

MUNICIPAL
SUBDIVISION REGULATIONS

OF

**TOWNSEND,
TENNESSEE**

March 8, 2018

SUBDIVISION REGULATIONS

PREPARED BY THE

TOWNSEND

MUNICIPAL PLANNING COMMISSION

Amended February 26, 2009

Reprinted April 2018

TABLE OF CONTENTS

ARTICLE

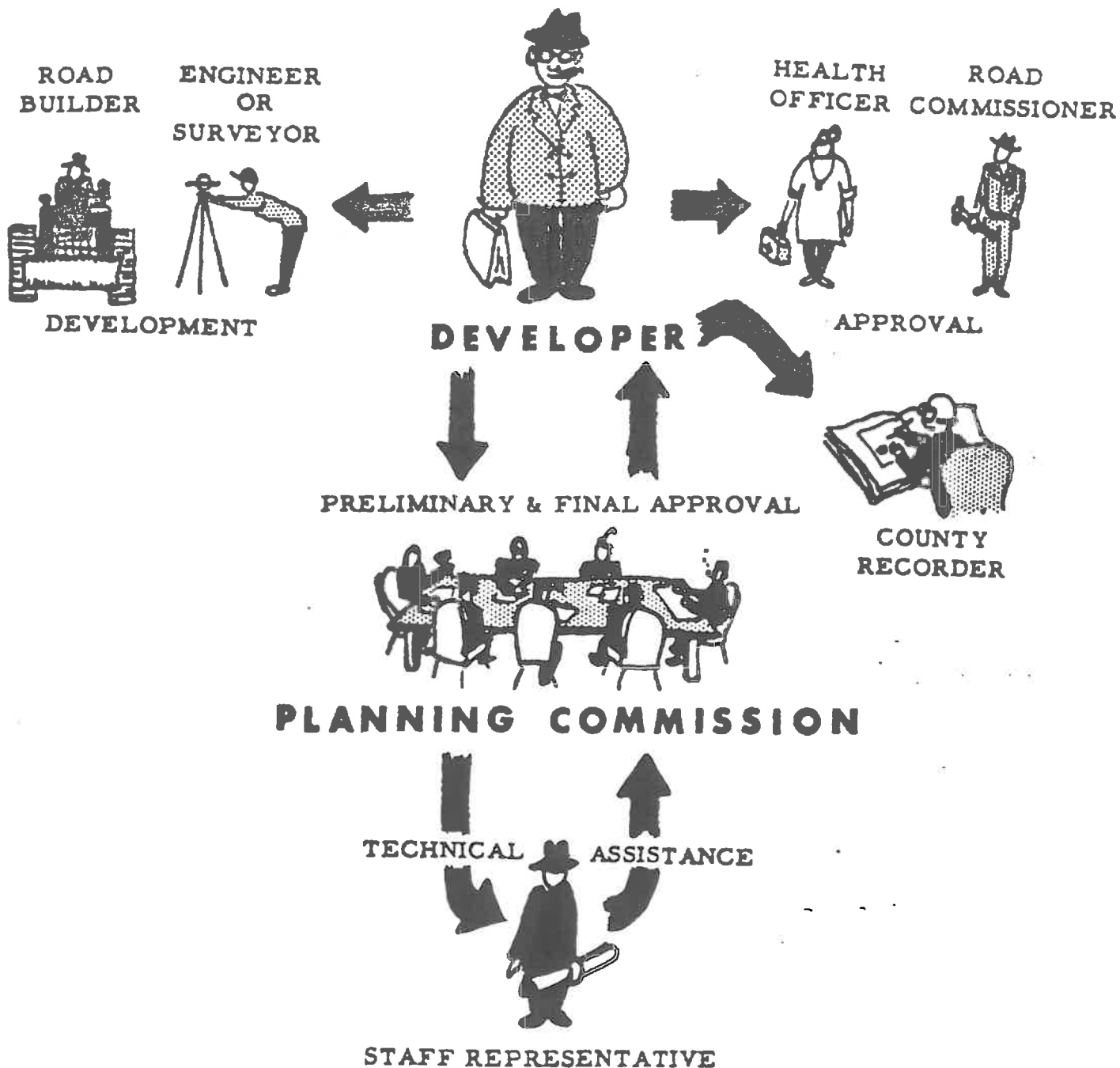
I.	PURPOSE, AUTHORITY AND JURISDICTION	4
A.	Purpose	4
B.	Authority	4
C.	Jurisdiction	4
II.	PROCEDURE FOR PLAT APPROVAL	5
A.	General	5
B.	Preliminary Plat	6
C.	Final Plat	11
III.	GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN	16
A.	Streets	16
B.	Blocks	32
C.	Lots	32
D.	Building Setback Lines and Yard Requirements	34
E.	Public Use and Service Areas	34
F.	Suitability of the Land	36
G.	Large Tracts or Parcels	37
H.	Variances	38
I.	Zoning or Other Regulations	38
IV.	DEVELOPMENT PREREQUISITE TO FINAL APPROVAL	39
A.	Required Improvements	39
B.	Guarantee in Lieu of Completed Improvements	41
V.	REGULATIONS FOR REVIEW AND APPROVAL OF MINOR SUBDIVISIONS	44
VI.	ENFORCEMENT AND PENALTIES FOR VIOLATIONS	45
A.	Enforcement	45
B.	Penalties	45
VII.	ADOPTION AND EFFECTIVE DATE	46

