SUBDIVISION REGULATIONS

SEVIER COUNTY
REGIONAL PLANNING COMMISSION

MARCH 1996
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Prepared by the

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Local Planning Office
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Knoxville, TN 37919

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AMENDMENTS TO THE SUBDIVISION REGULATIONS

Resolution Number	Effective Date	Amended Sections
96-02	May 15, 1996	Article III, Section A.14.c Private street construction standards
96-03	May 15, 1996	Article III, Section C.3.i Minimum lot size for lots served with both public water and sanitary sewer systems
98-01	October 13, 1998	• Article I, Section D Exception for Dividing Property Among Immediate Family Members • Article I, Section E Exception for Four Lot Subdivisions • Article II, Section B.1 Concept Plan • Article II, Section C.1 Design Plan • Article II, Section D.2 Final Plat • Article II, Section D.6.h Certification of Electrical Utility Services • Article II, Section D.6 Certification of Electrical Utility Service Certification Form • Article II, Section D.8 Recording of Plat • Article III, Section A.14 Private Permanent Easements, Private Streets, and Reserve Strips • Article III, Section A.16 Alleys • Article III, Section C.2 Arrangement • Article IV, Section L Guarantee in Lieu of Completed Improvements • Article IV, Section M Bridges and Similar Crossing Structures
99-01	August 10, 1999	• Article I, Section D. Exception for Dividing Property Among Immediate Family Members • Article I, Section E. Exception for Four Lot Subdivisions • Article III, Section 14, a. Classification and Specific Standards, Type I Roads
2000-01	October 10, 2000	• Article I, Section D. Exception for Dividing Property Among Immediate Family Members
2002-01	September 17, 2002	• Article III, section A.8 Horizontal Curves • Article IV, section B.3 Fill • Article IV, section D.3 Binder • Article IV, section D.4 Wearing Surface • APPENDIX IV, Illustrations, Illustration 2
05-01	June 13, 2005	• Article II, Section B.2.i. Topographic Contours • Article II, Section D.5. Final Plats Shall Show Culverts and Fire Hydrants
05-02	June 13, 2005	• Article I, Section F Definitions • Article III, Section C.3.a. Lot Area Requirements
05-03	June 13, 2005	• Article III, Section C.4. Building Setback Lines

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ARTICLE I.

PURPOSE, AUTHORITY AND JURISDICTION

A. Purpose

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban or rural areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and the future owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

B. Authority

These subdivision regulations are adopted under authority granted by Sections 13-3-401 through 13-3-411 of the Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in this act as prerequisite to the adoption of such regulations. A certified copy of the Major Road Plan for the Sevier County Planning Region is on file in the office of the Register of Sevier County, Tennessee.

C. Jurisdiction

These regulations shall govern all subdivision of land within the planning region of Sevier County, Tennessee now or hereafter established and within these regulations, the term "subdivision" means the division of a tract or parcel of land into two or more lots, sites or other divisions, requiring new street or utility construction, for the purpose whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided, provided, however, that "subdivision" does not include a division of any tract or parcel of land into two or more tracts or parcels when such parts or parcels are five (5) acres or larger in size and do not require street or utility construction. Any owner of land within this area wishing to subdivide land shall submit to the planning commission a plat of the subdivision according to the procedures outlined in Article II, which plat shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV of these standards.

(Article I, D amended by resolution 98-01, effective 10/13/98)
(Article I, D amended by resolution 99-01, effective 8/10/99)
(Article I, D amended by resolution 2000-01, effective 10/10/00)

D. Exception for Dividing Property Among Immediate Family Members

Where an owner of property can demonstrate that a division of property is for the purpose of deeding a single parcel of land to an immediate family member, and provided the deeded property meets the appropriate minimum lot size and setback standards as established in Article III of these regulations, with either direct access to a public street or a deeded private permanent easement to a public street, then the division of property shall be exempt from further regulation by the regional planning commission. The width of the direct access easement or right of way within the property being divided shall be determined as follows:

1. 30 feet minimum if the division creates no more than 2 parcels and the total of both is less than 5 acres.

2. 40 feet minimum if the division creates more than 2 parcels and the total of all parcels is greater than 5 acres but less than 10 acres.

3. 50 feet minimum if the total of all parcels in more than 10 acres, regardless of the number of parcels.

Any proposal for streets or utility improvements shall not be allowed under this section and must comply with all terms found in subsequent sections of these regulations. Immediate family members shall include the mother, father, son, daughter, brother, sister or grandchild of the property owner. The secretary of the planning commission shall, upon review by the planning staff, and in the absence of any variance request, have the authority to sign any plat meeting the terms of this section without presentation to the regional planning commission. The Planning staff may offer recommendations, which may prevent or lessen any future difficulties if the property were subdivided and sold to non-family members.

(Article I, E amended by resolution 98-01, effective 10/13/98)
(Article I, E amended by resolution 99-01, effective 8/10/99)

E. Exception for Four Lot Subdivisions

Where an owner of property can demonstrate that he or she is dividing four or fewer lots, all of which meet the requirements of these regulations; with direct access to either an established county or state road, or a private permanent easement which conforms with the private street standards established in Article III Section A.14, then the secretary of the planning commission shall, upon review by the planning staff, and in the absence of any variance request, have the authority to sign any plat meeting the terms of this section without presentation to the regional planning commission. Any proposal for street or utility improvements shall not be allowed under this section and must comply with all terms found in subsequent sections of these regulations.

(Article I, F amended by resolution 05-02, effective 6/13/2005)

F. Definitions

Public Water: Water service provided by either a municipality, utility district (as regulated by the Secretary of State), or public utility (as regulated by the Tennessee Regulatory Authority).

Public Sanitary Sewer: Sanitary wastewater service provided by either a municipality, utility district (as regulated by the Secretary of State), or public utility (as regulated by the Tennessee Regulatory Authority).

Slope, Average, of Development: The percent rise of elevation from a point on the lowest contour line within the proposed development to a point on the highest contour line within the proposed development divided by the horizontal distance between these two points.

Slope, Average, of Lot: The percent change in elevation from the center of the front right-of-way line to the center of the rear lot line divided by the horizontal distance between these two points.

ARTICLE II

PROCEDURE FOR PLAT APPROVAL

A. General

1. The procedure for review and approval of a subdivision plat consists of three (3) separate steps, however, only two require appearances before the regional planning commission for review and approval. The initial step is the preparation and submission to the planning commission of a concept plan of the proposed subdivision for preliminary plat approval. The second step is the preparation and submission to the technical staff of a design plan detailing the construction plans of the proposed subdivision. The third step is the preparation and submission to the regional planning commission of a final plat together with appropriate certificates required for final plat approval. The final plat becomes the instrument to be recorded in the office of the Register of Sevier County when duly signed by the secretary of the regional planning commission.

2. Any owner of land lying within the area of jurisdiction of the planning commission who wishes to divide such land into two (2) or more lots, sites, or divisions, for the purpose, whether immediate or future, of sale or building development, including resubdivision and, when appropriate to the context, relating to the process of subdividing or to the land or area subdivided, shall submit a plat of such proposed subdivision to the regional planning commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following sections of this Article. No plat of a subdivision of land within the area of planning jurisdiction shall be filed or recorded by the county register without the approval of the regional planning commission as specified herein.

3. In order to secure review and approval by the regional planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a concept plan as provided in Section B of this Article. On approval of said concept plan he may proceed with the preparation of the design plan, final plat and other documents required in connection therewith as specified in Section C of this Article and the improvements set forth in Article IV.

4. **Sketch Plan Review**. The subdivider shall consult early and informally with the planning commission and its technical staff for advice and assistance before the preparation of the concept plan and its formal application for approval. A very general sketch plan may be presented to the planning commission at the request of the subdivider, but shall not be required for Concept Plan approval. Pre-development coordination will enable the subdivider to become thoroughly familiar with these regulations, the Major Street Plan and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions. The subdivider should use this opportunity to discuss problems with the development and investigate appropriate alternatives with the regional planning commission and the technical staff.

B. Concept Plan

(Article II. B. 1. amended by resolution 98-01, effective 10/13/98)

1. A concept plan shall be required on all developments except for minor subdivisions as noted in Article II, Section B.3. The concept plan shall serve as preliminary plat approval. At least ten (10) working days prior to the meeting at which it is to be considered, the subdivider shall submit to the regional planning commission twenty (20) copies of a concept plan of the proposed subdivision drawn to a scale of not less than one (1) inch equals one hundred (100) feet. The concept plan shall show the entire property proposed for development and the stages in which the development shall occur. A concept plan shall not be acceptable for submission unless it meets all the required standards of design and unless it contains all the required information or a written request for a variance from each specific deviation from the requirements with reasons therefore.

2. The concept plan shall meet the minimum standards of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV and shall give the following information insofar as possible.

   a. A title block indicating the proposed subdivision's name and location, date and graphic scale, the name(s), address(es) and phone number(s) of the owner or owners, property assessor parcel identification information, and the name, address, and phone number of the designer of the plat who shall be a registered surveyor.

   b. The general north orientation.

   c. The location of existing property and easement lines, the names of adjoining property owners or subdivisions, and all existing improvements of any type or purpose, including but not limited to; streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, dams, water and gas mains, public utility lines, drainage swales, and detention basins.

   d. The general location of proposed utility layouts (sewers, water, gas, fire hydrants and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the appropriate health authorities.

   e. The proposed street names, and the locations and dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building setback lines and utilities.

   f. The approximate acreage of the land to be subdivided.

   g. Location sketch map showing relationship of subdivision site to area.

   h. The 100 year base flood elevation and limit line as defined on any applicable Flood Insurance Rate Map prepared by the Federal Emergency Management Agency or other recognized agency, along with any portion of the land being subdivided which is subject to flood as defined in Article III, Section E shall be shown. In addition, physical features of the site such as swamps, woods, natural waterways and other prominent features shall be shown.

(Article II. B. 2. i. Amended by Resolution 05-01, effective 6/13/2005)

   i Contours at vertical intervals of not more than two (2) feet except when specifically not required by the regional planning commission; such request must be made prior to the submission of a concept plan. Contours at vertical intervals of not more than ten (10) feet may be acceptable on plats where average slopes of the entire development exceed thirty (30) percent.

3. **Minor Subdivision**. A minor subdivision is one which is completed in one phase and does not require the construction of public improvements. A subdivider may omit the submission of a concept plan, submitting only a final plat if **all** the following conditions are met:

a. The proposed subdivision does not contain more than ten (10) lots, sites, or divisions.

b. All public improvements as set forth in Article IV are already installed or because of the nature of the development deemed not necessary by the regional planning commission. Any construction, installation, or improvement of any public improvements shall require submission of a concept plan as prescribed by Section B of Article II.

c. The subdivider has consulted informally with the regional planning commission and/or planning staff for advice and assistance before preparation of a final plat and its formal application for approval.

