against any adverse effect on any, present or future adjacent residences.
- 4) A parcel size sufficient in area to allow future expansion.
- 6.04.1 (d) A comprehensive multi-family, group housing, clustered, or other unified and planned development, including unified design and construction of units together with necessary driveways and ways of access, may be approved by the Planning Commission although the design of the project does not include standard streets, lots, and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent. Planned Unit Developments are subject to the standards set forth in the Blount County Zoning Regulations.
- 6.05. Public Use and Service Areas:
- 6.05.1 Public Open Spaces: Where a school, neighborhood park or recreation area, or public access to water frontage, shown 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 shall require the dedication or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area of the parcel, including water frontage, for park, school or recreational purposes. Prior to requiring such open space, the Planning Commission staff shall consult with the Blount County Commission and the Blount County Parks and Recreation Commission to insure that they respectively are willing to accept and maintain any such area dedicated.
- 6.05.2 Easements:
- a) *Utility Easements:* Easements of five (5) feet in width, situated along both sides of all boundary lines of each lot in a subdivision, shall be dedicated to the public and to appropriate utility agencies. This required easement shall be ten (10) feet in width along all exterior lot lines where the adjoining lot or property is not subject to a similar easement at least five (5) feet in width. In the case of developments containing private streets, said private rights-of-way shall also be designated as easements for current or future utilities usage, unless adequate alternative utilities easements are dedicated. All easement shall be noted on the final plat of a subdivision.
- b) *Pedestrian Easements:* In such cases and at such locations as the Planning Commission deems advisable, easements along side or rear lot lines not exceeding twelve (12) feet in width may be required for pedestrian or bicycle traffic to and from schools, neighborhood parks, and other public places.

c) *Drainage Easements*: In cases in which a subdivision is traversed by a stream or drainage channel, or constructed drainage facility (out of a dedicated right-of-way) there shall be provided a storm water easement of such width along each side of the stream as the Planning Commission deems necessary for the purpose of widening, deepening, protecting, relocating, or otherwise improving such drainage easement.

d) No detention or retention facilities to be placed within ten feet of any property line nor within and public right-of-way this includes the toe of the slope for any existing or constructed drainage detention or retention facilities. All Drainage facilities not contained within the dedicated right-of-way (or Private Road Easement shall be contained in easements designated on final plats and on private property; there shall be no stand alone drainage lots.

#### 6.05.3 Community Assets:

*In all subdivisions due regard shall be shown for all natural features such as large trees and water courses and for historic sites, cemeteries, and similar sites valuable to community history and character which shall be preserved and will add attractiveness and value to the property.*

#### 6.06. Zoning or Other Regulations:

No final plat of land within the force and effect of the Blount County Zoning Regulations or the Blount County Floodplain Zoning Regulations shall be approved unless it conforms to such resolutions.

Where there is a discrepancy between minimum standards or dimensions noted herein and those contained in Zoning Resolution of Blount County, Tennessee or the Floodplain Zoning Resolution of Blount County, Tennessee, the more stringent standard shall apply.

## SECTION 7: Development Prerequisite To Final Approval

*A perfectly prepared and recorded subdivision plat means little to prospective lot buyers until they can see raw acreage physically transformed into lots suitable for building and human habitation. Improvements by the subdivider spare the community from a potential tax liability. The following tangible improvements are required before final plat approval in order to assure the physical reality of a subdivision for which recordation will establish a legal reality. Wherever in these regulations standards of construction and specifications for materials are provided, equivalent standards and specifications contained in the Tennessee Department of Transportation's Standard Specifications for Road and Bridge Construction, as amended, will be accepted. In addition the standards for erosion control measures must comply with the Erosion and Sedimentation Control Handbook, from the Tennessee Department of Environment and Conservation. And any other necessary permits from the County, State, or Federal Government.*

### 7.01. Required Improvements:

Every subdivision developer shall be required to grade and improve streets (except those streets that have been accepted by the Blount County Commission prior to the adoption of these subdivision standards), install monuments, sanitary sewers, storm drainage, water mains and other utilities, and make other onsite and offsite improvements in accordance with the following specifications:

- 7.01.1 Monuments and Lot Markers: Iron pins not less than three-fourths (3/4) inches in diameter and twenty-four (24) inches long shall be set at all street corners, at points where the street lines intersect the exterior boundaries of the subdivision, at the intersection of curves and tangents along street lines, at all lot corners, and at all corners of the plat. These pins shall be driven so as to be approximately flush with the finished grade. The location of these pins shall be identified with wooden stakes or other suitable markers at the time the plat is submitted for final approval so that all necessary inspections may be made by the various agencies involved in the review of the subdivision.
- 7.01.2 Street Development: Every subdivision developer shall be required to grade and improve new streets. These improvements shall be in accordance with the minimum standards for design specified in Section 6 and with the procedure and standards for road construction specified in Section 8. Every developer shall obtain a copy of the Construction Checklist (See Appendix) and shall be responsible for constructing road and drainage improvements according to said checklist including timing of required inspections. All streets shall be built with a crown to promote

positive drainage and prevent standing water (See Road Cross-Section). The crown of the road shall be constructed during the preparation of the graded road surface and shall be inspected by the BCHD prior to the stone base application (blue-topping) of the road. All preliminary plats and road plans must contain a road cross-section indicating the base and crown, stone, binder, topping, and curbing or shoulders and ditches.

- 7.01.3 Storm Drainage: Water falling on a given site should be absorbed or retained on site to the extent that after development, the quantity and rate of water leaving the site would not be significantly different than if it had remained undeveloped. Storm water management systems, street layout, lotting patterns, and the location of curbs and gutters and ditches should be planned simultaneously.

The design of the detention and retention storage should be an integral part of the overall development plan for the subdivision. To the extent practicable, all development shall conform to the natural contours of the land and natural and pre-existing man-made drainage ways shall remain undisturbed or improved. As practicable, lot boundaries shall be made to coincide with natural and pre-existing man-made drainage ways. In addition, the proposed drainage system of a development shall coordinate with and connect to the drainage systems or drainage ways on surrounding properties (when that system is functioning properly), or roads. All retention and detention facilities that incorporate a dam or berm in the design must be compacted to a minimum of 95% standard proctor by the use of compaction equipment that will produce the required result.

No detention or retention facilities to be placed within ten feet of any property line nor within and public right-of-way this includes the toe of the slope for any existing or constructed drainage detention or retention facilities. All Drainage facilities not contained within the dedicated right-of-way (or Private Road Easement shall be contained in easements designated on final plats and on private property; there shall be no stand alone drainage lots.

All developments shall be constructed and maintained so that adjacent properties, both upstream and downstream, are not unreasonably burdened with surface waters as a result of such developments. No surface water may be channeled or directed into a sanitary sewer.

All drainage facilities outside of the public right-of-ways shall have an easement identified on the final plat of a minimum of five feet of width on either side of the facility, or greater width as required by the Director of Engineering for the county. The BCED shall have responsibility for review and recommendation on any drainage plan. If any detention or retention facilities are required, a POA must be established to provide for the

perpetual maintenance of all drainage areas, facilities, as well as all pipes, culverts, ditches, swales, control structures, etc, as called for in the recommended drainage plan. All constructed berms or dams in any retention or detention facility must be compacted and meet a standard compaction rate of 95%. The property owner's association documentation must be submitted with preliminary plat, reviewed by staff and the Attorney for the County Mayor, and the approved legal instrument, will be so noted on the final plat, and must be recorded along with the approved final plat in the Register of Deeds Office. All drainage facilities must be certified as being built in accordance with the recommend drainage plan by the developer's engineer. These certifications may include testing by the project engineer of the compaction rates of constructed berms and dams.

The property owner's association shall be responsible for the maintenance of all detention and/or retention facilities included as parts of subdivided lots, including but not limited to, all constructed facilities, berms, dams, ponds, control structures, pipes, ditches, swales, check dams and any other facilities or apparatus contained outside a public right-of way. In additions the property owner's association must be responsible for the mowing, weeding, and periodic removal and disposal of accumulated particulate material and debris. It shall be the responsibility of the owner or owners of such lots and noted on the plat that is recorded and any deed(s) of transfer, so that permanent arrangements of this responsibility shall pass to any successive owner. The individual lot owner(s) may be responsible for the mowing, etc, and the property owner's association maintains the operation and function of the drainage facilities. The Director of County Engineering shall have the right, at his discretion, to enter any detention or retention facility for periodic inspection, and to report any deficiencies to appropriate officers of the property owners association by written notification. The property owner's association is ultimately responsible for maintaining all drainage facilities in the same operable condition as when they were originally built and certified by the project engineer.