TABLE OF CONTENTS
(Continued)

APPENDICES:		47
APPENDIX A	FINAL PLAT CERTIFICATIONS	48
APPENDIX B	TALBOT'S FORMULA	50
APPENDIX C	MULTIPLE CULVERT INSTALLATION	51

WHO'S INVOLVED

IN LAND SUBDIVISION STANDARDS



ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

1. Are subdivision regulations fair to everyone?

Yes, the written regulations provide the local planning commission with uniform procedures, standards of design and construction by which to appraise equally and fairly all plats for land subdivision.

2. Who is affected by the regulations?

Every owner of land within the planning region who divides large tracts of land into smaller parcels greater than 5 acres in size whether for building purposes or not, or who subdivides land into tracts less than 5 acres in size, or changes the size or shape of existing lots.

3. Am I affected if I re-subdivide my tracts into two parcels?

Yes, “subdivision” means the division of a tract or parcel of land into two or more lots, site, or divisions for immediate or future sale or building development, and includes re-subdivision.

4. What’s to prevent me from recording a subdivision plat without approval?

The county registrar of deeds is prevented by law from recording land subdivision lying within planning regions without final approval in writing.

5. Can I sell an unapproved plat and then record my lots by metes and bounds?

No. State law prohibits selling a lots of an unapproved plat or to use an unapproved subdivision plat even if metes and bounds description is used in the instrument of transfer or sale.

6. What happens if I sell unapproved and unrecorded lots from my subdivision?

- a. A state law has been broken (Section 10, Chapter 22, Public Acts of 1951).
- b. Some cloud would exist on the title of the lot.
- c. Most lending agencies will not approve or guarantee loans.
- d. State law requires that public bodies shall not extend sewers, water mains, lighting or other utilities in unauthorized roads.
- e. Where zoning is in effect, a building permit to construct any building will be withheld.
- f. Any building or structure erected in violation may be forced to be vacated or removed.
- g. The legislative body of a county or municipality may stop sales by injunction or other legal action.

7. Where can I get technical site planning assistance?

Although they will not prepare final plans for you, trained planners are available at the Planning Assistance Service of the East Tennessee Development District in Alcoa, Tennessee.

8. Why doesn't the lot buyer instead of the developer pay for improvements?

The lot buyer does – at the time he purchases his property. If lots are sold before improvements are in, the community bears the expense of providing needed improvements that should have been originally planned for and installed by the developer.