4. Within sixty (60) days after submission of a concept plan, the planning commission will review it and indicate its approval, disapproval, or approval subject to modifications. If a concept plan is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications will be indicated.

5. One (1) copy of the concept plan shall be retained in the regional planning commission files; one (1) copy shall be retained by the planning commission staff; one (1) copy shall be returned to the subdivider at the time of approval or disapproval with any notations as to required changes, if any.

6. The approval of the concept plan by the regional planning commission will not constitute acceptance of the final plat and will not be indicated on the concept plan.

7. The approval of the concept plan shall lapse unless a final plat based thereon is submitted within twelve (12) months from the date of such approval unless an extension of time is applied for and granted by the regional planning commission.

C. Design Plan

(Article II, C, 1. amended by resolution 98-01, effective 10/13/98)

1. The design plan shall consist of all detailed engineering design and construction drawings, calculations and related documents necessary to construct the proposed subdivision in conformance with the approved concept plan and these regulations. **Any construction work carried out by the subdivider prior to design plan approval, or contrary to an approved plan, shall be at the subdivider's own risk.** The design plan shall be reviewed by the regional planning commission technical staff and shall not require formal review by the regional planning commission unless variances to the requirements of these regulations are requested by the subdivider. At least thirty (30) days prior to the meeting at which final plat approval is to be considered, the subdivider shall submit to the regional planning commission technical staff five (5) copies of a composite design plan of the proposed subdivision for review by the county planner, county road superintendent, county director of environment, county 911 director, and other pertinent reviewing authorities required by these regulations. The design plan shall meet the minimum standards of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV and shall give the following information insofar as possible.

a. A sketch location map, number of lots and total acreage, subdivision name and unit number, name(s), address(es), and phone number(s) of owners, date and scale, and property identification.

b. Final dimensions and bearings for all lot lines, tract boundary, roads and required easements and lot numbers, and the building setbacks with distance from street right of way.

c. Location and size of all drainage facilities including ditches, culverts, pipes, catch basins, and detention basins. All drainage facilities shall be shown in their final location. The location of all utilities and related easements shall also be shown in their final location.

d. Watercourses, marshes, major rock outcroppings, woodlots, bridges, or other structures shall be included on the design plan.

e. Topography with contours at vertical intervals of not more than twenty (20) feet. In the event that the requirement for topographic information was waived during concept approval, then this requirement will only apply to those areas associated with the construction of any proposed improvements.

f. Drawings, documents, and calculations in compliance with the requirements of Article IV of this document shall be required including, but not limited to the following:

i. roadway design including horizontal and vertical profiles,

ii. drainage plan,

iii. erosion and sedimentation control plan,

iv. utility plans.

2. Acceptance Statement. A statement certifying approval of the design plans and their conformance with all applicable regulations for roads, drainage, water and sewers from each appropriate utility and reviewing agency shall be submitted to the county planner prior to acceptance of the final plat for regional planning commission consideration. The final plat may be placed on the regional planning commission agenda for review, however, approval shall not be granted without all acceptance statements required for the subdivision.

D. Final Plat

1. The final plat shall conform substantially to the concept plan as approved, and, if desired by the subdivider, it may constitute only that portion of the approved concept plan which he proposed to record and develop at the time, provided however, that such portion conforms to all requirements of these regulations. A final plat shall not be acceptable for submission unless it contains all of the required information or a written request for a variance from each specific deviation from the requirements with reasons therefore.

(Article II, D, 2. amended by resolution 98-01, effective 10/13/98)

2. To allow sufficient time for review and processing by the regional planning commission and staff, the subdivider shall submit twenty (20) copies of the final plat at least ten (10) working days prior to the meeting at which it is to be considered. The plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets no larger than 24" x 36" in size. When more than one

sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the streets lettered in alphabetical order as a key. When the plat has been approved by the regional planning commission, one (1) copy shall be filled with the county register as the official plat of record in accordance with subsection 8 of this section. One copy shall be retained in the records of the regional planning commission; one copy shall be retained by the planning staff; and one copy shall be provided to any utilities department or utility district as applicable.

3. The regional planning commission shall approve or disapprove this final plat within sixty (60) days after its submission. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the regional planning commission.

4. Approval of the final plat by the regional planning commission shall not constitute the acceptance by the public of the dedication of any street or other public way or ground. A formal request for acceptance must be made to the County Commission by the developer of the subdivision.

5. The final plat shall show:

   a. The lines of all streets and roads, alley lines, building setback lines, lots numbered in numerical order, reservations for easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

   b. Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including the precise north orientation. This shall include the radius, central angle and tangent distance, chord bearing and chord distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.

   c. The area of all subdivided lots or tracts and of any land remaining.

   d. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.

   e. Location and description of monuments.

   f. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.

   g. Date, title, name and location of subdivision, graphic scale, and the precise north orientation.

   h. Location sketch map showing site in relation to area.

   i. The 100 year base flood elevation and limit line as defined on any applicable Flood Insurance Rate Map prepared by the Federal Emergency Management Agency or other recognized agency, along with any portion of the land being subdivided which is subject to flood, as defined in Article III, Section E, shall be shown.

   (Article II, D, 5, j and k. Amended by Resolution 05-02, effective 6/13/2005)

   j. Location and size of culverts.

   k. Location of fire hydrants.

6. The following certificates, where applicable, shall be placed on the final plat in the first six inches of the left side. :

a. Certification showing that applicant is the land owner and dedicates streets, rights-of-way and any sites for public use.

b. Certification by surveyor to accuracy of survey and plat, and placement of monuments.

c. Certification that the water supply system meets requirements of the State Health Department.

d. Certification from the Sevier County Director for Environmental Health for approval of subsurface sewage disposal systems or that the public sewerage system meets requirements of the State Health Department.

e. Certification that all streets and appurtenances have been installed in accordance with established standards.

f. Certification from Sevier County Emergency Communications District (E-911) coordinator that all street names in proposed subdivisions have been approved and do not conflict with other street names in the county.

g. Certification for recording by planning commission.

(Article II, D, 6, h. amended by resolution 98-01, effective 10/13/98)

h. Certification of Electrical Utility Services.

Examples for each of the certification forms are provided on the following pages.

7. All final plats shall be submitted on the standard plat sheet as required for recording purposes by the Sevier County Register.

(Article II, D, 8. amended by resolution 98-01, effective 10/13/98)

8. Recording of Plat. The Sevier County Regional Planning Commission, or its designated representative(s), shall record all approved final subdivision plats with the county register's office within ten (10) working days following the date of signature by the planning commission secretary. The appropriate filling fee shall be submitted to the planning commission at the time of final plat signature. The secretary of the planning commission shall sign one copy of the final plat for recording purposes, which shall remain in the possession of the planning commission until recorded. In conjunction with the recording of a final plat the planning commission shall file all related legal documents which may be required by the commission. Said legal documents shall be properly executed and provided to the planning commission by the property owner(s) or his/her authorized agent prior to the final plat signature. It shall not be the responsibility of the planning commission to review or approve such related legal documentation. Any errors or omissions to said documentation shall be the sole responsibility of the property owner.

SUBDIVISION CERTIFICATION FORMS

1. 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 subdivision plat with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, park or other public ways and open space to public or private use as noted.

_____ _____ _____

Date Owner Owner

2. CERTIFICATE OF ACCURACY

I certify that this plat accurately depicts a true and correct survey made under my direct supervision, that it meets the accuracy required by the regional planning commission, and that corner monuments have been placed as shown hereon, to the specifications of the regional planning commission. I hereby certify that this is a category _____ survey and the ratio of precision of the unadjusted survey is 1: _____ as shown hereon.

_____ 19___ _____

Date Registered Surveyor Registration #

3. CERTIFICATION OF APPROVAL OF WATER SYSTEMS

I certify that the water system installed, or proposed for installation fully meet the requirements of the Tennessee State Health Department, and is hereby approved as shown.

_____ 19_____

Date Utility System Manager

4a. CERTIFICATION OF SEWERAGE SYSTEM

I certify that the sewage disposal system installed, or proposed for installation, fully meet the requirements of the Tennessee State Health Department and is approved as shown with all restrictions/conditions as noted (not required if 4b is applicable).

_____, 19____ _____

Date Utility System Manager

4b. CERTIFICATION OF SUBSURFACE DISPOSAL

Subdivision is approved for subsurface sewage disposal. Owner/developer shall obtain from the Commissioner/Health Authority or Representative a permit for each lot prior to any construction on the property. The permit shall establish the maximum size dwelling and the specific location of the primary and the secondary disposal areas. Owner/developer shall not do any construction or mutilation (cutting or filling) of the so designated primary and secondary disposal area without the prior approval of the Commissioner, Health Authority or Representative. (not required if 4a is applicable).

_____, 19___ _____

Date Sevier County Director for Environmental Health

5. CERTIFICATION OF STREETS

I certify that streets and related appurtenances installed, or proposed for installation, fully meet the specifications established by the Regional Planning Commission and, if not installed, that acceptable surety has been posted with the Sevier County Regional Planning Commission in compliance with Article IV.L. in the amount of $_____.

_____, 19___ _____

Date County Road Superintendent

6. CERTIFICATION OF STREET NAMES

I certify that all street names have been approved by the Sevier County Emergency Communications District, are in compliance with E-911 specifications, and do not conflict with other street names in the county.

_____, 19___ _____

Date E-911 Coordinator

(Article II, D, Subdivision Certification Forms, 7, amended by resolution 98-01, effective 10/13/98)

7. CERTIFICATION OF ELECTRICAL UTILITY SERVICE

The property shown on this subdivision plat is within the service area of the _____ _____Utility

The following Condition(s) apply (check as applicable):

_____Lots_____are served by existing power lines.

_____Lots_____are/will be served by new power lines as per agreement between the owner of the subdivision property (subdivider) and the utility.

_____No provision has been made for the extension of electric service to lots_____. Electric service can be installed, but the responsibility for all future line extensions rests with the subsequent property owner(s), in accordance with the established policies of this utility company.

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 and Title

8. CERTIFICATE OF APPROVAL FOR RECORDING

I certify that this plat has been found to comply with the subdivision requirements for the planning region, with the exception of such variances, if any, which are noted. All improvements have been installed, or an acceptable surety posted in order to assure completion. This plat is approved for recording in the office of the county register.

_____, 19___ _____

Date Secretary, Regional Planning Commission

ARTICLE III.

GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

A. Streets

1. Conformity to the Major Road Plan

The location and width of all streets and roads shall conform to the official major road plan adopted by the Regional Planning Commission.

2. Relation to Adjoining Street System

The proposed street system shall extend existing streets or projects. They shall be extended at a width no less than the required minimum width as set forth in this Article or the width of the existing street or road whichever is greater.