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 and shall conform to the specifications of these regulations, including erosion control standards and the Construction Checklist as mentioned above.

a) Cross drains shall be provided to accommodate all water flow, and shall be of sufficient length to permit the full width of roadway and the required slopes. The size openings to be provided shall be determined by methods specified in the Tennessee Erosion and Sediment Control Handbook or other method accepted by the Blount County Engineering Department or the Planning Commission. In no case shall the pipe diameter be less than

twelve (12) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base. Pipes shall be laid with the spigot end pointing in the direction of the flow and with 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 roadbed. All pipes and conduit shall be set and backfilled in stone up to the graded road surface.

b) In residential and commercial subdivisions, the developer shall provide curbs where they are deemed necessary by the County Engineer to insure surface drainage without erosion, or damage to the pavement edge. All curbs shall be Mountable Curbs (See Appendix for Mountable Curb specifications) to avoid cutting of curbs for driveway connections which would disturb the planned flow of drainage. Non-mountable curbs shall be used, when approved by the county engineer, for steep sections of roadways, or curved sections of roads in order to keep the drainage against the curb. All curbed streets shall be backfilled immediately after construction and the exposed soil shall be seeded and covered with straw immediately to prevent erosion.

c) Where curbs are not required, shoulders at least three (3) feet in width shall be compacted stone up to the surface of the pavement and constructed on each side on the paved surface. Shoulders shall be constructed in accordance with the requirements of the Blount County Highway Department. Ditches shall be constructed adjacent to the compacted stone shoulders, running the length of the roadway where applicable. Non-curbed streets shall be immediately seeded and covered with straw upon grading beyond the compacted shoulders, including the ditches to prevent erosion. Riprap and other energy dissipaters may be required to slow the flow of surface drainage when deemed necessary by the County Engineer. Riprap and check dams shall be built below the surface of the compacted gravel shoulders.

d) In industrial subdivisions if curbs are not provided, swale ditches shall be required. They shall be constructed so that the valley line of the ditch shall be at least six (6) feet from the edge of the roadway surface. The side slopes of the ditch shall be no smaller ratio than a 3:1. Banks of ditches shall be immediately seeded and covered in straw upon grading and installation of utilities, and the ditch itself shall be sodden (use of geotextiles may be substituted) with appropriate vegetative cover to retard erosion.



7.01.4 Sanitary Sewers: When located within the feasible service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to adequately serve all lots with connection to the public system. The maximum distance required for any extension of sewer lines to a public system shall be based on the following progressive scale:

| <b>NUMBER OF LOTS*</b>   | <b>EXTENSION</b>                  |
|--------------------------|-----------------------------------|
| At least...But less than |                                   |
| 1.....5                  | 50'+ 50' for each lot over 1      |
| 5.....20                 | 250'+ 75' for each lot over 5     |
| 20.....50                | 1,375'+ 100' for each lot over 20 |
| 50                       | 4,375'+ 125' for each lot over 50 |

\* Consideration shall be given to the acreage of an entire tract and the number of potential lots therein, taking into account topography, feasibility of the land for further subdivision development and other factors including subsurface conditions.

Sewer lines shall be installed according to the standards and regulations of the Tennessee Regulatory Authority or generally accepted practice.

When an On-Site central sewerage system or a community sewer system including collection and treatment facilities is established by the developer to serve a new subdivision in an outlying area, the sewerage system shall be maintained and operated by a state approved public utility.

The On-Site sewer utility shall supply a letter to the PC confirming their status as a public utility. The sewer utility shall confirm in writing that a contract is in place between the utility and developer for the construction of the entire on-site sanitary sewer system including a copy of the contract. The State of Tennessee is the approving authority for all on-site systems. The developer shall supply a letter confirming the ownership and operation of the sewer system from the utility, in addition the utility shall supply a copy of their "Approval For A Certificate of Public Convenience and Necessity" to operate the proposed system as a public sewer

Where, in the opinion of the Planning Commission and utility company, lots cannot be economically connected to a public sewerage system, such lots shall contain adequate area (based on a soil survey, percolation tests, source of water supply, etc.) for the installation of approved septic tanks and disposal fields, and must be approved in writing by the Blount County Health Department, if it qualifies as a subdivision under its regulations. If the subdivision is not under the jurisdiction of the Blount County Department of Environmental Health; it must meet one of the following standards:

- a) Hold a valid construction permit from the Health Department for the installation of an approved sewage disposal system for each lot in the subdivision, or
- b) Submit a report from a qualified soil scientist stating that there is an adequate area and location for a sewage disposal system on each lot for a three-bedroom dwelling, including reserve, or
- c) If a proposed lot(s) is already developed (i.e., has an existing sewage disposal system) and the Health Department does not re-inspect the system, that fact shall be noted on the plat.
- d) In the case where a proposed lot will be limited to not have any habitable use (e.g., a utility installation), the above requirement may be waived by the Planning Commission, so long as an adequate disclosure note is included on the plat.

7.01.5 Water Supply System: When a public or an approved private water supply system is available, water mains shall be properly connected in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection. The maximum distance required for any extension of water lines to a public system shall be based on the following progressive scale:

| <b>NUMBER OF LOTS*</b>   | <b>EXTENSION</b>                  |
|--------------------------|-----------------------------------|
| At least...But less than |                                   |
| 1.....5                  | 50'+ 50' for each lot over 1      |
| 5.....20                 | 250'+ 75' for each lot over 5     |
| 20.....50                | 1,375'+ 100' for each lot over 20 |
| 50                       | 4,375'+ 125' for each lot over 50 |

\* Consideration shall be given to the acreage of an entire tract and the number of potential lots therein, taking into account topography, feasibility of the land for further subdivision development, and other factors.

The water lines shall conform with accepted standards of good practice for public water systems. Lines installed in major subdivisions with new roads shall not be less than six (6) inches in diameter.

Where in the opinion of the Planning Commission and utility company, lots cannot be economically connected with a water system they must contain adequate area (based on information concerning the soil survey, water table, type of sewage disposal, etc.) for the installation of private water supply, and must be approved in writing by the Environmental Health Department. When an On-Site water supply system or a community water delivery system is established by the developer to serve a new subdivision

in an outlying area the water system shall be maintained and operated by a state approved public utility.

In major and minor subdivisions, anyone who is buying a lot from a recorded plat should know whether or not public water is available. In cases where there is no public utility water to a subdivision, that fact shall be noted upon the face of the plat that is recorded in the Register of Deeds Office.

In major subdivisions with new roads where a public or an approved private water supply system is available, the developer shall install equipment necessary for the future installation of fire hydrants, such as a tee and plug. Such connecting points shall be located close to property lines to prevent structures being situated over them, and shall be clearly noted on the utility plan and supplied to the appropriate utility for their records. Connecting points shall be located in a manner so that no individual dwelling shall be more than eight hundred (800) feet from the proposed hydrant. All fire hydrant locations shall be shown on the preliminary plat.