9. Won't subdivision regulations cause expensive development and cost me a lot of money?

Properly planned subdivisions make the most of land with a minimum of construction and operating cost. Good design takes advantage of all capabilities of the site and results in a minimum amount of streets and utilities with a maximum number of well-arranged and easier sold lots. Good land subdivision affects the values of the land and the immediate return to the investor, while saving the developer money.

10. How do I go about having a subdivision approved?

The Townsend Municipal Planning Commission printed set of regulations includes the procedure for having a plat approved. The planning commission meets at regular intervals and your preliminary sketch is submitted in advance of the meeting at which it is to be considered. It is suggested that you consult your planning commission early so as to become familiar with plans that might affect your area.

11. What if I wish to lay out a commercial or industrial subdivision?

The provisions of subdivision regulations apply to all subdivision of land, including that for use of business and industry. Since space, parking and service requirements will vary greatly, it is impossible to establish standards for all types of uses. For that reason, specific requirements for lot sizes and area are set forth for residential areas.

SUBDIVISION REGULATIONS OF THE
TOWNSEND MUNICIPAL PLANNING COMMISSION
(Hereafter referred to as the Planning Commission)

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 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 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.

The following subdivision regulations guiding the planning commission are designed to provide for the harmonious development of the municipality and to secure a coordinated layout and adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities.

B. Authority

These regulations are adopted under the authority granted by Sections 13-4-301 through 13-4-310, Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations. A certified copy of the Townsend, Tennessee, Major Road Plan was filed in the office of the Registrar of Blount County, Tennessee on 1/17/86. (*Resolution 2018-01*)

C. Jurisdiction

These regulations shall govern all subdivision of land within the corporate limits of Townsend, Tennessee, as now or hereafter established. Within these regulations the term "subdivision" shall mean the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of five (5) acres or less for the purpose, whether immediate or future, of sale or building development and includes re-subdivision and when appropriate to the context, relates to the process of re-subdividing or to the land or area subdivided. The term "road" shall mean, relate to and include roads, streets, highways, avenues, boulevards, parkways, lanes or other ways or any part thereof. The term "plat" shall mean plat, plan, plot or replot. The term "planning commission" shall mean any municipal planning commission as provided by law. Any prospective subdivider owning land located within the Townsend corporate limits shall submit a subdivision plat to the Townsend Municipal Planning Commission. The plat is to be submitted according to the procedures outlined in Article II. The plat shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV of these regulations.

ARTICLE II. PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of two separate steps. The initial step is the preparation and submission of a preliminary plat of the proposed subdivision to the planning commission. The second step is the preparation and submission to the planning commission of a final plat together with required certificates. The final plat becomes the instrument to be recorded in the office of the county registrar when duly signed by the secretary of the planning commission.

A. General

1. Any owner of land lying within the area of jurisdiction of the planning commission wishing to divide such land into two or more lots, sites, or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to re-subdivide for this purpose shall submit a plan of such proposed subdivision to the planning commission for approval and shall conform to the minimum standards of design of the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following section of this Article. No plat of a subdivision of land within the corporate limits shall be filed by the county registrar without the approval of the planning commission as specified herein.
2. The subdivider should consult early and informally with the planning commission and its planning staff for advice and assistance before the preparation of the preliminary plat and its formal application for approval. This will enable the subdivider to become thoroughly familiar with these regulations, the Major Road Plan, and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.
3. A subdivider may omit the submission of a preliminary plat, submitting only a final plat if the following conditions are met:
 - a. All public improvements as set forth in Article IV are already installed. Any construction, installation, or improvements of any public improvements shall require the submission of a preliminary plat as prescribed by Section B of Article II.
4. All subdivision plats and the traverse on which they are based shall meet the requirements established in the "Standards of Practice" adopted by the Tennessee Board of Examiners of Land Surveyors.