3. Street Elevation

No street shall be approved unless it is one (1) foot above the base flood elevation (BFE), or the highest adjacent grade when BFE data is unavailable, as defined in Section E of this Article. The regional planning commission shall require profiles and elevations of streets for areas subject to flood in accordance with these and any other applicable county regulations. Fill may be used for streets provided such fill does not increase flood heights. Drainage openings shall be so designed as to not restrict the flow of water and unduly increase flood heights. Where such fill and drainage openings are proposed, the regional planning commission shall consult with the county road superintendent or engineer as to the adequacy of the proposed design. In addition, the street pattern shall be designed so that in time of flood each lot shall be readily accessible to emergency vehicles.

4. Street Right-of-Way Widths

The minimum width of right-of-way (Illustration 1 in Appendix IV), measured from lot line to lot line, shall be as shown on the major road plan, or if not shown on such plan, shall be not less than as follows:

a. Arterial Streets or Highways	80 feet or as may be required.

Such streets are used primarily for fast or heavy traffic and are located on the Major Street and Road Plan for the planning region.

b. Major Collector Streets	60 feet
c. Minor Collector Streets	50 feet

Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets of a residential development and streets for major circulation within such a development.

d. Primary Residential Streets	50 feet

Primary residential streets are those which are used primarily for access to the abutting residential properties and designed to collect traffic from loop streets and cul-de-sac streets.

e. Minor Residential and Loop Streets	40 feet

Minor residential and loop streets are those which are used primarily for access to the abutting residential properties and designed to discourage through traffic.

f. Cul-de-sac Streets more than 500 feet in length 40 feet

Cul-de-sac Streets less than 500 feet with five (5) or fewer lots 30 feet

Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future.

g. Dead-end Streets Not allowed

Dead-end streets are similar to cul-de-sacs except that they provide no turnaround circle at their closed end and are not permitted as streets in any proposed subdivision. Stub streets planned for future continuation are not considered to be dead-end streets.

h. Marginal Access Streets 50 feet

Marginal access streets are minor streets which are parallel to and adjacent to arterial streets and highways; and which provide access to abutting properties and protection from through traffic.

i. Alleys 20 feet

Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

j One Way Streets 30 feet

In cases where topography or other physical conditions make a street of the required minimum width impracticable, the regional planning commission may modify to increase or reduce the above standard right-of-way widths. Through proposed neighborhood or local business areas, the street right-of-way width shall be increased ten (10) feet on each side to provide for movement of vehicles into and out of necessary off-street parking areas without interference to traffic.

5. Additional Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.

b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

6. Restriction of Access

Where a subdivision abuts or contains an existing or proposed major street, the regional planning commission may require marginal access streets, reverse frontage with a restriction of access along the rear property line. or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic (Illustration 2 in Appendix IV).

7. Street Grades (Illustration 2 in Appendix IV)

a. Arterial Maximum Grade

The maximum grade on arterial streets shall not exceed seven (7) percent.

b. Major Collector Maximum Grade

The maximum grade on major collector streets shall not exceed eight (8) percent.

c. Minor Collectors, Local, and Residential Streets

The maximum grade on minor collector, local and residential streets shall not exceed twelve (12) percent. However, when special topographic or other conditions justify, the planning commission may increase the maximum allowable grade on local streets to fifteen (15) percent upon the recommendation of the Sevier County Road Superintendent.

(Article III, A, 8 amended by resolution 2002-01, effective 09/17/02)

8. Horizontal Curves and Switchbacks

Where a deflection angle of more that ten (10) degrees in alignment of a street occurs, a curve or reasonable long radius shall be introduced. On streets sixty (60) feet or more in width, the centerline radius of curvature shall be not less than three hundred (300) feet; on other streets, not less than one hundred (100) feet (Illustration 2 in Appendix IV). On curves of less than sixty (60) feet in radius or where deflection angles of one hundred thirty (130) degrees or more are used, a "switchback" exists. "Switchbacks" shall conform to Illustration 3 in Appendix IV. Guardrails may be required, upon the recommendation of the county road superintendent, for all "switchbacks" and shall be installed in conformity to Section 705 of the State of Tennessee Standard Specifications for Road and Bridge Construction.

9. Vertical Curves

Every change in grade shall be connected by vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said distance being measured from the driver's eyes, which are assumed to be four and one-half (4-1/2) feet above the pavement surface, to an object four (4) inches high on the pavement (Illustration 2 in Appendix IV). Profiles of all roads showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal, and one (1) inch equals twenty (20) feet vertical, shall be required.

10. Tangents

A tangent of at least one hundred (100) feet in length shall be introduced between reverse curves on arterial and collector streets.

11. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

Property line radii at street intersections shall not be less than twenty five (25) feet, and where the angle of street intersection is less than seventy-five (75) degrees, a greater curb radius may be required. 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 property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

12. Street jogs

Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall not be allowed.

13 Cul-de-sac Streets

a. Minor terminal streets or courts designed to have one end permanently closed shall have a turnaround having an outside roadway diameter of at least seventy (70) feet and a street right-of-way diameter of at least ninety (90) feet at the closed end; however the planning commission may approve an alternate designs using T and Y turnarounds having the corresponding right-of-way and surface widths of the required street classification. (Illustration 4 in Appendix IV)

(Article III, A, 14 amended by resolution 96-02, effective 5/15/96)
(Article III, A, 14 amended by resolution 98-01, effective 10/13/98)

14. Private Permanent Easements, Private Streets, and Reserve Strips

Every lot of subdivided property shall be reasonably accessible and serviceable from a publicly dedicated street or private permanent easement. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the county under conditions approved by the regional planning commission.

Private streets on private permanent easements may be permitted upon approval by the Sevier County Regional Planning Commission. Said private streets and easements shall be established in accordance with the provisions of this section. For the purposes of this section a private permanent access easement shall be considered and developed as a private street where said easement provides access or service to two (2) or more lots. The planning commission may however, approve the use of a simple shared driveway easement between two (2) adjoining lots, provided it finds that the intent of this section is maintained.

a. Classifications and Specific Standards. All private street developments shall be classified as one of the following three (3) types.

(Article III, A, 14, a, Type I amended by resolution 99-01, effective 8/10/99)

Type I. A Type I private street shall not exceeded 1200 feet in length, provide access to more then ten (10) lots, or exceed a maximum grade at any point of twelve (12) percent. Unless modified by this section, said streets shall be designed and improved in accordance with all applicable provisions of Articles III and IV of these subdivision regulations. The minimum ROW width of a Type I easement shall be at least forty (40) feet. The minimum improved street width shall be at least eighteen (18) feet, not including required shoulders. The minimum driving surface improvement standard for a Type I street shall be three (3) inches of gravel. At all intersections of publicly maintained roads and Type I private streets with a positive slope from five (5) percent to twelve (12) percent, the private street must be constructed to comply with all provisions of Articles III and IV of these subdivision regulations for a length of 100 feet.

Type II. A Type II private street is intended to serve as a rural road and shall not be utilized to provide access to lots of less then five (5) acres in size. There is no limitation on the number of lots to be served by a Type II road, or on its length. Unless otherwise modified by this section, said streets shall be designed and improved in accordance with all applicable provisions of Articles III and IV of these subdivision regulations. The minimum ROW width of a Type II easement shall be at least fifty (50) feet. The minimum improved street width shall be at least twenty two (22) feet, not including required shoulders. The minimum driving surface improvement standard for a Type II street shall be a six (6) inch course of compacted Type A mineral aggregate base stone (TDOT grade D), applied without calcium additives, and laid in accordance with Article IV Section D.1 of these regulations.

Type III. Type III private streets shall be designed and improved in accordance with all provisions contained in Articles III and IV of these regulations. There are no limitations pertaining to subdivision design and construction beyond those contained in Articles III and IV. The purpose of the Type III classification is to allow a developer to complete a standard subdivision while maintaining private ownership of the streets.

b. General Requirements. The following requirements pertain to all types of private street and easement development.

i. All Private permanent easements and private streets shall be legally established in a manor that will ensure access by emergency, utility, and other necessary public services. Unless an alternative plan is approved by the planning commission, said easements shall also provide for both current and future utility and drainage improvements to service the proposed subdivision.

ii. Unless otherwise approved by the planning commission, all new private street easements shall be platted on a separate, individual lot within the private subdivision development. All lots within the proposed subdivision shall have a common interest in said street easement lot, with control over said lot being exercised through a legally established home owners association. For platting purposes this lot shall be designated (numbered) as the last lot within the subdivision.

iii. Any resubdivision of properties served by private streets and easements shall be in conformance with all provisions of this section. The total number of lots to be served, easement lengths, and or lot sizes shall be restricted by the type of street easement providing service to the properties in question.

All legal documentation pertaining to the property owners association, along with the recorded plat, shall clearly note the classification of all private street easements present in the subdivision, and all applicable restrictions regarding further resubdivision without additional street improvements.

iv. Private permanent easements serving two or more lots (private streets) must be maintained by the developer until a property owners association has been established. In all cases where two (2) or more lots within a proposed development are to be served by a private permanent easement, the developer shall be responsible for private street maintenance until fifty (50%) percent of the development has been sold, at which time a legally established property owners association shall be formed to ensure private street maintenance. The final plat shall be accompanied by the necessary legal documents to establish a property owners association to ensure 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. The Sevier County Regional Planning Commission has no role in this process beyond requiring the establishment of such legal instruments before final plat approval is granted.

v. In all instances were a new subdivision utilizing private streets is accessed by an existing private permanent easement, or non-governmentally maintained right-of-way, a system of legal agreements shall be established to provide for the maintenance of all said existing private easements or rights-of-way, necessary to obtain direct access to a county road. The subdivider/developer shall be responsible for establishing this system of maintenance agreements with all applicable adjoining developments and/or property owners. The final plat shall be accompanied by the necessary legal documents establishing or documenting these maintenance agreements. The Sevier County Regional Planning Commission has no role in this process beyond requiring the establishment of such legal instruments before final plat approval is granted. The subdivider shall also be required to provide documentation that there are no legal prohibitions against further subdivision with respect to the existing private easements or rights-of-way, and that newly created lots have all necessary rights to utilize said existing private easements, or rights-of-way. Furthermore, where said existing private permanent easements or non-governmentally owned rights-of-way do not meet the standards of this section the planning commission may require additional improvements prior to final subdivision approval.

vi. The maintenance responsibilities of the developer or property owners association for private streets shall continue until such time as the owners of said private street(s) have improved the street to the public (county) street standard contained in these subdivision regulations; including the full right-of-way width, drainage, base, and surface requirements; have offered the improved street for dedication, the street has been approved for acceptance by the planning commission and county road superintendent, and accepted by the county commission. Improvement of a street to the public standard includes all requirements contained in Articles III and IV of these regulations.

These responsibilities shall be clearly stated in all legal documentation pertaining to the property owners association, and the following certification shall be placed on the final plat.