7.01.6 Installation of Utilities including Electric, Water, Sewer, Storm Drainage, Natural Gas, Cable and Telephone:

All utility services and service providers shall be so designed to conform to all appropriate state, local and utility agency requirements.

a) All utilities shall be installed in the following manner prior to final road grading and stone base application. After grading is completed and approved and before any base is applied, all of the underground work (mains and service connections) shall be installed completely and approved throughout the length of the road and across the flat section. After utilities are installed, trenches shall be backfilled with crushed stone and compacted with mechanical or hand tamps to a density comparable to the roadbed.

b) All underground utilities shall be installed within the proposed right-of-way or private road easement and outside of the graded road surface. All underground utilities shall be installed beyond the edge of the stone surface application behind the curbs (and stone shoulders and drainage swales when applicable for a non curbed road). There shall be no underground utilities placed under any paved surface of roadway or curbs, other than for road crossings. All utility conduit, pipes, or culverts shall be placed across all graded road surfaces, prior to base stone application for all utilities that are to be installed. This includes any and all electric, water, sewer, storm drainage, natural gas, cable television, and telephone. There shall be no boring or jacking of roadways once the binder course is

applied to the base stone in order to avoid breaking or weakening the existing pavement. Where rock is known to exist beneath the pavement at such a depth as to interfere with the jacking of service connections, the developer shall be required to completely install all service connections before any base is applied. Under no circumstances shall the compacted base stone, binder, or topping asphalt or curbs be cut by any utility installer once road is installed and inspected for approval.

c) In the event that a particular utility is not completely installed prior to final plat submission or completion of road construction (base stone application and beyond), or the developer has paid in full for the utility installation: Utility conduit, pipes, or culverts shall be placed across all graded road surfaces, prior to base stone application for all utilities that are to be installed. This includes any and all electric, water, sewer, storm drainage, natural gas, cable television, and telephone. There shall be no boring or jacking of roadways once the binder course is applied to the base stone in order to avoid breaking or weakening the existing pavement. Where rock is known to exist beneath the pavement at such a depth as to interfere with the jacking of service connections, the developer shall be required to completely install all service connections before any base is applied. Under no circumstances shall the compacted base stone, binder, or topping asphalt be cut or bored by any utility installer once road is installed and inspected for approval.

d) All electric utilities, cable, and telephone for major subdivisions are required to be under ground, this includes all mains and service lines within any and all major subdivision. The planning commission will not approve plats with overhead lines or poles for major subdivisions as defined in these regulations. This does not include service lines for individual tracts or lots that may be installed after the final plat has been released and recorded. When electric, cable or telephone service lines are not installed prior to final plat submission with an assurance for their completion to the respective utility, such assurance must be for underground utilities with the assurance that no road cutting, boring, or jacking will occur and be verified in writing from the utility or service provider to planning staff.

7.01.7 Sidewalks: Sidewalks may be required where deemed necessary by the Planning Commission as an integral part of a pedestrian traffic system within a one (1) mile radius of existing or planned schools, neighborhood recreation or commercial areas, or other public place. They shall be installed to meet the requirements of the Blount County Engineering or Highway Department and AASHTO standards. Where provided, sidewalks shall be located not less than one (1) foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on property line at a later date. When the developer

proposes sidewalks for a major subdivision along proposed minor residential streets, the Planning Commission may vary the right-of way to be dedicated to a minimum of forty (40) feet wide for roadways that serve no more than 20 lots total (not through streets). The sidewalk must be platted in an easement outside of the right-of way to be dedicated and the easement and sidewalk must be maintained by the property owner's association and shall be so noted on the final plat to be recorded.

7.01.8 Street Name Signs: The Blount County Highway Department will advise the developer as to the installation of all public road signs. Appropriate street signs add sales value to land subdivisions and enable emergency vehicles, visitors, delivery concerns, and even potential lot buyers to find their way. Street name signs of a type approved by the Blount County Highway Department shall be the responsibility of the developer and installed at the intersections of all streets, whether public or private. For private roads all road signs shall be purchased and placed by the developer. Subdivision Entrance Signage shall comply with the signage requirements of the Blount County Zoning Resolution for size, setbacks, and be contained in an Easement and shall be maintained entirely by the Property Owner's Association. No Signage shall be placed within the Sight Triangle, A Sight Distance Easement, Or within an island or Medium Strip whatsoever.

7.01.9 Site Improvements: All site improvements must employ erosion control measures to the standards specified in the Erosion and Sedimentation Control Handbook from the Tennessee Department of Environment and Conservation. Banks that infringe on sight lines at intersections (See Section 6.02) shall be cut and graded to correct the deficiency. Wherever grading or filling occurs on lots within the subdivision, the subdivider shall first stockpile the topsoil from the affected areas. Immediately after grading and filling he shall redistribute to disturbed areas sufficient topsoil to support growth of lawn grass, and other vegetation, and shall immediately seed (and cover in straw) such areas with appropriate vegetative cover, as shown in the following table, to prevent erosion, silting of streams, and other damage. All pre-cast curb drains shall contain a notice that runoff "drains to stream" in accordance with the Water Quality Plan for Blount County, Tennessee.

a) Vegetative cover shall be established in bare soil areas prior to final plat approval by the Planning Commission and in accordance with the Water Quality Plan for Blount County, Tennessee.

**Rates Per Seeding:** (Straw must be applied to all seeded areas)

| <b>Seeding</b>   | <b>Rates per 1000 sf</b> | <b>Per Acre</b> | <b>Seeding Dates</b> |
|------------------|--------------------------|-----------------|----------------------|
| Annual Ryegrass  | 1 lb.                    | 45 lbs.         | 2/15-4/15, 8/1-11/1  |
| Balboa Rye       | 3 lbs.                   | 130 lbs.        | 8/1-12/1             |
| Brown top-Millet | 1 lb.                    | 40 lbs.         | 5/1-8/1              |
| Spring Oats      | 2.5 lbs.                 | 100 lbs.        | 2/15-6/15            |
| Wheat            | 2.5 lbs.                 | 100 lbs.        | 9/1-12/15            |

b) All drainage ditches within the subdivision shall be treated for erosion control. The following minimum treatment shall be made for ditches with respective grades:

**Drainage Ditch Treatments:**

| <u>Grade</u> | <u>Treatment</u>                     |
|--------------|--------------------------------------|
| 0%-2%        | Seeding                              |
| 2%-5%        | Grass Sodding or Geo-textile Matting |
| 5%-7%        | Hand-Placed Riprap                   |
| Above 7%     | Concrete or Asphalt Treatment        |

c) Due regard shall be shown for such desirable trees as are already on the site, and grading and filing should be planned to preserve as many as possible; however, no retained planting shall infringe on sightlines at intersections. If trees are planted by the subdivider, they shall be located five (5) feet inside or behind property lines where they are less subject to injury, decrease the chances for 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 Highway Department's approval since the public inherits the care and maintenance of such trees. The Highway Department shall assist the subdivider in the location of trees and species to use under varying conditions.

d) Where land is platted or reserved for commercial or industrial use bordering and across minor streets from residential lots, a suitable buffer planting of trees and shrubs (not infringing on sight lines at intersections) approved by the Planning Commission shall be required.

7.01.10 Guarantee in Lieu of Completed Improvements:

*No final subdivision plat shall be approved by the Planning Commission or accepted for recording by the County Register of Deeds until one of the following conditions has been met:*

a) All required improvements have been constructed in a satisfactory manner and approved by the Planning Commission, or

b) The Planning Commission and/or any of the certifying agencies have accepted an assurance for completion and maintenance of improvements as established in Section 3 of these regulations, whereby improvements may be made and utilities installed without cost to public bodies in the event of default of the subdivider. This also assures the prospective purchaser that improvements shall be installed as stated on the final plat.

## SECTION 8. Procedure and Standards for Road Construction

### 8.01. Clearing:

- 8.01.1 Right-of-ways: The proposed right-of-way(s) shall be cleared of all dead trees, stumps, brush, logs and other objectionable material. All trees, stumps, roots, logs and other objectionable material within the area of construction and areas up to five feet outside the limits of construction, shall be completely grubbed. Trees more than five feet outside construction lines may be left undisturbed unless marked by the County Engineer for removal. The County Highway Department shall be notified prior to any work in the right-of-way. The County Storm Water Coordinator shall be contacted for compliance with the Water Quality Plan for Blount County, Tennessee.
- 8.01.2 Debris Removal: All tree stumps, boulders and other obstruction shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified or removed to a depth of twelve (12) inches below the subgrade. Depressions made by removal of stumps and rocks that are below finished subgrade of roadbed will be backfilled with suitable material and compacted to finish grade. Any other debris, including dilapidated structures and miscellaneous "junk" shall be removed completely from the site prior to final plat approval. At no time shall objectionable material removed from road rights-of-way be buried in fill area of roadbed.