5. Vesting Property Right

A vested property right shall be established for subdivision plats approved by the Planning Commission so that the subdivision regulation standards that were in effect at the time of plat approval will remain in effect for the vesting period. For preliminary plats, the vesting period shall be three (3) years following approval, provided that any required improvements are initiated during the vesting period, an additional two (2) years shall be added following final plat approval, provided the initial vested period is in good standing. All applicable provisions and remedies of Section 13-4-310 of the *Tennessee Code Annotated* shall apply to subdivision plats within the jurisdiction of the Townsend Municipal Planning Commission. (*Resolution 2018-02*)

B. Preliminary Plat

1. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the secretary of the planning commission or the planning staff six (6) paper copies and one (1) electronic of a preliminary plat of the proposed subdivision in order to allow the planning commission, planning staff, and utilities personnel time to review and prepare recommendations. The subdivision plat shall be drawn to a scale of not less than one inch equals on hundred (100) feet. The submission of the preliminary plat to the secretary shall not constitute submission of the preliminary plat for consideration by the planning commission. The official date of submission shall be that date on which the planning commission first reviews the preliminary plat at a meeting. *(Resolution 2018-03)*
2. The preliminary plat which 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:
 - a. The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plat who shall be a licensed or certified surveyor in the State of Tennessee. *(Resolution 2018-04)*
 - b. Date, approximate north point, and graphic scale.
 - c. The location of existing and platted property lines, designated lot numbers, lot areas for each lots, streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements; the present zoning classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions. *(Resolution 2018-05)*
 - d. A construction plan which shall include: (1) a complete drainage plan showing all improvements including all proposed streets, easements, storm sewers, swales, ditches, reserved areas and lot drainage; (2) a plan and profile of all streets showing typical cross sections of proposed roadways, swales and ditches as well as both existing and proposed finished grades of paved rights-of-ways and special ditches, and details of all structures which are part of the physical improvements in the subdivision. All proposed drainage facilities including manholes, catch basins, junction boxes, pipe storm drains, ditches, and other drainage facilities including headwalls shall be shown on the plan and profile.
 - e. A location map showing relation of the subdivision to well-known highways, railroads, and water courses in all directions to a distance of at least one-half miles. Suggested scale; one inch equals 2,000 feet.

- f. Plans of proposed utility layouts 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 county health department.
 - g. The names, locations, widths, and other dimensions of the proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines, and setbacks.
 - h. Contours at vertical intervals of not more than five feet, except when specifically not required by the planning commission.
 - i. The acreage of the total land to be subdivided.
 - j. Surveyor's *signed* seal and certification as to the class of survey and the ratio of precision of the unadjusted survey. (Up to 1 : 7,500) (*Resolution 2018-06*)
 - k. If any portion of the land being subdivided is subject to flood or below the elevation of the high water profiles, the area subject to flood shall be shown. **A plat note stating whether the property shown on the plat is or is not located in a Special Flood Hazard Area reference the applicable FEMA FIRM number, and FIRM effective date for Blount County, Tennessee.** (*Resolution 2018-07*)
 - l. The planning commission may require a Traffic Impact Analysis (TIA) Report to be submitted if the planning commission determines that the proposed subdivision could potentially generate additional traffic that could have negative impacts on the existing street system. (*Resolution 2018-08*)
3. Within sixty (60) days after submission of a preliminary plat, the planning commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated. (*Resolution 2018-09*)
 4. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat.
 5. Failure of the planning commission to act on the preliminary plat within the specified time frame as noted in B. 3. after being presented at a planning commission meeting in accordance with subsections B.1 and B.2 of this Article will be deemed approval of this plat, and a certificate to that effect shall be issued by the commission on demand, provided, however that the applicant may waive this requirement and consent to the extension of such period.
 6. One copy of the preliminary plat will be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.

7. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within one (1) year from the date of such approval or unless an extension of time is applied for and granted by the planning commission.
8. If the subdivision is going to be developed in phases and submitted in final plats as portions of the preliminary plat, the portions must be designated and titled in alphabetical characters. (e.g. Thistlewood Subdivision, Phase A, Final Plat).
9. No new subdivision shall use the name of an existing subdivision.
10. When a subdivision is to be developed by making changes to the land contour by grading, filling, excavating, removal or destruction of topsoil, trees or vegetative covering thereon, the developer shall prepare a plan for erosion and sedimentation control.
 - a. Erosion and sedimentation control plans shall be presented to the planning commission and shall meet the following standards:
 1. Topography – The development plan should be fitted to the topography and the soils in order to minimize erosion potential.
 2. Development Coordination – Erosion and sedimentation control measures shall be coordinated with the required steps in construction, the appropriate control measures installed prior to the start of construction.
 3. Sequential Control Measures – Land shall be developed in increments of workable size, on which adequate controls of erosion and sedimentation can be provided and maintained during the construction period. Operations shall be staged so that the area being developed is not being exposed for a long period of time without stabilization and so that the initially disturbed areas are completely controlled before the next section is opened. The developer shall be required to schedule sequentially phased controls of erosion and sedimentation as coordinated with the development and construction stages, and shall specify in detail precisely which areas will be cleared first, and how long these areas will be exposed to the elements. The maximum exposure period shall not exceed 120 days.
11. When an existing structure is located within a proposed subdivision that encroaches within the applicable setback, the following plat note may be used:

If the existing structure locations on Lot(s)___ is ever destroyed, demolished, or re-located at any time in the future following approval of this plat, any subsequent structure that is constructed will comply with the required yard setbacks (*Resolution 2018-24*). .

THE PRELIMINARY PLAT HALL SHOW: PRELIMINARY SKETCH WESTVIEW ADDITION SECTION "A" TENNACITY, TENN. G.O. WEST OWNER FRANK T. SQUARE ENGINEER

Name, location, owner and designer.

Date, north point and graphic scale

Location of property lines, roads, existing utilities, etc.