CERTIFICATION OF PRIVATE PERMANENT EASEMENTS AND PRIVATE STREETS

Certain roads within this subdivision are designated as private permanent easements and streets under private ownership. It is acknowledged that said roads must be privately maintained unless and until they are improved to the county road standard at the property owner(s) expense, have been formally offered for dedication by the owner(s), approved by the regional planning commission, and accepted by the Sevier County Commission.

_____ _____

Date

_____

Owners

15. Street Names

Proposed streets which are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffixes street, avenue, boulevard, drive, way, place, or court. The regional planning commission can assist the subdivider in avoiding duplication. Each street name shall be approved by the Sevier County E-911 Coordinator and such approval shall be shown on the plat.

(Article III, A, 16, amended by resolution 98-01, effective 10/13/98)

16. Alleys

Alleys shall not be provided except where the subdivider produces evidence satisfactory to the regional planning commission of the need for alleys. Alleys are minor service ways providing a secondary means of vehicular access to the rear or side of properties. Alleys generally have two (2) open ends, divide blocks, and are not intended for general traffic circulation. When permitted, alleys shall be established as permanent easements and shall not be dedicated for public acceptance.

B. Blocks

Subdivisions shall not be required to use grid designs with blocks, however, the following minimum standards shall apply to ensure efficient traffic circulation, public service access, pedestrian circulation, and emergency response.

1. Length

Blocks should not be less than four hundred (400) nor more than twelve hundred (1200) feet in length, except as the regional planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the planning commission may require one (1) or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary.

2. Width

Blocks should be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets and roads is provided or where prevented by topographical conditions or size of the property; in which case the regional planning commission will approve a single row of lots of minimum depth.

C. Lots

1. Adequate Building Sites

Each lot shall contain a building site not subject to flood as defined in Section E of this Article and outside the limits of any existing easement or building setback lines required in Subsections 4 and 5 of this Section. Land within a floodway, as defined in Section E of this Article, shall not be platted for building purposes. Said land may be counted as part of the lot in computing lot sizes. Property below the 1002 contour on Douglas Lake, or property platted within a private permanent road easement shall not be included when calculating the total lot size.

(Article III. C. 2, amended by resolution 98-01, effective 10/13/98)

2. Arrangement

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front for a minimum of fifty (50) feet upon a public (county) street, or permanent private easement developed in accordance with the provisions of Article III Section A.14. Said frontage shall provide a reasonable physical means of pedestrian and vehicular access between the lot and the public street or private easement.

3. Minimum size

The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Where public water and sanitary sewer systems are reasonably accessible, the subdivider shall connect with such system and provide a connection to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used, upon approval by the regional planning commission subject to the lot size requirements where water is not available.

(Article III, C, 3. Amended by Resolution 05-02, effective 6/13/2005)

a.

i. All lots created in the subdivision, other than those not intended for development, shall conform to the lot sizes and lot widths displayed in the table below. It should be noted that where no public sanitary sewer is available, internal lot easement areas shall be excluded from lot size calculations.

Average Lot Slope	*Minimum Width at Setback Line*	*Min. Area W/ Public Water & Sewer**	*Min. Area W/ Public Water or Sewer***	*Min. Area W/O Public Water or Sewer****
0 - 29.9%	50'	7,500 sq. ft.	25,000 sq. ft.	30,000 sq. ft.
30 - 49.9%	100'	15,000 sq. ft.	50,000 sq. ft.	2 acres
50% +	150'	22,500 sq. ft.	75,000 sq. ft.	3 acres

* lots served by both public water and public sanitary sewer
** lots served by public water or served by public sanitary sewer, but not both
*** lots not served by public water and not served by public sanitary sewer

ii. The planning commission may reduce the minimum lot size and lot width for group developments submitted under Section G, Group Developments where served by public water and public sanitary sewer.

iii. The planning commission may require a larger lot size or allow a smaller lot size upon the recommendation of the Sevier County Director of Environment and the County Planner when not served by public water or public sanitary sewer, or not served by either.

iv. The minimum size lots to be served by a private source of water supply including private wells shall be determined by the Sevier County Regional Planning Commission after investigations of soil conditions, proposed sewerage system and depth of ground water. The assistance of the Sevier County Health Department and the Soil Conservation Service shall be sought in determining the appropriate size. Minimum lot widths at the building setback line as noted in Section C.3.a.i. are determined necessary for the protection from contamination of private water supplies, however, the Sevier County Health Department requirements may be greater for individual lots.

b. Size of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

4. Building Setback Lines

(Article III, C, 4. Amended by Resolution 05-03, effective 6/13/2005)

a. *Minor residential streets, minor collector streets, cul-de-sac streets, and marginal access streets*: The minimum depth of building setback lines from the street right of way line shall not be less than the distance listed in the table below, dependent on the average slope of the lot. The side and rear setback line for such lots shall be no less than ten (10) feet.

Average Lot Slope	*Minimum Front Building Setback Line*	*Side and Rear Setback Line*
0 - 29.9%	20'	10'
30 - 49.9%	10'	10'
50% +	5'	10'

b. *Major collector streets:*
The minimum depth of building setback lines from the street right of way line shall not be less than forty (40) feet. The side and rear setback line for such lots shall be no less than ten (10) feet.

c. *Arterial streets and highways:*
The minimum depth of building setback lines from the street right of way line shall not be less than fifty (50) feet unless a greater distance is deemed to be necessary by the Sevier County Regional Planning Commission for the protection of contemplated development on the property. The side and rear setback line for such lots shall be no less than ten (10) feet.

d. The developer is responsible for verifying the details of an existing easement with the party to whom the easement has been granted or transferred prior to developing the initial version of the subdivision. In the case of electric transmission lines where easement widths are not definitely established, there shall be a minimum building setback line from the center of the transmission line as follows:

Voltage of Line	Minimum Building Setback
46 KV	37-1/2 feet
69 KV	50 feet
161 KV and over	75 feet

5. Corner Lots

Corner lots shall have extra width sufficient to permit the additional side yard requirements of the building setback lines outlined above.

D. Public Use and Service Areas

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas.

1. Public Open Spaces

Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the regional planning commission, is located in whole or in part in the applicant's subdivision, the regional planning commission may request the dedication or reservation of such open space within the subdivision up to and including a total of ten (10) percent of the gross area or water frontage of the plot, for park, school or recreation purposes.

2. Easements for Utilities

The regional planning commission may require easements, not exceeding ten (10) feet in width for poles, wires. conduits, storm and sanitary sewers, gas, water mains or other utility lines along rear lot lines or side lot lines if, in the opinion of the regional planning commission such action is desirable. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities.

3. Easements for Drainage

Where a subdivision, or lot is traversed by a watercourse, drainage way, channel, or stream there shall be provided a storm water easement or drainage right-of-way for the purpose of widening, deepening, relocating, improving, or protecting such drainage easement.

4. Community Assets

In all subdivisions due regard shall be shown for natural features, such as large trees and watercourses, and for historical spots, and similar community assets which, if preserved, will add attractiveness and value to the property.

E. Suitability of the Land

Land which the regional planning commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formation, or other features likely to be harmful to the safety, health, and general welfare of the future residents, shall not be subdivided unless adequate methods approved by the planning commission are formulated by the developer for meeting the problems created by the subdivision of such land.

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy or for any other uses that may increase flood hazard, endanger health, life, or property, or aggravate erosion. Such land within the platted area shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

All subdivision of property proposing construction of public utilities and facilities such as water supply or sanitary sewage systems, shall be designed to minimize or eliminate infiltration of flood waters into the system or discharges of the system into flood waters. Subdivisions shall be designed so that adequate drainage is provided in order to reduce exposure of flood hazards.

Fill may not be used to raise lands in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

Definitions:

Base Flood: A flood having a one percent chance of being equaled or exceeded in any given year.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, next to the proposed improvement.

F. Variances

Variances may be granted under the following conditions:

1. Where the subdivider can show that strict adherence to these regulations would cause unnecessary hardship, and

2. Where the regional planning commission decides that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized shall be stated in writing in the minutes of the regional planning commission with the reasoning on which the departure is justified set forth.

3. The regional planning commission may vary any applicable provision of Article III where an alternative development is proposed under the group housing provisions of these regulations.

G. Group Developments

1. The group development provisions of this section only apply when a developer or owner of property wishes to subdivide, plat, and record lots. These provisions are intended to provide the developer flexibility from the strict application of typical subdivision standards where a superior design is feasible and appropriate. Group developments shall include multi structure developments which divide property into lots, sites, or other divisions as defined in 13-3-401 of the Tennessee Code and where the developer chooses to plat and record clustered lots.

2. The developer will be allowed to cluster building sites or lots which deviate from the minimum lot area requirements for the individual lots on which structures are to be located. All open spaces, recreational areas, drainage or other easements, reserve areas for septic systems, or other none building areas shall be clearly indicated on the final plat as not for future subdivision, building or development purposes. Appropriate legal instruments defining ownership, method of maintenance, and schedule for maintenance of all open spaces, open-type recreational areas and consolidated parking areas shall be required for approval.

3. No group development shall be approved without evidence of an adequate water supply sufficient to meet the needs of the proposed development.

4. No group development will be approved unless an adequate sanitary sewer system or subsurface disposal system is included in the plans and approved by the Tennessee Department of Public Health and the Sevier County Health Department.

5. The exterior yards of the complex must meet the minimum setback requirements from the exterior lot lines.

6. All proposed public roads, utilities, drainage systems and erosion control systems shall be constructed to standards as set forth in these regulations for public improvements. All proposed private roads, utilities, drainage systems, and erosion control systems shall be constructed to the minimum private improvement standards and shall have appropriate legal instruments defining ownership, method of maintenance, and schedule for maintenance.

The following additional plans and schedules shall be submitted to the regional planning commission:

1. The location and legal description of the proposed development.

2. A development plan showing location of all buildings, lot lines, exterior setbacks, recreation and open space areas, utilities, parking, and common-use facilities.

3. The location and dimensions of all points of entry and exit for cars.

4. Such other engineering and geographic data as may be required to permit the planning commission to determine if the above regulations are being complied with.

5. Deed restrictions, joint ownership agreements, joint maintenance agreements, and other required legal documentation.

H. Other Regulations

Sevier County does not currently enforce other land use or building regulations. In the event that the Sevier County Commission adopts other regulations in the future, no final plat of land within the force and effect of those regulations will be approved unless it conforms to such regulations.

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in other official regulations, the highest standard shall prevail.

ARTICLE IV

DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see actual physical transformation of raw acreage into lots suitable for building purposes 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 which approval and recordation will establish legally.

Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install curbs, monuments, sewers, storm water inlets and water mains, in accordance with specifications established by the regional planning commission. The adopted requirements, whether in local regulations or in the following standards, shall govern.

A. Monuments or Corner Markers

1. Iron pins of not less then one half (1/2) inch diameter and eighteen (18) inches long, with a flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the iron pins shall have a cap or tag of non-corrosive material with the surveyor's registration number or company name stamped.