### 8.02. Construction:

*All road standards are the same for both public and private paved roadways. Road Standards and Specifications from the American Association of State and Highway Transportation Officials (AASHTO); A Policy on Geometric Design of Highways and Streets, 2001; or newer edition shall apply as so noted, and when specific roadway standards are not expressly addressed in these regulations.*

#### 8.02.1 Preliminary Soil Information, Site Preparation:

- a) A *Preliminary Soil Map* shall be supplied along with the preliminary plat to the Blount County Highway Department (County Engineer), along with the *Road Plan, Road Profile, Drainage Plan, Erosion Control Plan*, and any other information pertaining to the land that the planning commission deems necessary for the safe and orderly subdivision of land.
- b) Upon review of the preliminary plat and additional information listed above; a *Pre-Construction Meeting* shall be mandatory for all major subdivisions prior to any construction as a condition of preliminary plat



- approval, unless waived by staff (in cases where a new road or drainage area is not being proposed, all proposed public and private roads shall require this meeting). This mandatory meeting shall be scheduled by the developer and staff following preliminary plat approval of any major subdivision prior to any on-site construction, grading, earth moving, or clearing activities. This meeting shall include planning and engineering staff as well as the project developer, surveyor, and project engineers, clearing and grading contractors, utility contractors, road contractors, drainage contractors, and any other contractors to be employed by the developer for the express purpose of making any and all improvements necessary to meet these regulations. This meeting may occur on-site of the proposed development, when feasible, and shall be coordinated by the developer and planning staff (see Section 4.04).
- c) All erosion control measures must be in place prior to any on-site construction. An erosion control plan shall be submitted to the Storm Water Coordinator and Grading Permit shall be required prior to any on-site construction of any and all Major Subdivisions in accordance with the Water Quality Plan for Blount County, Tennessee. In addition all erosion control measures shall be in accordance with the standards and practices in the Tennessee Erosion and Sedimentation Control Handbook by the Tennessee Department of Environment and Conservation. All Storm Water Pollution Prevention Plans and permits must be supplied to planning staff prior to any onsite construction, As well as any NPDES or ARAP permits from the State of Tennessee Department of Environment and Conservation. All topsoil shall be removed from area of roadbed and stockpiled along roadway. Stockpiles will be placed so that water will drain freely. Stockpiles will be placed outside areas of construction, including areas of cuts and fills. Erosion control measures, as approved, shall be employed immediately to mitigate impacts of erosion.
- d) After preliminary soil review, areas containing soil unsatisfactory for road construction as determined by the County Engineer, soil scientist or District Conservationist from Soil Samples or Soil Survey Blount County, Tennessee, will be undercut. The Engineer may decrease or increase the area to be undercut during construction, since some areas in the field may differ from what is shown by the soil survey. Undercut areas will be backfilled with suitable material and compacted to subgrade.
- 8.02.2 Fill: All fill material used in roadbeds will be placed in layers of twelve (12) inches maximum depth and compacted to a minimum of 95% standard proctor by the use of compaction equipment that will produce the required result. A self-propelled, or towed "sheeps-foot" shall be used to achieve compaction on all proposed public roads. All other equipment used for compaction or grading shall be approved by the County Engineer before being used on-site. If deemed necessary by the County Engineer,

compaction tests will be conducted by the Engineering Department or a private firm chosen by the developer or contractor and approved by the Engineer. The test results will be submitted to the County Engineer. The Engineering Department will not conduct compaction tests for developers. The crown of the road shall be established in the graded road surface, prior to stone base application. All cut and fill shall have a smooth transition back to natural grades; no slopes shall be in excess of 3:1 or (2:1 with highway department approval for hillside roads only).

- 8.02.3 **Drainage:** The roadbed will be built in such a manner that water will not accumulate at any time under the stone base or along side of the road. Roadbed shall be built to have crown in center, and slope from center to outsides will have a minimum one fourth (1/4) inch per foot fall. Roadbeds built on hillsides that run parallel with the hill will drain to the outside with a minimum of one eighth (1/8) inch per foot fall. Roadbeds built perpendicular with hills will be built with crown so water will brake to both sides and will drain to the outside at the bottom of hill.

Any culverts, pipes or tiles that are buried deeper than 10 feet below grade or in a road section with 10 feet of greater fill material shall be constructed of concrete reinforced pipe (CRP).

- 8.02.4 **Stone Base:** The roadbed will be clipped with a Motor Grader and rolled, before placing of the stone base. Stone for base shall be Pug Mix spread with a Dozer mounted spreader-box or a Motor Grader. The pug mix shall contain no stones larger than two and one-half (1/2) inches and shall be delivered from the plant with water mixed the stones and finer crushed material. Stone will be compacted using a Pneumatic-Tire Roller or Steel roller. (Tandem Trucks loaded with stone shall not be used in place of a standard roller design for this use.)

The thickness of the completed base shall be as follows:

| <b><u>Classification</u></b> | <b><u>Thickness of Base (Inches)</u></b> |
|------------------------------|--|
| Principal Arterial (A-1)     | 12'                                      |
| Major Arterial (A-2)         | 12'                                      |
| Minor Arterial(A-3)          | 10'                                      |
| Collector(C)                 | 8'                                       |
| Major Residential (R-2)      | 6'                                       |
| Minor Residential (R-1)      | 6'                                       |
| Minor Commercial             | 8'                                       |
| Minor Industrial             | 10'                                      |
| Industrial Collector         | 10'                                      |

## 8.03. Paving:

- 8.03.1 Prime Coat Application: A prime coat may be required at the discretion of the Engineering or Highway Department based on the quality of the applied stone base. Liquid asphalt for the prime coat shall meet the specifications of RC-2 or AEP Emulsion (AASHTO). The surface to receive the binder material shall be cleaned thoroughly with a mechanical sweeper, hand brooms or shovels. This surface shall be thoroughly dry before applying the prime coat.

When the receiving surface has achieved the pre-application condition described above, the prime coat shall be applied to the surface at the rate of 0.3 gallons per square yard by a power distributor, having a pressure of not less than forty (40) pounds per square inch. Binder material shall not be applied to the primed base until the bitumen has penetrated, dried and will not pick up under the paving machine and trucks.

- 8.03.2 Asphaltic Concrete Binder Course (Plant Mixed): The binder course shall be composed of a well graded mixture of broken stone, sand and bituminous cement mixed in a central plant, constructed on the prepared base in accordance with these specifications and in conformity with the lines, grades and typical cross sections as shown on the *Road Plan*. The compacted thickness of the binder course shall not be less than two (2) inches for residential subdivisions and not less than three (3) inches for industrial streets.
- 8.03.3 Asphaltic Topping Course/Wearing Surface (Plant Mixed): The topping course (wearing surface) shall be applied to seal and strengthen the binder course. The topping course shall be plant mixed in a central plant, constructed on the prepared binder in accordance with these specifications and in conformity with the lines, grades and typical cross sections as shown on the *Road Plan* drawings submitted with the preliminary plat. The compacted thickness of the topping course shall not be less than one (1) inch for residential streets. The county engineer shall specify the thickness for all other commercial and industrial road applications.

## 8.04. Materials:

1. Liquid asphalt for the tack coat, where required, shall be a minimum grade of RC-2-AEP Emulsion (American Association of State Highway and Transportation Officials.)
2. Asphalt cement to be used in the binder course shall meet specifications of AC-20 (AASHTO). No mineral matter other than that naturally contained in the asphalt shall be present.

3. Aggregate shall consist of fine gravel and sand, disintegrated granite, limestone, or similar granular materials.
4. The materials shall produce a mixture conforming to the following composition limits, by weight:

| <u>Sieve Designation</u> | <u>Percent By Weight<br/>Passing Square Mesh Sieve</u> |
|--------------------------|--|
| 1-inch mesh sieve        | 100%   |
| ¾ -inch                  | 85-100%  |
| No. 4                    | 60-95%   |
| No. 10                   | 45-80%   |
| No. 200                  | 5-15%  |
| Asphalt by Weight        | 4-8%   |

5. Spreading and finishing will be the same as those listed below under Construction Methods (Section 8.05).
6. Seasonal limits are the same as those listed below under Construction Methods (Section 8.05).

8.05. Construction Methods:

8.05.1 Applying Tack Coat: A tack coat may be required at the discretion of the Engineering Department based on the quality of the applied binder course. Immediately before placing the bituminous mixture, the existing surface shall be cleaned of loose or deleterious material by sweeping with a power broom or hand broom. The surface shall be thoroughly dry before applying the tack coat. When the existing surface at a rate of 0.05 gallons per square yard by a power distributor, having a pressure of not less than forty (40) pounds per square inch. The bituminous mixture shall be spread and finished immediately after the tack coat has been applied.

8.05.2 Spreading and Finishing: The bituminous mixture shall be delivered on the job at a temperature of not less than 250 degrees Fahrenheit. The mixture will be spread by means of a mechanical self-powered paver, capable of spreading the mixture true to the line and grade and crown as shown on the *Road Plan* and *Cross Sections*. Placing of the mixture shall be continuous as possible and the roller shall pass over the unprotected edge of the freshly laid mixture only when the laying of the course is to be discontinued for such length of time as to permit the mixture to become chilled.