Present zoning classification

Names of adjoining properties

Proposed utility system

Names of new streets

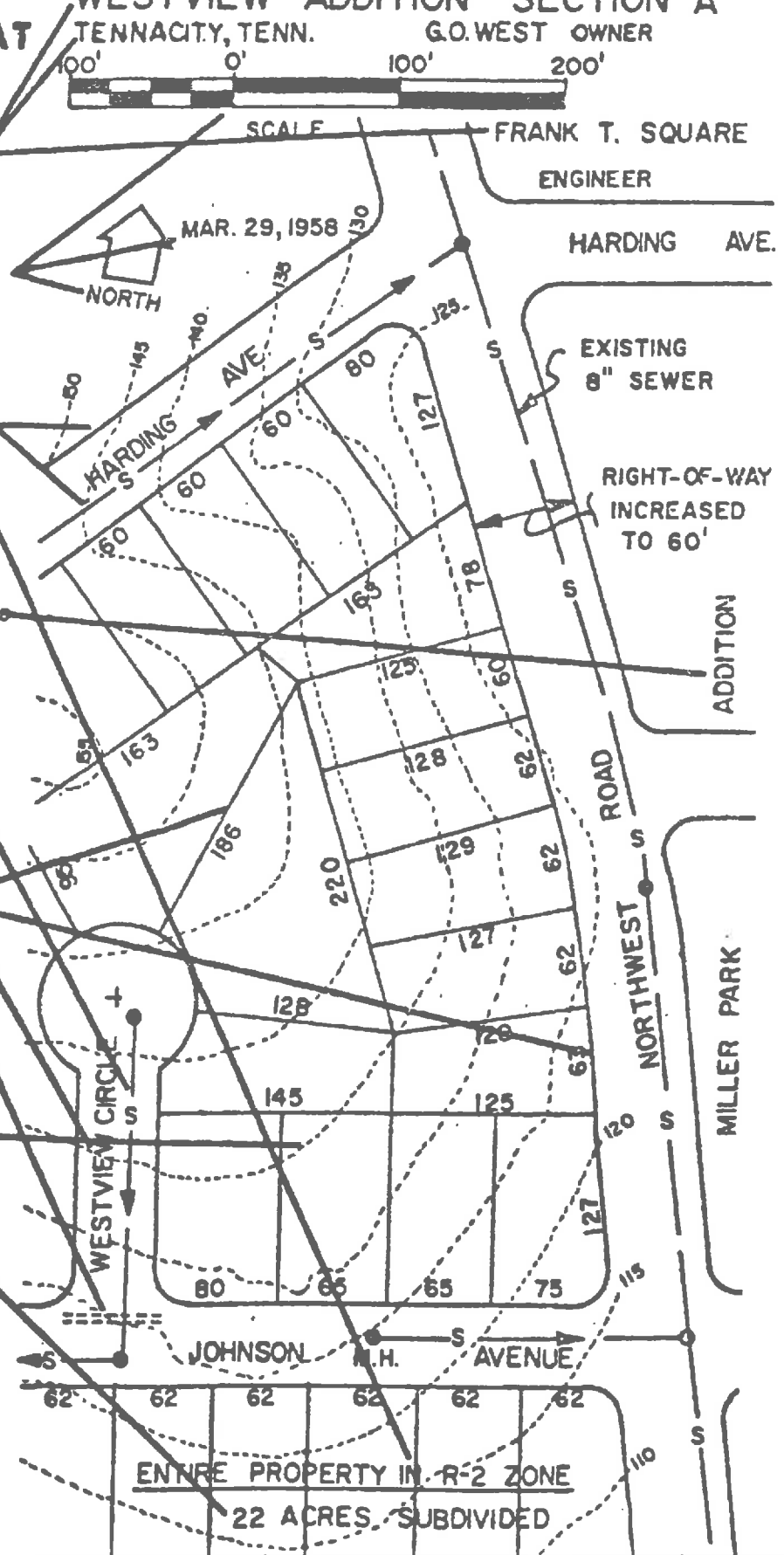
Dimensions, lot lines and building setbacks

Location of proposed culverts

Contours at 5' intervals

Acreage of land subdivided

Location sketch map.



PRELIMINARY PLAT CHECKLIST

Name of Subdivision _____

Location _____ Zoning Dist. _____

Owner _____ Address _____ Tel. _____

Agent _____ Address _____ Tel. _____

Surveyor _____ Address _____ Tel. _____

Plat Checklist

- ☐ Six (6) paper & one (1) electronic copies of plat submitted to staff _____
- ☐ Plat drawn to 1" = 100' _____ Date _____
- ☐ Name, () location, & () acreage of lots & total subdivision
- ☐ Location sketch map
- ☐ Date, () approximate north point, & () graphic scale
- ☐ Names & () addresses of property owners & surveyor
- ☐ Construction Plan of streets & drainage (if applicable)
- ☐ Names of adjacent property owners, () streets, & () subdivisions
- ☐ Locations & dimensions of existing and proposed property lines, setbacks, Utilities (utility layouts), easements, & drainage facilities
- ☐ Proposed names of new streets (if applicable)
- ☐ Contour lines at five (5) foot intervals
- ☐ Identification of zoning district

Variances Requested:

1) _____ Approved? _____

2) _____ Approved? _____

3) _____ Approved? _____

- ☐ This plat was approved on _____ subject to the following conditions:

- ☐ This plat was denied approval on _____ for the following reasons:

C. Final Plat

12. The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations.
13. In order to allow the planning commission, planning staff, and utilities personnel time to review and prepare recommendations to the planning commission, the final plat shall be submitted to the planning commission at least ten (10) days prior to the meeting at which it is to be considered. The subdivider shall submit six (6) paper copies and one (1) electronic copy of the plat, together with street profits or other plans that may be required. *(Resolution 2018-10)*
14. The final plat shall be presented to the planning commission at its next meeting by the developer or designated representative for approval or disapproval.
15. The plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets eighteen (18) by twenty-four (24) inches or of an approved size to correspond to local plat book dimensions. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.
16. When the final plat has been approved by the planning commission one copy will be returned to the subdivider, with the approval of the planning commission certified thereon, for filing with the county registrar as the official plat of record.
17. The planning commission shall approve or disapprove the final plat **within sixty (60) days after its submission. Failure of the planning commission to act on this final plat** within the specified time shall be deemed approval of it. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the planning commission.
18. Approval of the final plat shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
19. The final plat shall show:
 - a. The lines of all streets and roads, alley lines, lot lines, building setbacks, area of lots, lots numbered in numerical order, reservations, 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. *(Resolution 2018-11)*
 - 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 north point. This shall include the radius, central angle and tangent distance for the right-of-way of curved streets and curved property lines that are not the boundary of curved streets.

- c. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
- d. Location and description of monuments.
- e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining un-subdivided property.
- f. Date, title, name and location of subdivision, graphic scale, and north point.
- g. Location sketch map showing site in relation to area.
- h. All boundary traverses including lot and block traverses.
- i. If any portion of the land being subdivided is subject to flood or below the elevation of the high water profiles, the area subject to flood shall be shown. **A plat note stating whether the property shown on the plat is or is not located in a Special Flood Hazard Area reference the applicable FEMA FIRM number, and FIRM effective date for Blount County, Tennessee. (Resolution 2018-12)**

20. The following certificates shall be presented with the final plat. *(Resolution 2018-13)*

- a. Certification showing that the applicant is the land owner and dedicates streets, rights-of-way and any sites for public use (see Appendix A).
- b. Certification by registered land surveyor to accuracy of survey and plat and placement of monuments (see Appendix A).
- c. Certification by the utility provider of satisfactory installation of new water system improvements (see Appendix A).
- d. Certification by the utility provider that the existing water system improvements (shown on plat) are maintained by the respective utility district (see Appendix A).
- e. Certification by the city that all new street improvements have been completed (see Appendix A).
- f. Certification by the city that existing streets (shown on plat) are city streets maintained by the city. (see Appendix A).
- g. Certification of approval from the Health Department for subsurface disposal system (septic system) (see Appendix A).
- h. Certification of approval of street names from the Blount County E-911 Office (see Appendix A).

- i. Certification of approval to be signed by the secretary of the planning commission (see Appendix A).

THE FINAL PLAT

ALL SHOW:

Streets, lots, setback lines,
lot numbers, etc.

Sufficient engineering data to
reproduce any line on the
ground.

Dimensions, angles, and
bearings.