2. All other lot corners shall be marked with iron pins not less than one-half (1/2) inches in diameter and eighteen (18) inches long.

B. Grading

All streets, roads and alleys shall be graded by the subdividers so that pavements and sidewalks can be constructed to the required cross-section. Deviation from the above due to special topographical conditions, will be allowed only with special approval of the planning commission. Where streets are constructed under or adjacent to existing electric transmission lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission line structure and all grading for the street shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric transmission lines, the clearance from the pavement to the nearest conductor shall meet the requirements of the National Electrical Safety Code.

1. Preparation: Before grading is started, the entire right-of-way area shall be cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.

2. Cuts: All tree stumps and similar organic material shall be completely removed from the construction area. Boulders and other obstructions shall be removed to a depth of twelve (12) inches below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below subgrade. All topsoil shall be removed and back filled with suitable material. No grading shall be done when ground is frozen or muddy unless mud is removed and disposed of outside of streets.

   (Article VI, B, 3 amended by resolution 2002-01, effective 09/17/02)

3. Fill: All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials including organic materials, soft clays, etc., shall be removed from the construction area. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a sheep's foot roller or compactor with a minimum compaction of 95%. The filling of utility trenches and other places not accessible to a roller shall be mechanically

tamped, and where water is used to assist compaction the water content shall not exceed the optimum of moisture.

4. Slope of Banks: The finished slope on all banks shall not exceed a ratio of 2:1 for all materials except solid rock. In the case of solid rock slopes or other special conditions, the planning commission will accept the recommendation of the County Road Superintendent or Engineer.

5. Inspections: During the construction of any subdivision roads in the area of planning jurisdiction the developer and/or his contractor shall be required to keep the Road Superintendent or Engineer advised as to the progress being made. Such roads shall meet or exceed the standards required by these subdivision regulations adopted by Sevier County. In addition, the following inspections and/or approvals by the Sevier County Road Superintendent or Engineer shall be required:

   (a) After clearing and stripping.

   (b) Approval of the drainage plan.

   (c) After grading and drainage are completed.

   (d) After the stone base is in place, and

   (e) During and after application of all asphalt materials.

The developer or his representative will be responsible for notifying the Road Superintendent or Engineer for each inspection. When the plat is submitted to the regional planning commission for final approval, the Road Superintendent or Engineer shall make a final inspection. His findings and recommendations as to approval of the roads shall be reported in writing to the regional planning commission. In lieu of road improvements being completed upon request for final approval of the plat, the regional planning commission shall ask the advice of the Road Superintendent or Engineer in regard to the amount of the bond, certified check, or other means of guarantee shall not be released by the regional planning commission until the recommendations of the Road Superintendent or Engineer have been obtained as to the acceptability of the roads upon completion of construction.

C. Storm Water Control, Water Course Protection, and Erosion Control

A drainage plan shall be submitted as a part of the subdivision design plan indicating the direction of flow of all storm water runoff. The following improvements or information shall be required and shown on the drainage plan.

Storm Water Control. An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional drains, open inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size of openings to be determined by Talbott's formula (Appendix I), but in no case shall the pipe be less then fifteen (15) inches. Cross drains shall be built on straight line and grade and shall be laid on a firm base, but not on rock. 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. Where installed by the developer driveway cross drains shall be no less than fifteen (15) inches.

Watercourse Protection. The definition of watercourse is any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed or banks, and shall include any area adjacent thereto subject to inundation by reason of overflow of surface water.

All watercourses shall be maintained in order to carry storm water from adjacent properties or public rights-of-way. The filling of any watercourse is prohibited unless the subdivider can successfully demonstrate that an alternative approach will meet the intent of this section. The county highway department shall approve any alternative plan and the filling of any existing watercourse.

Erosion Control. Effective erosion control measures shall be required during construction to eliminate sedimentation on public rights-of-way or watercourses. The use of straw bales or silt fencing is typically the most prevalent, however other suitable methods will be permitted.

D. Road Design Standards

1. Pavement Base

After preparation of the subgrade, (minimum compaction of 95%) the roadbed shall be surfaced with material required by local standards; but of not lower classification than crushed rock, stone or gravel. The size of the crushed rock or stone shall be that generally known as "crusher run stone" from two and one-half inches down including dust sufficient to bond stone together. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not be dumped in piles. After spreading, the stone shall be rolled until thoroughly compacted and bonded together. The compacted thickness of the stone roadway shall be as follows:

Residential 6"
Commercial 8"
Industrial 10"

The pavement base shall extend two feet wider than the required surface width on both sides of the street. When ditches or swells are used in lieu of curbs, the two foot shoulder shall be back filled with crushed stone to the top of the wearing surface.

2. Prime Coat

After a thoroughly compacted base has been established, a prime coat shall be applied as specified in Appendix II of these regulations.

(Article VI, D, 3 amended by resolution 2002-01, effective 09/17/02)

3. Binder

A binder course consisting of asphalt concrete (307-B) shall be required for all roadways as follows:

Residential 2.0"
Commercial 3.0"
Industrial 3.0"

(Article VI, D, 4 amended by resolution 2002-01, effective 09/17/02)

4. Wearing Surface

The wearing surface shall meet specifications as provided in Appendix III and the following thickness:

Residential 1.5"
Commercial 2.0"
Industrial 2.0"

5. Minimum Pavement Widths and Cross Section

Minimum pavement widths between curbs shall be as follows:

a.	Primary Residential Streets	22 feet
	Minor Residential Streets	20 feet

b.	Marginal Access Streets	
	(Greater than 1,200' or serving more than 24 lots)	20 feet
	(1,200' or less in length or serving not more than 24 lots)	18 feet
c.	Loop Streets	
	(Greater than 1,200' or serving more than 24 lots)	20 feet
	(1,200' or less in length and serving less than 24 lots)	18 feet
d.	Cul-de-sac	
	(Greater than 1,200' serving more than 24 lots)	20 feet
	(1.200' or less in length and serving not more than 24 lots)	18 feet
	(500 or less in length and serving not more than 5 lots)	16 feet
e.	Collector streets (major and minor)	26 feet
f.	Commercial & industrial roads	28 feet
g.	One Way Streets	14 feet

See Illustration 5 in Appendix IV for typical roadway section.

6. Radii at Street Intersections

As stated in Article III Section A.12., the property line radii at street intersections shall not be less than twenty five (25) feet, and where the angle of street intersection is less than seventy-five (75) degrees, a greater curb radius may be required. 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 property line as such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

7. Wearing Surface Width on Curves

The wearing surface width on curves shall not be less than twenty two (22) feet.

8. Curbs and Gutters

The subdivider may provide permanent six (6) inch concrete curbs with twenty-four (24) inch integral concrete gutters; standard rolled curb and gutters; or other construction approved by the planning commission after consulting with the county road superintendent.

E. Sidewalks

Sidewalks, if constructed, shall be located not less than one (1) foot from the property line to prevent interference of encroachment by fencing, walls, hedges, or other planting or structures placed on the property line at a later date. In single-family residential areas, concrete sidewalks shall be four (4) feet wide and four (4) inches thick. In multi-family or group housing developments, sidewalks shall be five (5) feet wide and four (4) inches thick.

F. Installation of Utilities and Driveways

After grading is completed and approved and before any base is applied, all of the underground works (water mains, gas mains, etc.) and all service connections for sewer and underground electric service shall be installed completely and approved throughout the length of the road and across the flat section of the right-of-way. All driveways for houses to be built by the developer shall be cut and drained.

G. Water Supply System

The provision of a public water supply is deemed by the planning commission to be essential to the public welfare in the case of all development contemplating the growth of homes in close proximity to each other. Accordingly the provision of a public water supply system will be required in all subdivisions containing lots of less than twenty eight thousand (28,000) square feet and/or lots of less than fifty (50) feet in width at the building setback line. An exception may be granted in the case where a single small parcel is separated from a larger tract without the intention of further subdivision.

The water supply system shall be constructed to serve all lots shown on the subdivision plat with water for both domestic use and fire protection. Fire hydrants shall be installed where sufficient size line exists. No subdivided lot shall be more than one thousand (1000) feet from a hydrant when they are installed in the development.

H. Sanitary Sewers, Septic Systems, and Alternative Septic Systems

When a public sanitary sewer service is available, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system.

Where lots cannot be economically connected with a public sanitary sewerage system, they must contain adequate area for the installation of an approved septic tank and disposal fields and must be approved in writing by the Sevier County Director of Environment. The planning commission shall accept alternative septic systems upon the approval of the Sevier County Director of Environment. Experimental systems must have the approval of the State Division of Ground Water Control.

I. Street Name Signs & Regulatory Warning Signs

Signs shall be installed by the developer and appear at all intersections in new residential subdivisions and commercial/industrial developments including intersections with county roads. Appropriate regulatory and warning signs shall be installed as is needed and shall conform to Uniform Traffic Control Manual guidelines.

J. Requirements for Acceleration and Deceleration Lanes

In order to provide for the safe and orderly movement of traffic on existing streets, the Sevier County Regional Planning Commission may require a developer to construct such lanes for acceleration and Deceleration upon the recommendation of the County Road Superintendent. The Superintendent's recommendation will be based on the existing road widths, average daily traffic and safety conditions of the area.

K. Electric Transmission Lines

The subdivider shall provide for the necessary major electric distribution lines throughout the subdivision, serving all lots shown on the subdivision plat, and adhering to the installation requirements of the responsible electric utility. Certification by the electric company that improvement guarantees are in place shall be sufficient for final plat approval.

(Article IV, L, amended by resolution 98-01, 10/13/98)

L. Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the planning commission or accepted for record by the county register of deeds until one of the following two conditions has been met:

1. All required improvements have been constructed in a satisfactory manner and approved by the regional planning commission.

2. In the case of publicly dedicated improvements only, the regional planning commission has accepted a letter of credit, security or performance bond from an approved surety or financial

institution. Other forms of financial guarantee such as a certified check or escrow account, may be accepted upon review and approval of the county attorney. The amount of the bond or other security shall be equal to the estimated cost of installation of the required improvements, in order to insure that the required public improvements may be made and utilities installed without cost to Sevier County in the event of default by the subdivider. The conditions of such security or performance bond shall provide for the installation of the improvements covered by such bond within a period of not to exceed eighteen (18) months; provided however, that such period may be extended by the regional planning commission with the consent of the parties thereto if the regional planning commission finds that the public interest will not be adversely affected by such extension. If the regional planning commission should decide at any time during the performance bond that the extent of the building development that has taken place in the subdivision is not sufficient to warrant all the improvements covered by such performance bond, that the required improvements have been installed as provided in this section in sufficient amount to warrant reduction in the face amount of said bond, or that the character and the extent of such development require additional improvements for any or all such improvements; then the face value of such performance bond shall thereupon be reduced or increased by an appropriate amount so that the new face amount will cover the cost in full of the amended list of improvements.