Longitudinal and transverse joints shall be well bonded and sealed. If necessary to obtain this result, the joints shall be cut back to the full depth of the previously laid course, painted with hot asphalt and heated. Before

placing the mixture against them, all contact surfaces of curbs, gutters, headers, manholes, etc., shall be painted with a thin uniform coating of hot asphalt cement or asphalt cement dissolved in naphtha.

After spreading, the mixture shall be thoroughly compacted by a three-wheel or tandem power-driven roller, weighing not less than ten (10) tons, as soon after being spread as it will bear the roller without undue displacement. Rolling shall start longitudinally at the sides and proceed toward the center approximately one-half the width of the rear wheel.

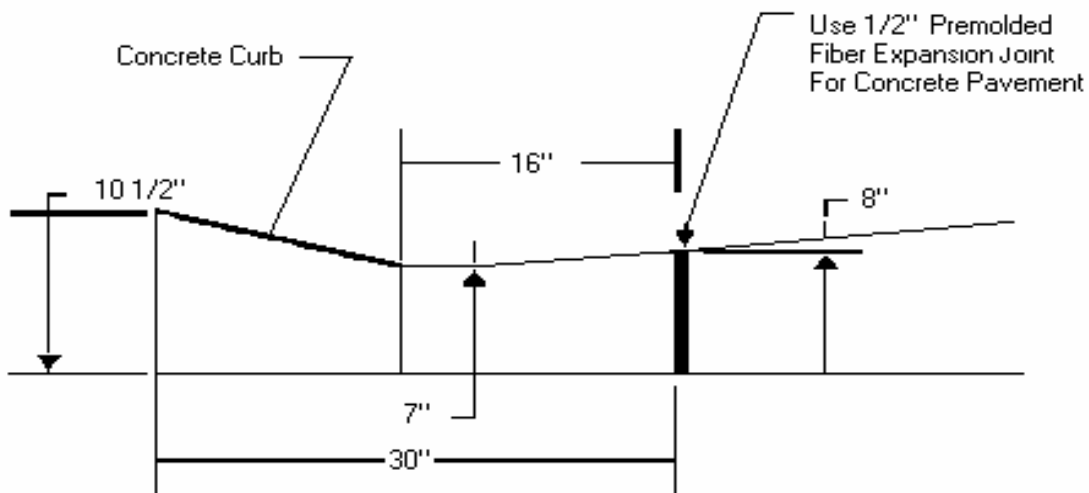
The pavement shall then be rolled diagonally in two directions with a tandem roller weighing not less than ten tons; the second diagonal rolling shall cross the lines of the first. Along curbs, headers, manholes and similar structures and at all contacts of this character the joints between these structures and the surface mixture must be effectively sealed.

- 8.05.3 Seasonal Limits: No asphalt material shall be laid when the temperature of the air is at forty (40) degrees Fahrenheit and falling or during unfavorable weather conditions which cause a receiving surface to be wet.

8.06. Curbing:

*The County Engineer, in consultation with the developer, shall make determinations regarding the placement of curbs and/or shoulders along streets.*

- 8.06.1 Curbs: Where curbing is required; mountable concrete curbs (as shown below) shall be constructed before application of surface materials, or formed and poured on stone base. (See Curb details for specifications and dimensions). Concrete will be mixed so curb will be smooth. Holes or pits will be filled and troweled. Barrier curbs will only be approved by the county engineer for steep or curvy sections of road and shall be placed on binder course before application of surface materials. All other curbing shall be mountable curbs to avoid any cutting of curbs. Suitable score joints will be provided at appropriate intervals.



### Mountable Concrete Curb & Gutter

8.06.2 Shoulders: In cases where curbing is not required, shoulders at least three (3) feet wide shall be constructed on each side of the paved surface. Shoulders shall be constructed (of compacted gravel) in accordance with the requirements of the Blount County Highway Department and be compacted to the height of the wearing surface of the road.

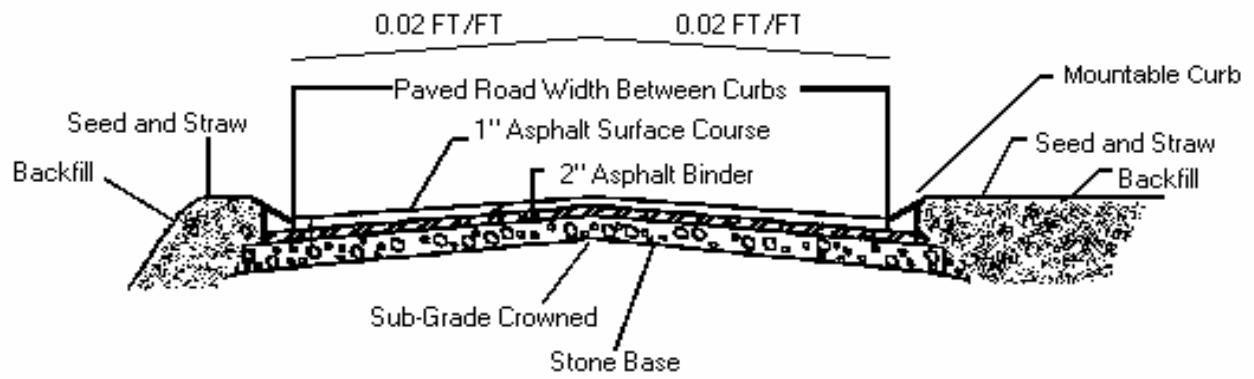
#### 8.07. Backfilling:

Backfilling of curbs will be completed as soon as possible, or as weather permits. Backfill will be on a 4:1 maximum slope up or down, depending on terrain, a minimum of four (4) feet from back of curb. At this point the maximum slope will be 2:1 up or down. Slopes steeper than 2:1 will not be accepted. Immediately after backfilling, the developer shall redistribute sufficient topsoil to support growth of lawn grass, and other vegetation, and shall immediately seed (and cover in straw) such areas with appropriate vegetative cover, as shown in Section 7.01.9.

#### 8.08. Cross Section:

The road Cross Section should be supplied with the road plan for each type, size, and classification of road proposed. The following typical cross section is an example of a cross section to be supplied with Preliminary Plat.

### Typical Road Cross Section



### Typical Road Cross Section

Not To Scale

## **Section 9: Special Development Standards**

### 9.01. Hillside Development:

For the purpose of these guidelines, "hillside land" shall be defined as land which is proposed for development, having an average slope of greater than 15%, and consisting of more than fifteen (15) acres. This definition of "hillside land" shall not be applicable to land divided into lots of five acres or greater under Type II ("Low Density" Development) and land of clustered subdivision under Type III ("Cluster" Development) where no lot is less than three acres in area (Section 6). Sections 6, 7, and 8 of these regulations shall still apply except when specifically varied herein.

### 9.02. Suitability of Land:

In order to determine whether or not the land in question is suitable for development on hillside land, the Planning Commission shall require the following information to be submitted before any preliminary plat will be considered:

- 9.02.1 A topographical map of the entire proposed subdivision with topographical intervals of not less than five feet.
- 9.02.2 A map of slope analysis showing land categorized into slopes of 0-10%, >10-20%, >20-30%, >30-40%, and greater than 40%. Land with slopes greater than 40% shall be considered as undevelopable and shall not be counted in any minimum lot area requirements.
- 9.02.3 A detailed (high-intensity) soils map by a Tennessee registered soils scientist showing specific areas with soils suitable or not suitable for private septic systems for each proposed lot.
- 9.02.4 A map of any other physical features such as unstable soils or rock formations, natural rivers, streams or drainage ways, which would place limits on the development of the land.
- 9.02.5 A geological study may be required at the discretion of the County Engineer to determine suitability of road design. If the geologic study indicates that the land is suitable for development, the developer can proceed with a preliminary plat using the geological information to guide him in designing the subdivision.
- 9.02.6 All other Preliminary Plat documentation as specified in Sections 5.01 and 5.02; Final Plat documentation as specified in Section 5.03, and preliminary and final plat procedures are the same as defined in these regulations. Only upon the discretion of staff shall any of the required



information for preliminary plat approval be waived or limited, such as increased intervals for the topographic map, or drainage calculations only.