Any owner or agent of any land may sell, transfer, or agree to sell any lot or lots shown on a plat having been preliminary approved by the regional planning commission; provided the owner or agent post an acceptable letter of credit, performance or security bond guaranteeing to the public the actual construction and installation of the necessary improvements within the specified time period. Sale of subdivision by auction does not exempt the subdivider from posting acceptable security in lieu of completed improvements; however, if a parcel is sold as a whole and the original subdivision plat approval(s) voided, the security or performance bond may be immediately released by the regional planning commission.

(Article III, M, amended by resolution 98-01, 10/13/98)

M. Bridges and Similar Crossing Structures

All bridges and similar crossing structures shall be designed, constructed under the supervision of, and certified by an engineer licensed and registered by the State of Tennessee. The design of all said structures shall conform with sound and recognizable engineering principals, standards, and practices; and where applicable shall be in accordance with the most recent edition of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction". The developer shall also be responsible for obtaining, and submitting copies to the planning commission, of all necessary state or federal permits associated with the construction of said structures.

ARTICLE V

ENFORCEMENT AND PENALTIES FOR VIOLATIONS

A. General

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land are provided by state law in the authority granted by Public Acts of the State of Tennessee.

B. Enforcement

1. No plat or plan of a subdivision of land into two or more lots located within the area of planning jurisdiction shall be admitted to the land records of Sevier County or received or recorded by the County Registrar until said plat or plan has received final approval in writing by the planning commission, as provided in Section 13-3-402, Tennessee Code Annotated.

2. No board, public officer, or authority shall light any street, or lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted, opened or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the planning commission, as provided in Section 13-3-406, Tennessee Code Annotated

C. Penalties

1. No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-3-402, Tennessee Code Annotated, and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

2. Section 13-3-410, Tennessee Code Annotated, provides that whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell, such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the planning commission and obtained its approval as required before such plat be recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by the law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The county, through its county attorney or other official designated by the county commission, may enjoin such transfer or sale or agreement by action for injunction.

3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the building commissioner or solicitor of the county or other official designated by the chief legislative body and/or the county attorney or other official designated by the county commission may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-3-411, Tennessee Code Annotated.

ARTICLE VI

ADOPTION AND EFFECTIVE DATE

A. Before adoption of these subdivision regulations, a public hearing as required by Section 13-3-403 and 13-4-303, Tennessee Code Annotated, was afforded any interested person or persons. Notice of such hearing was announced in a local paper, being of general circulation within the area of planning jurisdiction, and stating the time and place for the hearing.

B. These rules and regulations and any amendment thereto shall be in full force and effect from and after their adoption and effective date.

Sevier County Regional Planning Commission:

Chairman	Adopted:	Public Hearing

Secretary

APPENDICES

APPENDIX I

TALBOTT'S FORMULA

TALBOT'S FORMULA

FULL CIRCLE DRAINAGE TABLE

This chart is based on Talbot's Formula for determining correct culverts sizes for the area to be drained:

Diameter of Culvert in Inches	Area of Waterway Opening in Sq. Ft.	Acres of Mountainous Country	Acres of Rolling Country	Acres of Level Country
15	1.227	1	6	11
18	1.767	2	9	18
24	3.142	5	20	39
30	4.909	8	36	71
36	7.068	14	59	115
42	9.621	20	89	175
48	12.556	29	125	250
54	16.000	40	175	345
60	19.635	55	230	455
66	23.760	70	295	585
72	28.274	85	375	735
78	33.183	105	460	910
84	38.484	130	560	1110

MULTIPLE CULVERT INSTALLATION

This table shows the number of smaller diameter culverts equal in water carrying capacity to that of the one culvert of larger size. It is based on culverts laid on the same slope. Example: One 24" diameter culvert is equivalent to three 15" inch culverts or two 18" culverts in water carrying capacity.

Diameter in Inches	15"	18"	21"	24"	30"	36"	42"	48"	54"
15"	1								
18"	1.5	1							
21"	2.2	1.4	1						
24"	3	2	1.4	1					
30"	5	3	2.3	1.7	1				
36"	8	5	3.5	2.6	1.5	1			
42"	11	7	5	3	2.2	1.4	1		
48"	15	10	7	5	3	1.9	1.4	1	
54"	19	13	9	6.5	4	2.6	1.8	1.3	1
60"	25	16	11	8	5	3.3	2.3	1.7	1.3
66"	29	20	14	10	6	4	2.8	2	1.6
72"	37	25	17	12	7.5	5	3.5	2.5	1.9
84"	53	35	25	18	11	7	5	3.6	2.8

APPENDIX II
PRIME COAT REQUIREMENTS

PRIME COAT REQUIREMENTS

After a thoroughly compacted and broomed base has been established, a prime coat shall be applied as follows: Between April and November 15 at a temperature of 35 degrees or above, tar grade RT-2 or RT-1 inclusive, or MC-1 or MC-2, shall be applied at the rate of four-tenths (4/10) gallon per square yard of base surface. The stone chips graded from one-half (1/2) inch down to number eight (8) with no dust shall be applied at the rate of ten (10) to fifteen (15) pounds per square yard, rolled until thoroughly compacted and left to cure for such time as the road superintendent or engineer may direct but not less than seven (7) days.

APPENDIX III
ONE COURSE ASPHALTIC CONCRETE WEARING SURFACE (PLANT MIXED)

ONE COURSE ASPHALTIC CONCRETE WEARING SURFACE (PLANT MIXED)

Description:

This wearing surface shall consist of aggregate and bituminous material 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 accepted drawings.

Materials:

1. Liquid asphalt for the tack coat shall be grade RC-2.
2. Asphalt cement to be used in the asphaltic concrete shall be uniform in character, free from water and shall not foam when heated to 350° F., and shall meet the following requirements for penetration:
Penetration at 77° F., 100 grams, 5 seconds - 100 to 120
No mineral matter other than that naturally contained in the asphalt shall be present.
3. Aggregate shall consist of fine gravel and sand, dis-integrated granite, or other similar granular materials. The portion of the material retained on a No. 4 sieve shall be known as coarse aggregate, and that portion passing a No. 4 sieve shall be known as filler.
4. The materials shall be graded and proportioned as follows:

Sieve Designation	Passing Square Mesh Sieve
1 inch	100
3/4 inch	85-100
No. 4	60- 95
No. 10	45- 80
No. 200	5- 15
Asphalt by Weight	4 - 8

Construction Methods:

1. Apply Tack Coat: Immediately before placing the bituminous mixture, the existing surface shall be cleaned of loose or deleterious material by sweeping with a power broom and hand broom. The surface shall be thoroughly dry before applying the tact coat. When the existing surface has been put in proper condition, a tack coat shall be applied to the surface at the rate of 0.1 gallon per square yard by a power distribution of approved type, 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.
The finished thickness shall not be less than two (2) inches and shall not weigh less than two hundred twenty (220) pounds per square yard per inch of compacted thickness.

2. Spreading and Finishing: Where cement, concrete, or masonry edging is not specified on the accepted plans, suitable side forms or wood or steel shall be firmly fastened in place and shall be true to line and grade as shown on the accepted plans. These forms shall remain in place until initial compaction has been obtained. The bituminous mixture shall be delivered on the job at a temperature of not less than 250° F. Whenever practical, the mixture shall be spread by means of an approved mechanical self-powered paver, capable of spreading the mixture true to the line and grade and crown as shown on the accepted plans and cross sections. When the mixture is to be spread by hand, it shall be deposited outside the area on which it is to be spread. Immediately thereafter it shall be distributed into place by means of hot shovels and spread with hot rakes in a loose layer of uniform density and correct depth. Loads shall not be dumped and distributed any faster than they can be properly handled by the

shovelers and rakers. The raking shall be carefully and skillfully done in such a manner that after the first passage of the roller over the raked mixture a minimum amount of back patching will be required.

Placing of the mixture shall be as 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.

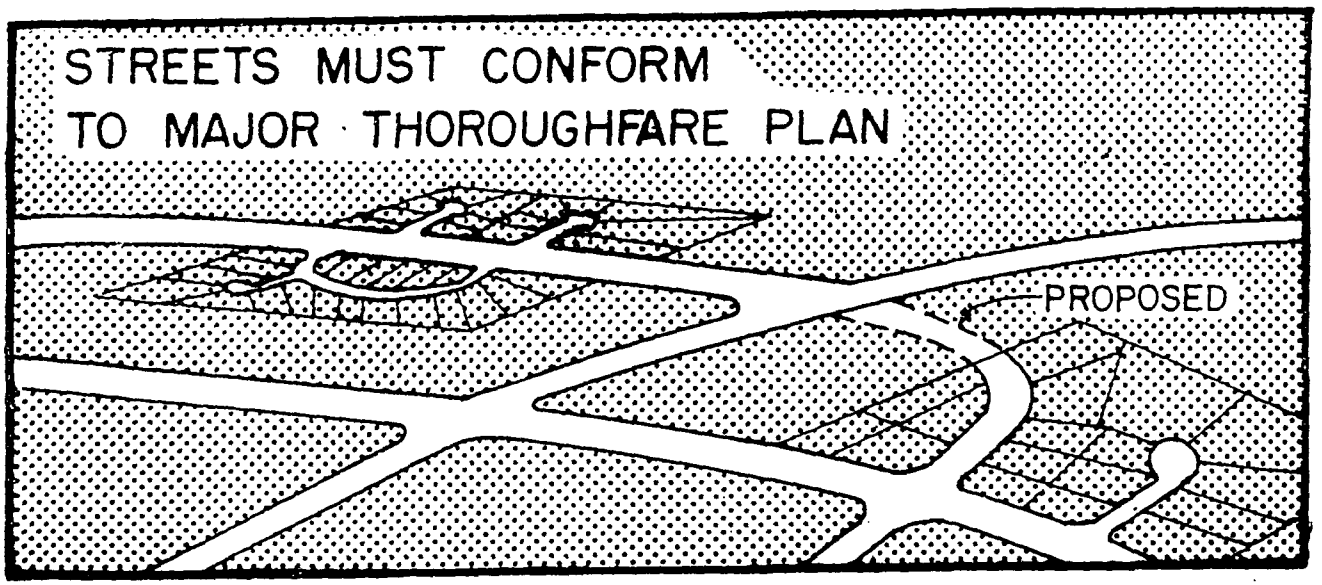
Longitudinal and transverse joints shall be well-bonded and sealed. If necessary to obtain this result, the joints shall be cut back to the full depth of the previously laid course, painted with hot asphalt, and heated. Before placing the mixture against them, all contact surfaces of curbs, gutters, 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 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 width of the rear wheel. The pavement shall then be rolled diagonally in two directions with a tandem roller, weighing not less than ten (10) tons, the second diagonal rolling shall cross the lines of the first. Along curbs, headers, manholes, and similar structures and at all places not accessible to the roller, thorough compaction must be secured by means of hot tampers and at all contacts of this character the joints between these structures and the surface mixture must be effectively sealed.

3. Seasonal Limits: No asphalt material shall be laid when the temperature of the air is 50^{o} F. and falling nor during unfavorable weather conditions.

APPENDIX IV
ILLUSTRATIONS

ILLUSTRATION 1

MINIMUM STANDARDS OF DESIGN



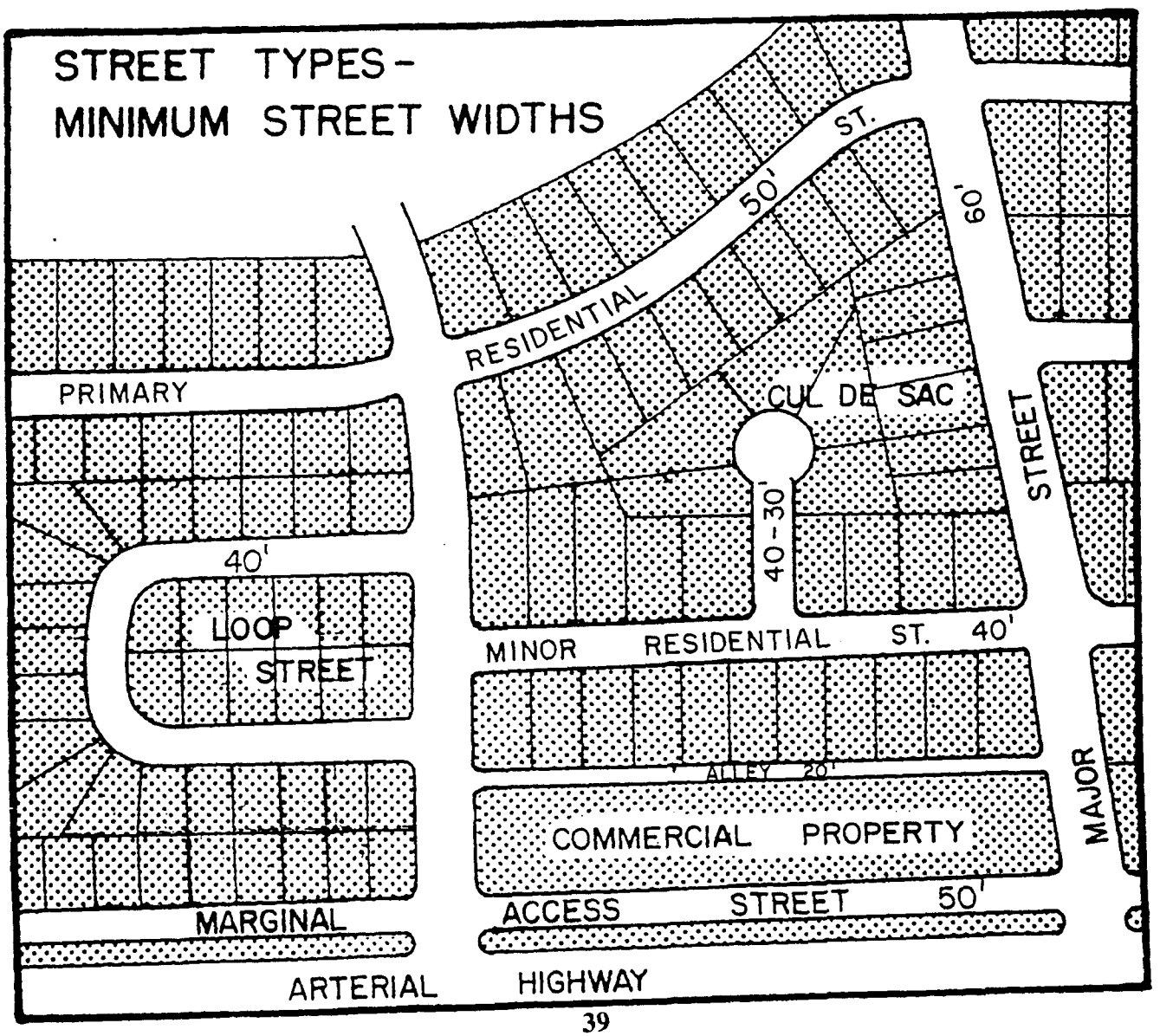
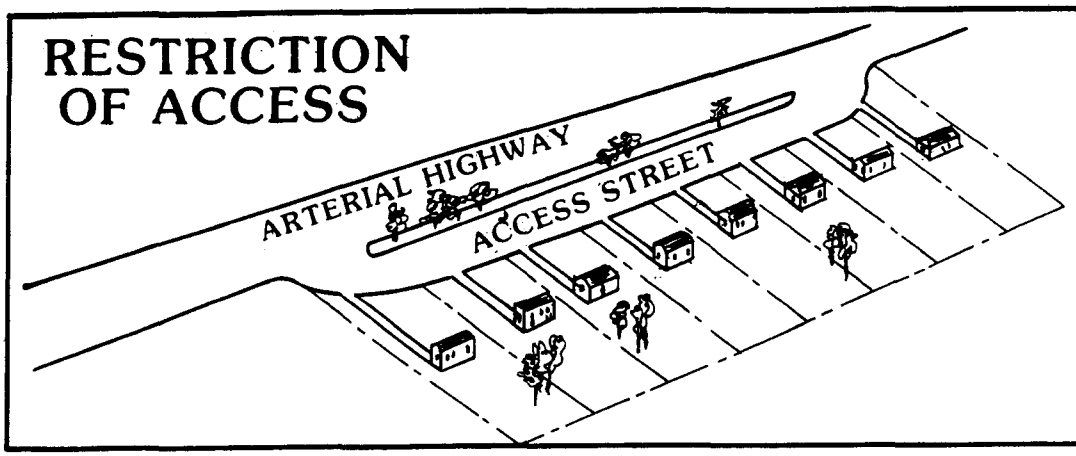
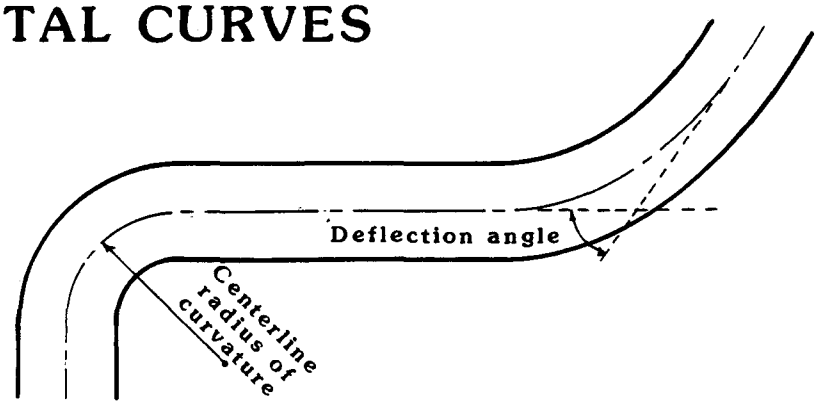