9.03. Procedure for Preliminary and Final Plat Approval:

All of the procedural aspects of the plat approval process shall be the same as for any other subdivision under the jurisdiction of the Blount County Regional Planning Commission.

9.04. General Requirements and Minimum Standards of Design for Hillside Subdivisions:

The following standards are to be considered as minimum requirements, and may be upgraded by the Planning Commission in those cases when it is deemed necessary, based on the findings of the required studies or because of the proposed density of the subdivision, etc.

9.04.1 Road Design:

a) Road Grades shall not exceed 13% slope, and road intersection grades shall not exceed 4% slope within 50 feet of any road intersection, provided that the Planning Commission may vary the 13% slope requirement up to 15 % over limited segments of road, of no greater than 200 linear feet, where severe topographical constraints exist.

b) The minimum right-of-way or private easement way shall be 50 feet, provided that the Planning Commission may vary such width to 40 feet for road segments serving no more than 20 lots where topography constraints to lot design warrant.

c) The minimum pavement width for hillside roads, either public or private, shall be the following:

- (1) 18 feet for roads serving no more than 20 lots.
- (2) 20 feet for roads serving no more than 80 lots.
- (3) 24 feet for any major roads to subdivisions serving more than 80 lots.
- (4) 14 feet for appropriately designed one-way roads serving no more than 20 lots, provided that clear signage of one-way status is provided as part of the road improvement.

d) Upon finding of severe topographical constraints, the Planning Commission may vary the road pavement width requirement for limited segments of road down to 18-feet for two-way traffic situations.

e) All roads shall be designed with either concrete curb and gutter, or a three foot shoulder on each side of the road along with a drainage ditch system outside the shoulder, provided that the Planning Commission may vary the shoulder requirement down to 18 inches upon finding of severe topographical constraints.

f) A road of sufficient length to allow reasonable development of up to 40 lots to occur on one entrance to the subdivision shall be permitted without the requirement of external looping of the road. A single entrance and dead end road with terminal turn-around may serve up to 40 lots without requiring any internal looping of roads. Up to 20 additional lots per internal loop of road may be permitted up to a maximum of 120 lots (four individual internal loops maximum) for any subdivision on a single external entrance. In determining the maximum number of lots in a subdivision, the Planning Commission shall consider the potential of all developable land along any proposed new road, whether within the proposed subdivision or not.

g) Parking shall be prohibited within the right-of-way or easement way on all hillside roads with a pavement width of less than 26 feet. The Planning Commission may require parking bays at locations where the topography permits, when deemed necessary.

h) The Planning Commission shall formally consider and may require guardrails at its discretion in any situation where any road way improvements are varied due to severe topographical constraints, and where needed to protect traffic from steep downhill drop-offs at curves and other potentially hazardous areas.

#### 9.05. Campground Developments:

Renting or leasing spaces (non-divided parcel) for overnight camping shall comply with the Blount County Zoning Regulations for such a development, including applicable standards, density requirements, site plan, and application procedures. All subdivided lots, shall comply with these regulations and standards for minimum lot sizes based upon availability of sewer and water, as well as density requirements of the Blount County Zoning Regulations.

#### 9.06. Manufactured Home Developments:

Renting or leasing spaces (non-divided parcel) for manufactured homes shall comply with the Blount County Zoning Regulations for such a development, including applicable standards, density requirements, site plan, and application procedures. All subdivided lots, shall comply with these regulations and standards for minimum lot sizes based upon

availability of sewer and water, as well as density requirements of the Blount County Zoning Regulations.

9.07. Planned Unit Developments:

In accordance with TCA 66-27-121, all master plans for planned unit developments shall be reviewed and granted final approval by the Planning Commission prior to recordation. Planned Unit Developments must also comply with the standards set forth in the Blount County Zoning Regulations.

9.07.1 Design Standards; Common Open Space:

a) The location, shape, size, and character of the common open space shall be reviewed in detail.

b) Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned development considering its size, density, expected population, topography, and the number and type of dwellings to be provided.

c) Common open space must be suitably improved for its intended use but common open space containing natural features worthy of preservation must be left unimproved. The buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which were authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.

d) The use and improvements of common open space must be planned in relation to any existing or proposed public or semi-public open space which adjoins or which is within close proximity to the perimeter of the planned development.

e) All land shown on the final master plan, as common open space must be conveyed under one of the following options:

(1) It may be conveyed to a public agency which will agree to maintain the common open space and any building, structure, or improvements which have been placed on it; or

(2) It may be conveyed to a trustee(s) provided in a deed of record which establishes an association or similar organization for the maintenance of the planned development. The common open space may be conveyed to the trustee subject to the approval of

the Planning Commission which will result in the restriction of the common open space to the uses specified on the final plan, and which will provide for the maintenance of common open space in a manner which assures its continuing use for its intended purpose.

f) No common open space may be put to any use not specified on the final master plan unless the final master plan has been amended to permit that use.

9.07.2 Minimum Size: The minimum size of a planned unit development shall be five (5) acres.

9.07.3 Additional Required Information for Preliminary Master Plan Approval:

The Developer must provide to the Planning Department prior to Preliminary Master Plan the following:

- a) Existing and proposed land uses and the approximate density of the proposed dwellings.
- b) The approximate location of any new road shown on the major thoroughfare plan.
- c) Public uses, including schools, parks, play areas, and other open spaces, both existing and proposed.
- d) Areas proposed to be conveyed, dedicated, or reserved for parks, playgrounds, swimming pools, recreation buildings, supporting commercial areas, similar public and semi-public uses.
- e) A site plan for each building site and common open area, showing the approximate location and dimensions of all buildings, structures, and improvements and indicating the open spaces around buildings and structures.
- f) Elevation and perspective drawings of all proposed structures and improvements. The drawings need not be the results of final architectural decisions and need not be in detail.
- g) A development schedule indicating (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin; (3) the anticipated rate of development; (4) the approximate dates when the development of each of the stages in the development will be completed; and (5) the area and location of common open space that will be provided at each stage.
- h) An estimate of population and density and extent of activities to be allocated to parts of the project.
- i) A tabulation of the land area to be devoted to various uses and activities and overall densities.
- j) Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the planned development and any of its common open areas.

Failure to provide this information will result in the rejection of the Preliminary Master Plan approval.

9.08 Condominium Developments:

Condominium Project Developments shall comply with the Definitions from T.C.A. 66-27-102, and shall be planned and developed in accordance with T.C.A. 66-27-121, as well as all applicable requirements of the Blount County Zoning Regulations for such development, including applicable standards, density requirements, site plan, and application procedures.

**Section 10: Certifications:**

**10.01. Certification 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 rights-of-way, streets, alleys, walks, easements, parks, and other open spaces to public or private use as noted.

\_\_\_\_\_20\_\_\_\_\_

Date

\_\_\_\_\_  
Owner(s)

**10.02 Certificate of Private Streets**

Roads within and leading to this subdivision are designated as private roads. Private road maintenance is the joint responsibility of property owners within the subdivision, and such maintenance responsibility shall be designated as part of separately registered documents specifying organization, responsibilities, and enforcement of maintenance by property owners involved. Such status of the private roads and private maintenance responsibility shall also be noted in each deed of property affected. Blount County does not accept the private roads as public ways, and assumes no maintenance responsibility for the private roads.

**10.03. Certificate of Accuracy**

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Blount County Planning Commission and that the monuments have been placed as shown hereon to the specifications of the Blount County Subdivision Regulations.

\_\_\_\_\_20\_\_\_\_\_

Date

\_\_\_\_\_  
Registered Surveyor

**10.04. Certificates for Private Subsurface Septic Disposal Systems**

(Contact the Blount County Environmental Department for appropriate certificates.)

10.05. **Certification of the Approval of Streets**

I hereby certify that the streets and other related improvements shown have been installed according to county specifications; and according to the specifications of the Blount County Planning Commission's Subdivision Regulations, except as noted hereon or proper provisions have been made for their installation.

\_\_\_\_\_20\_\_\_\_\_  
Date

\_\_\_\_\_  
County Highway Superintendent

This subdivision lies along an existing public County road. The improvements related to streets have been installed according to County specifications; and according to the specifications of the Blount County Planning Commission's Subdivision Regulations, except as noted hereon; or proper provisions have been made for their installation.