ILLUSTRATION 2

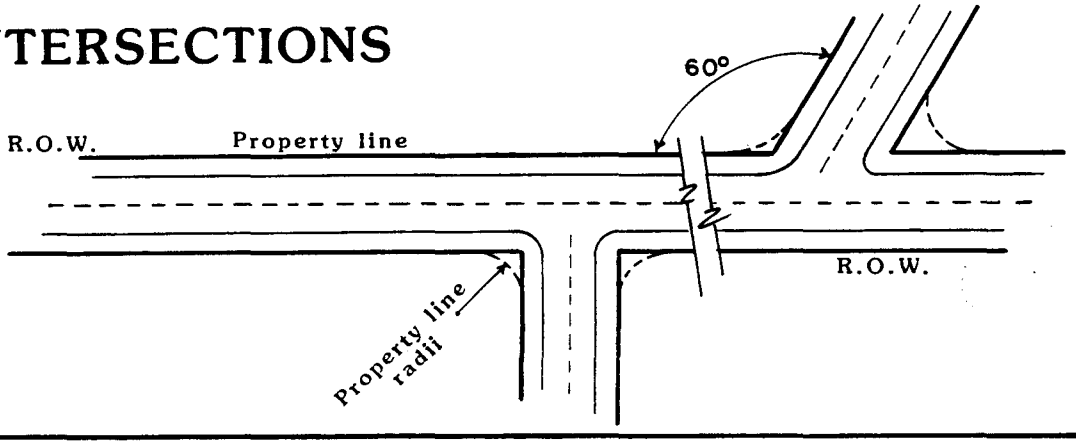
RESTRICTION OF ACCESS



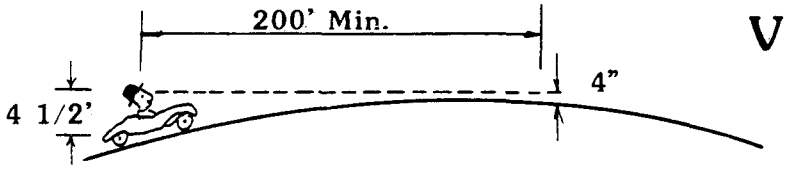
HORIZONTAL CURVES



INTERSECTIONS

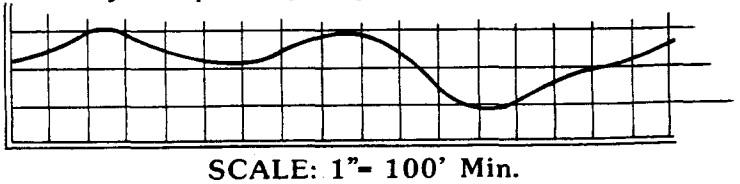


VERTICAL CURVES



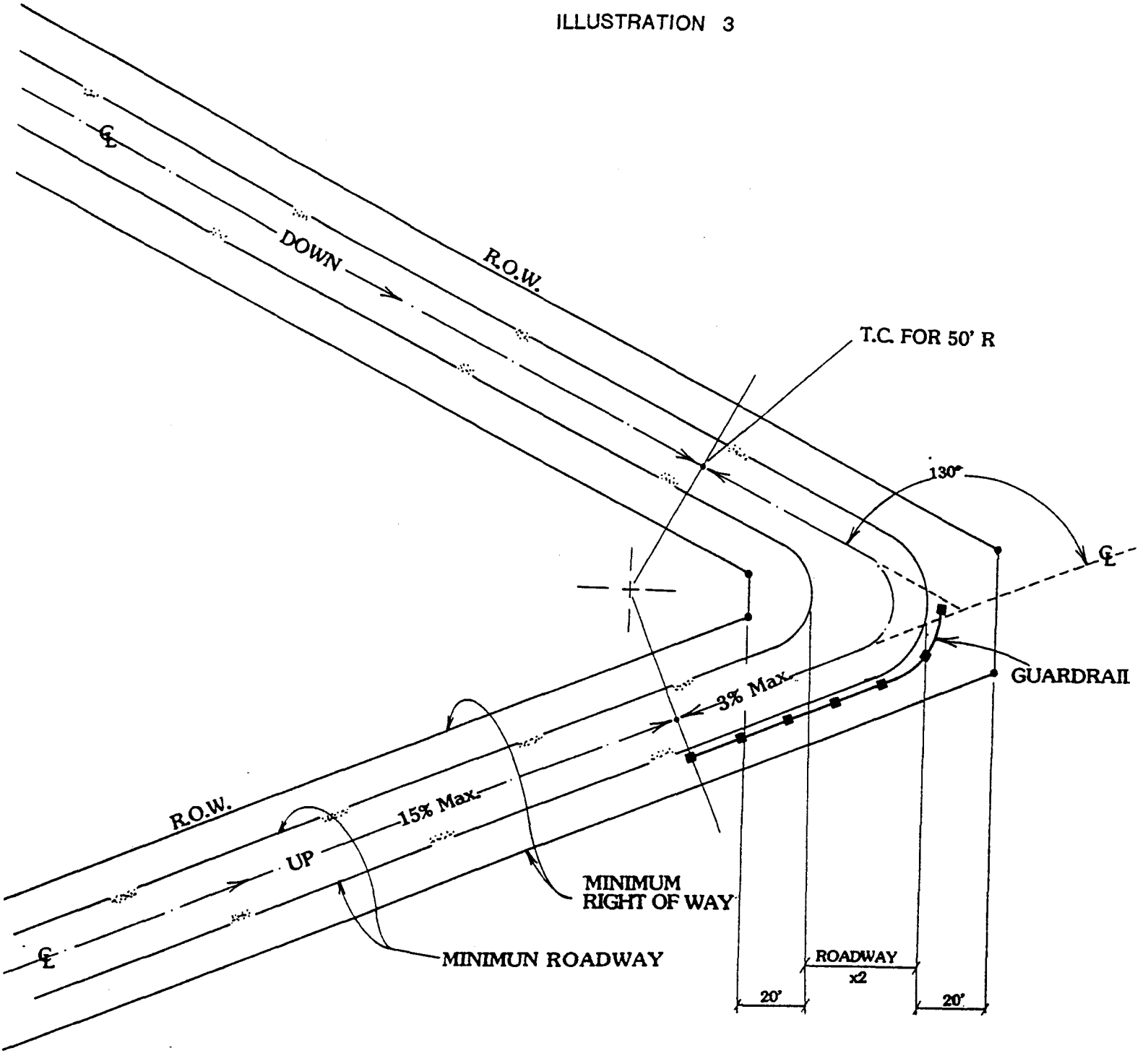
Profiles of all streets may be required by the planning commission.

SCALE: 1"= 20' Min.



SCALE: 1"= 100' Min.

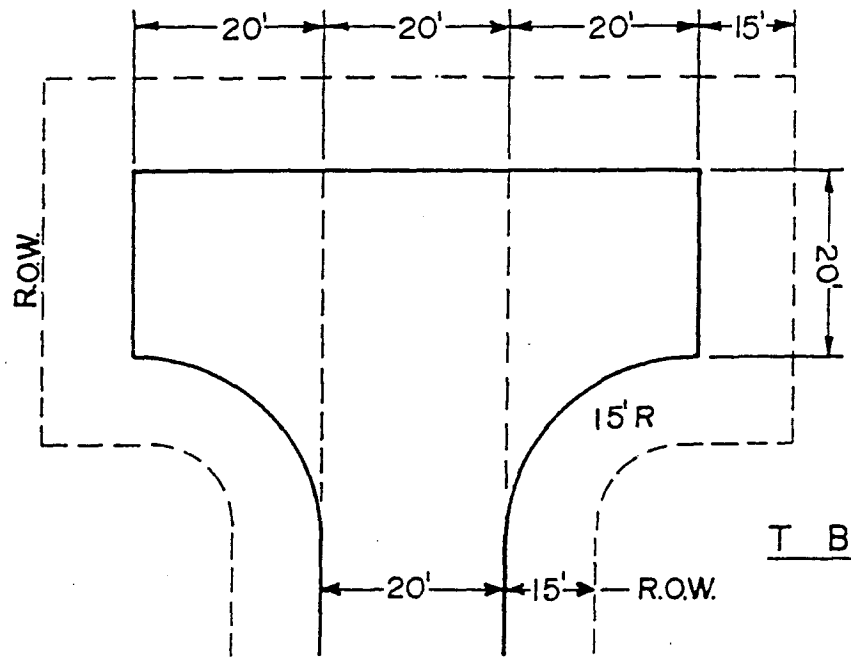
ILLUSTRATION 3



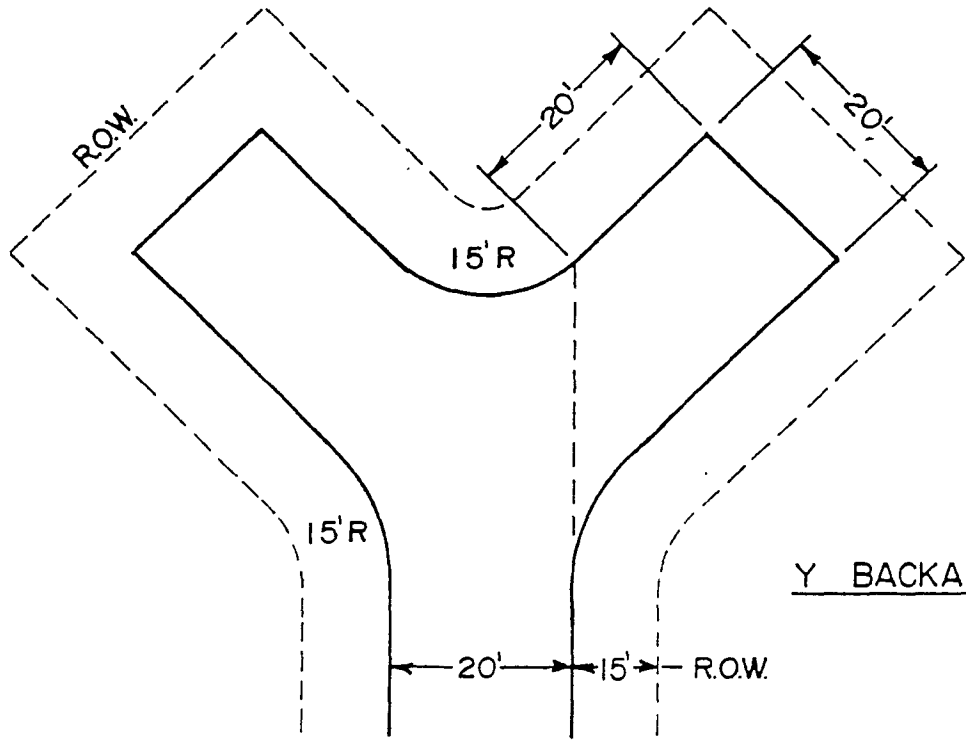
SWITCHBACK

ILLUSTRATION 4

T & Y BACKAROUND



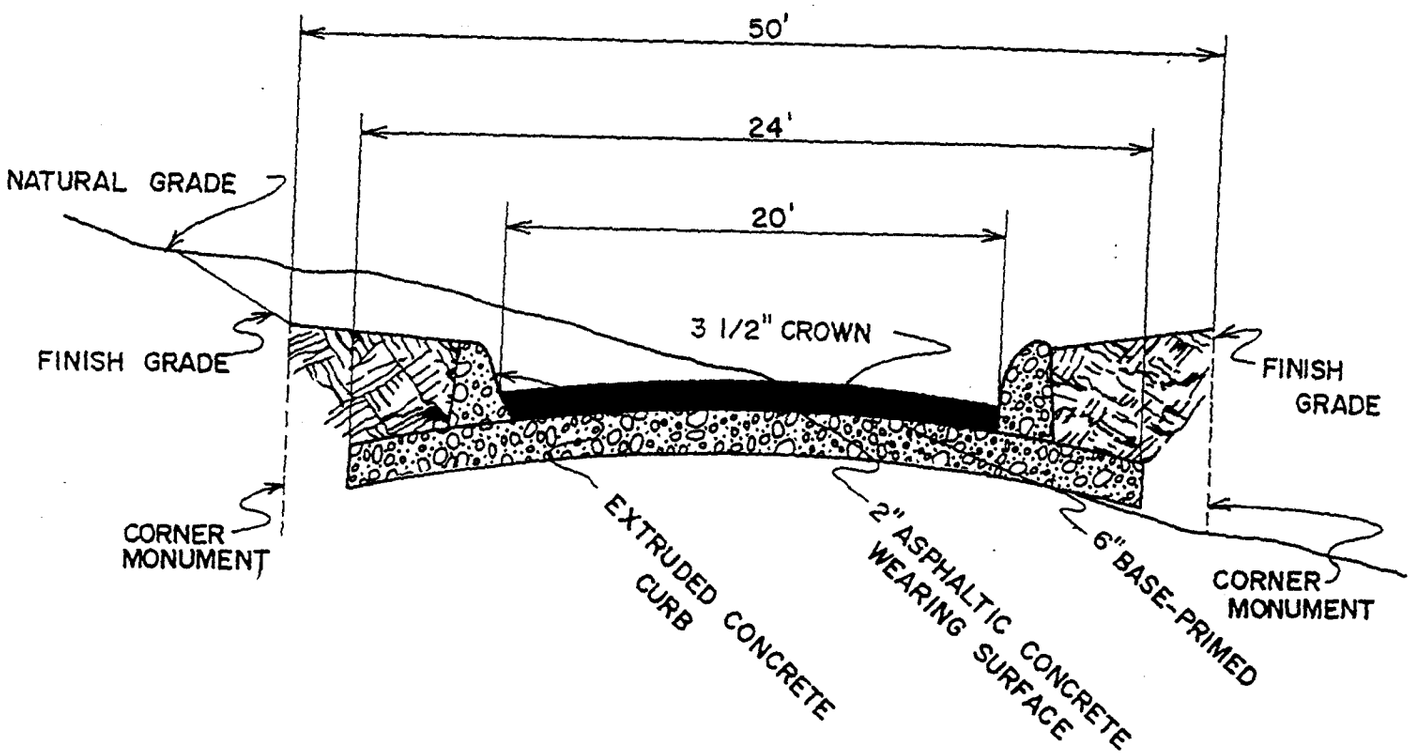
T BACKAROUND



Y BACKAROUND

ILLUSTRATION 5

TYPICAL
ROADWAY CROSS SECTION



Note: Curbs are not required. A two foot compacted shoulder is required if curbs are not used.