\_\_\_\_\_20\_\_\_\_\_  
Date

\_\_\_\_\_  
County Highway Superintendent

(NOTE: Contact the Blount County Highway Department for appropriate certificate.)

10.06. **Certification of the Approval of Utilities (Water)**

I hereby certify that the water improvements have been installed in an acceptable manner and according to the specifications of the Blount County Subdivision Regulations, except as noted hereon; or proper provisions have been made for their installation.

\_\_\_\_\_20\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Position

**10.07. Certification of the Approval of Utilities (Municipal Sewer)**

I hereby certify that the sewer improvements have been installed in an acceptable manner and according to the specifications of the Blount County Subdivision Regulations, except as noted hereon; or proper provisions have been made for their installation.

\_\_\_\_\_ 20 \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature \_\_\_\_\_ (position)

**10.08. Certification of Electrical Utility Service**

The property shown on this subdivision plat is within the service area of the \_\_\_\_\_

The following condition(s) apply:  
Lots \_\_\_\_\_ - \_\_\_\_\_ are served by existing powerlines; or  
Lots \_\_\_\_\_ - \_\_\_\_\_ are/will be served by new powerlines as per agreement between owner of subdivision property and utility.

NOTE: In any of the above instances, extension of the service connection is the responsibility of the individual lot owner, in accordance with the established policies of the utility company.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**10.09. Certificate of Approval of Road Names and Property Numbers (E-911)**

I hereby certify that (1) the names of existing public roads shown on this subdivision plat are correct, (2) the names of any new roads, whether public or private, do not duplicate any existing names and said names are approved, and (3) the property numbers of the lots shown on this plat are in conformance with the E-911 System.

\_\_\_\_\_ 20 \_\_\_\_\_  
Date

\_\_\_\_\_  
E-911 Authority





**10.12. Certification of Cable/Multi-Media Service**

The property shown on this subdivision plat is within the service area of the \_\_\_\_\_ (Cable Provider)

The following condition(s) apply:  
Lots \_\_\_\_\_ - \_\_\_\_\_ are served by existing cable lines; or  
Lots \_\_\_\_\_ - \_\_\_\_\_ are/will be served by new cable lines as per agreement between owner of subdivision property and this cable provider.

NOTE: In any of the above instances, extension of the service connection is the responsibility of the individual lot owner, in accordance with the established policies of this provider.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title/Name of Cable/Multi-Media Provider

**10.13. Certificate of Approval for Recording**

I hereby certify that the subdivision plat hereon has been found to comply with the Subdivision Regulations for the Blount County Planning Region, with the exception of such variances, if any, as noted in the minutes of the Planning Commission, and that it has been approved by that body for recording in the office of the county register.

\_\_\_\_\_ 20\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Planning Commission

## Appendix I

**Planning Department Design Checklist**

## General:

- \_\_\_\_\_ All required title block and other plat information as per published regulations on all pages (including profile sheets as appropriate)
- \_\_\_\_\_ Graphic scale
- \_\_\_\_\_ North Arrow
- \_\_\_\_\_ Topographic map included (with appropriate contour interval) with elevation datum (benchmarks, etc.)
- \_\_\_\_\_ All professional certifications with signatures and seals

## Drainage:

- \_\_\_\_\_ Narrative regarding methodology used for rainfall and storm-water runoff including source of information and assumptions.
- \_\_\_\_\_ Runoff calculations: basin size, landform type, cover, times of concentration, pre-development and post-development flows, proposed detention/retention volumes and locations, metering device(s) and locations/elevations
- \_\_\_\_\_ Storm-water flow routes, special easements if required, locations of streams and natural drainage courses, locations of outflows from property and storm-water destination (adjacent property, streams, other drainage facilities)
- \_\_\_\_\_ Locations and types and sizes of storm-water pipes, catch basins, junctions boxes, spillways, side-drains, cross-drains, rip-rapping, etc.

## Street Design:      [County Maintained] [Private]      (Circle One)

- \_\_\_\_\_ All parameters as per regulations
- \_\_\_\_\_ Length, width, curve radii and other information sufficient for layout of horizontal and vertical alignment with reference points
- \_\_\_\_\_ Curbs/shoulders
- \_\_\_\_\_ Profile with points of curvature, low points and crests, storm-water discharge locations and appurtenances, intersection design, stations at intervals no greater than 100 feet and at critical points shown on both horizontal layout and profile (preliminary plats)
- \_\_\_\_\_ Sight distance, turn-out radii
- \_\_\_\_\_ Street name(s) and classification
- \_\_\_\_\_ Typical cross-section, rights-of-way widths,
- \_\_\_\_\_ Construction traffic control
- \_\_\_\_\_ Surface type and thicknesses:
- \_\_\_\_\_ Other pertinent information vital to review and construction of development.

## Utilities:

- \_\_\_\_\_ Names of all utility providers
- \_\_\_\_\_ Layout information for all utilities above ground and subsurface installations, street crossings

Appendix II

**County Engineering Department Subdivision Checklist**

Subdivision Name:  
Location (w/location sketch):

Owner's Name, address, phone numbers, contact person(s):

Surveyor and design engineer with name, address, phone number:  
(All the above should be on the preliminary and final plats)

Utilities providers (list):

|                      |                     |                    |
|----------------------|---------------------|--------------------|
| Preliminary Layout   | Date Received _____ | Date Checked _____ |
| Profile/Road Plan    | Date Received _____ | Date Checked _____ |
| Preliminary Drainage | Date Received _____ | Date Checked _____ |
| Erosion Control      | Date Received _____ | Date Checked _____ |

Project Engineer(s):

Initial Field Inspection      Date Visited \_\_\_\_\_  
Preliminary observations:

Predevelopment Conference:      Date \_\_\_\_\_

Those Present (list):

Photos, Video: (Yes--No)

Final design for roads, drainage, and utilities (comments):

List of contractors with addresses, phone #'s, contact persons

Grading:

Utilities:

Paving:

Backfilling/Other:

## Appendix III

**Developer's Construction Checklist  
(Blount County Engineering Department)**

## Startup/Mobilization:

- \_\_\_\_\_ Establish/reference horizontal and vertical control points (benchmarks)
- \_\_\_\_\_ Install traffic warning signs
- \_\_\_\_\_ Install access (and control of access) to property
- \_\_\_\_\_ Install erosion/sedimentation control devices
- \_\_\_\_\_ Provide soil density (Proctor) and other soil mechanics and fill
- \_\_\_\_\_ Geologic survey and submission of data if required
- \_\_\_\_\_ Blount County Highway Department shall be consulted regarding movement of equipment and/or material onto site in order to minimize detrimental impacts to existing County roads; any required permits shall be obtained

## Clearing:

- \_\_\_\_\_ Rights-of-way of all streets cleared of undesired vegetation, fences, buildings, foundations, disposal fields, or any other obstructions to sight distance and the proper layout and construction of the streets
- \_\_\_\_\_ Erosion/sedimentation control measures as required in place prior to construction around perimeter of property, particularly along existing roads, streams, and drainage ways

## Drainage:

- \_\_\_\_\_ All pipes of proper diameter and length, of approved material, installed at designed elevations according the manufacturer's recommendations and design specifications
- \_\_\_\_\_ Catch basins properly located with approved grates and at proper elevations (grate and invert)
- \_\_\_\_\_ Cleanouts and junction boxes (if required) at approved locations with proper spacing
- \_\_\_\_\_ Pipes, catch basins, junction boxes, etc. backfilled to proper compaction with approved materials
- \_\_\_\_\_ Approved wing-walls/headwalls properly installed
- \_\_\_\_\_ Riprap installed properly where required
- \_\_\_\_\_ Spillways of approved design and adequately sized installed in place at proper locations
- \_\_\_\_\_ Swales and/or other channels in place with proper stabilization provisions (riprap, seeding, straw, sod, etc)

- \_\_\_\_\_ Detention/retention dams/ponds installed according to conventional construction standards (proper soil and other materials, embankments and berms of controlled fill with proper compaction, etc.) to designed capacity with approved metering device(s) and overflow protection provisions in place. Proper erosion and sedimentation control features in place and stabilized in and around outflow areas.
- \_\_\_\_\_ Appropriate erosion/sedimentation control in place and functioning with adequate energy dissipation provisions as required
- \_\_\_\_\_ Spillways shall have proper cross-section with well-defined channel and shall tie-in properly to curbs
- \_\_\_\_\_ Spillways shall have thickened section at each end to insure immobility and to provide adequate re-enforcement of terminals.  
Contractor/developer shall consult section drawings for compliance with typical design features
- \_\_\_\_\_ Concrete shall be finished to aesthetically pleasing appearance.  
Conventional practices to eliminate voids, segregation, flaking, etc. shall be adhered to
- \_\_\_\_\_ Rip-rap or other channel liners shall be installed in such manner as to preserve the design cross-sectional dimensions
- \_\_\_\_\_ Storm-water outflow provisions at conduit termini to achieve desired erosion and sedimentation control are required

#### Streets:

- \_\_\_\_\_ Street subgrades clear of any topsoil, vegetation, organic matter, or other objectionable materials
- \_\_\_\_\_ Undercutting and backfill as required
- \_\_\_\_\_ Subgrade finished to required dimensions along centerline as per approved horizontal layout, cross-section, and profile. Horizontal tolerance within 0.5 feet and vertical tolerance within 0.2 feet maximum required
- \_\_\_\_\_ Side slopes of cuts and fills as per regulations
- \_\_\_\_\_ No rock outcroppings within 0.5 feet of finished subgrade
- \_\_\_\_\_ Subgrade soil compaction in fills to 95% Standard Proctor or better at optimum soil moisture conditions using approved compaction equipment and techniques; verification and certification of same.
- \_\_\_\_\_ Adequate provisions to remedy any problems posed by any subsurface water sources encountered or anticipated in the future (including but not limited to the use of plastics, geo-textile fabrics, stone blankets, gabions, soil admixtures, etc.)
- \_\_\_\_\_ No standing water on subgrade at any time
- \_\_\_\_\_ Adequate erosion/sedimentation controls in place to protect subgrade
- \_\_\_\_\_ Timely cleanup of subgrade during and after utility installation required to preserve integrity of subgrade; subgrade must be returned to condition present prior to installation of utilities.
- \_\_\_\_\_ Mud and/or other debris tracked onto adjacent County roads by construction equipment shall be removed immediately (same day)

**Utilities:**

- \_\_\_\_\_ Utility lines installed as per design at proper depth and with approved side clearance from finished street surface
- \_\_\_\_\_ Proper citing of fire hydrants, blow-offs, clean-outs, air and vacuum release valves, distribution boxes, shut-off valves, junction boxes, control panels, etc. required to minimize interference with future maintenance activities
- \_\_\_\_\_ All road crossings backfilled to proper compaction with approved backfill materials
- \_\_\_\_\_ Construction critical path programmed to complete all underground installations within streets prior to installation of stone base
- \_\_\_\_\_ Timely cleanup of waste from utility installation
- \_\_\_\_\_ Restoration of subgrade (and subgrade cross-section) to required tolerances and conditions existent prior to utility work

**Base Stone:**

- \_\_\_\_\_ Subgrade proofed to verify proper dimensions, profile, and cross-section as per design
- \_\_\_\_\_ Survey haul route
- \_\_\_\_\_ Install base stone of approved design (pug-mill mixed) to proper depth, width, moisture content, and compacted density using approved compaction equipment, and maintaining approved horizontal, vertical, and cross-sectional design (including crown) specifications
- \_\_\_\_\_ Make minor adjustments to base stone to fit catch basins, turnouts, etc.
- \_\_\_\_\_ Protect finished base stone until application of binder course.

**Binder Course:**

- \_\_\_\_\_ Install binder mix of approved design to specified dimensions and density using approved placing and compaction equipment
- \_\_\_\_\_ Make proper field adjustments to insure proper functioning of drainage devices and other provisions
- \_\_\_\_\_ Verify dimensions for proper installation of curbs
- \_\_\_\_\_ Protect binder course until application of topping course.
- \_\_\_\_\_ Maintain required crown

**Curbing:**

- \_\_\_\_\_ Install curbing to proper dimensions with Portland concrete mix of approved design with aesthetically pleasing finish and an adequate number of properly spaced expansion joints
- \_\_\_\_\_ Proper location and tie-ins to catch basins, spillways, and other appurtenances is required
- \_\_\_\_\_ Sufficient care shall be taken to insure that curve sections are even and straight sections are straight
- \_\_\_\_\_ Protect curbs until concrete is properly cured and stabilized by backfill.

#### Wearing Surface (topping course):

- \_\_\_\_\_ Install topping mix of approved design to specified dimensions and density using approved compaction equipment
- \_\_\_\_\_ Maintain proper cross-section
- \_\_\_\_\_ Verify "fit" to catch basins, curb drains, and otherwise insure adherence to approved drainage routes and storm-water discharge points
- \_\_\_\_\_ Insure proper adhesion to curbs and binder course
- \_\_\_\_\_ Insure proper "tie-in" to existing pavements
- \_\_\_\_\_ Provide for aesthetically pleasing finish to topping course
- \_\_\_\_\_ Protect topping course from damage until asphalt has sufficiently cured.

#### Backfilling:

- \_\_\_\_\_ Backfilling shall be accomplished thoroughly using proper material for the purpose intended to a finish suitable for seeding
- \_\_\_\_\_ Backfill shall be reasonably free of clods, stones, and non-fertile material
- \_\_\_\_\_ Backfill material shall not be allowed to accumulate on street surfaces or in drainage channels or other appurtenances
- \_\_\_\_\_ Sufficient provision of erosion/sedimentation control shall be installed and maintained in place adequately to protect streets and drainage channels and devices until vegetation cover is established

#### Seeding:

- \_\_\_\_\_ Timely application (and re-application) of seed, fertilizer, straw, etc. shall be required to such extent that sufficient vegetation is established to accomplish the control of erosion and sedimentation
- \_\_\_\_\_ The developer shall be responsible for the clean-up of or the repair of damage to streets and drainage appurtenances consequential to the failure of or the inadequacy of erosion and sedimentation control measures until, in the judgment of proper authority, vegetation is established
- \_\_\_\_\_ The developer shall continue to maintain vegetation and erosion and sedimentation control until such vegetation is established to the extent that it is self perpetuating (normally a period of at least one year)

#### GENERAL

It shall be the responsibility of the developer to provide for the timely temporary and permanent repair of any damage to existing County roads or public utilities resulting from activities related to the construction of the subdivision. The developer shall provide for the resolution of any problems related to damage or impacts to adjacent private property resulting from construction activities or for failure to adhere to regulations or sound construction practices.



Noncompliance with regulations shall be grounds for non-approval of any or all phases of the development. Any reviewing agency shall be authorized to halt the development and stop work at any time when any noncompliance is observed.

Developer shall warranty the development for a minimum of one-year after final approval of the plat, A maintenance security shall be required as necessary by the Blount County Highway Superintendent.

FINAL

- \_\_\_\_\_ Final review by required agencies
- \_\_\_\_\_ Checklist(s)
- \_\_\_\_\_ Completion of final plat
- \_\_\_\_\_ Certification by design engineer(s)
- \_\_\_\_\_ Acquisition of required signatures
- \_\_\_\_\_ Property owners' agreement(s)
- \_\_\_\_\_ Other plat features (special easements, special notices, setbacks, limitations, exceptions, special conditions, etc.)
- \_\_\_\_\_ Sureties (if required)
- \_\_\_\_\_ "As-builts" showing locations of all underground utilities, street lengths and widths, storm-water drainage routes, horizontal coordinates of all street pertinent points (property corners on rights-of-way, PI's PC's, PT's, radius points, and associated references, etc.)
- \_\_\_\_\_ Names of utility providers (if not previously stated)

The above is not intended precisely to be a checklist for the development/ construction of a residential subdivision in Blount County for final plat approval, nor is it altogether inclusive as a listing of the required tasks involved. It is intended merely to aid a developer or contractor engaged in such development or construction in performing the various required improvements in a manner consistent with the requirements of the Blount County Highway Department and the County Engineering Department as reviewing agencies. There is no intention to supplant the published regulations of the Blount County Planning Commission or the requirements of any other reviewing agency. It is intended, however, to express more clearly the specific improvements and the quality of workmanship presumptive to a positive review of a development by the Blount County Highway Department and its engineering staff. It is hoped, therefore, that although there are some threshold requirements that establish certain minimum criteria of acceptable improvements, the character of the development can be enhanced by adherence to the spirit of the regulation in addition to the letter of the regulation.