Monuments

Names of adjoining properties

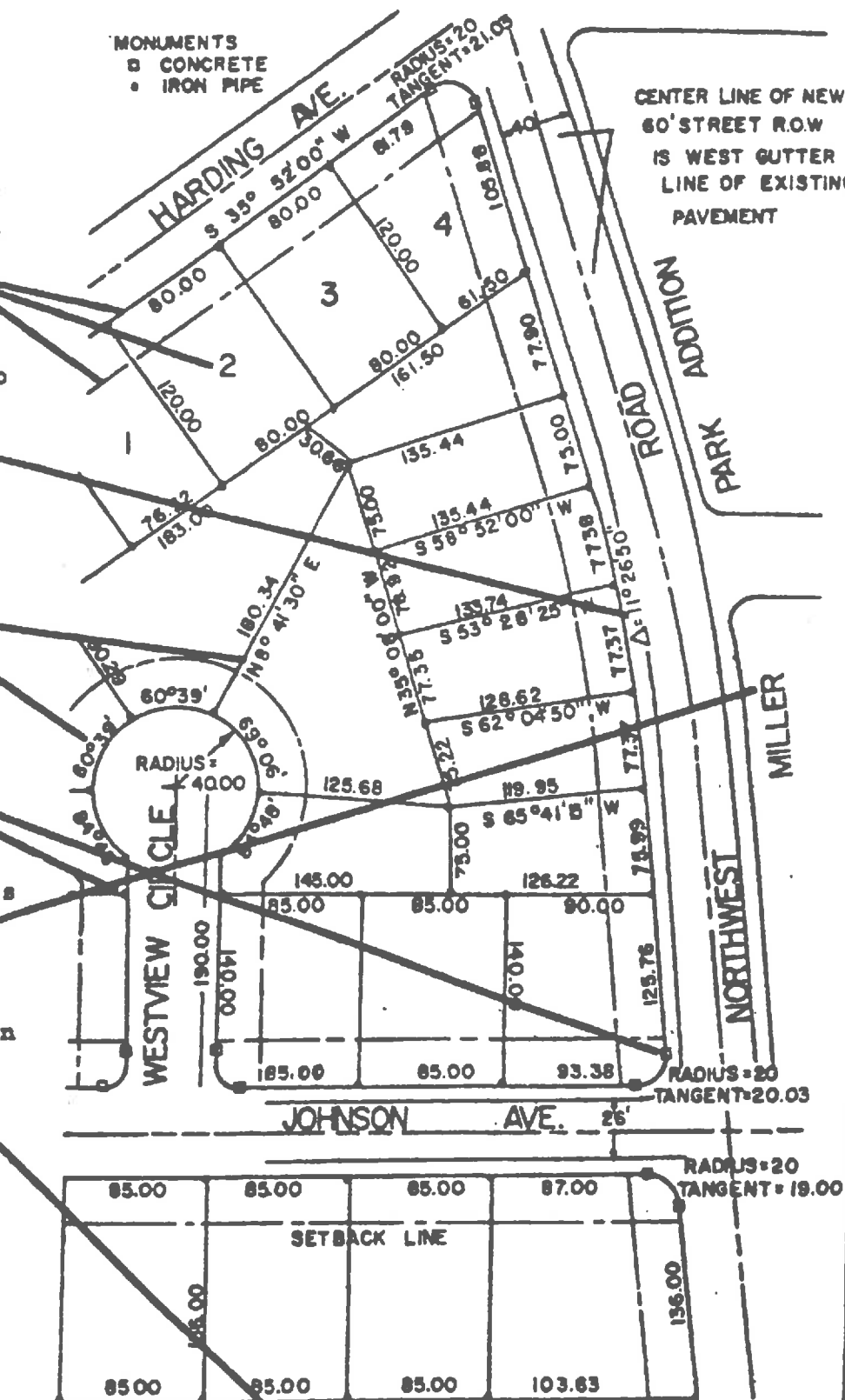
Date, title, name and location
of subdivision

Graphic scale and true north
point

Location sketch map and
certificates as required

MONUMENTS
□ CONCRETE
• IRON PIPE

CENTER LINE OF NEW
60' STREET R.O.W
IS WEST GUTTER
LINE OF EXISTING
PAVEMENT



SCALE IN FEET
100 0 100 200

JANUARY, 1964

FINAL PLAT CHECKLIST

Name of Subdivision _____

Location _____ Civil Dist. _____ Zoning Dist. _____

Owner _____ Address _____ Tel. _____

Preliminary approval granted: _____ Submitted for Final Approval _____

Checklist

- ☐ Six (6) paper & one (1) electronic copies of plat submitted to staff _____
- ☐ Copies submitted as required prior to meetings _____ date
- ☐ Plat drawn to 1" = 100' on sheets not larger than 18" X 24"
- ☐ Date, approximate north point, graphic scale, Name and location of subdivision
- ☐ Reservations, easements, or other non-residential area
- ☐ Bearings of Property Lines and sufficient engineering data to locate all lines including radii, angles and tangent distances
- ☐ Dimensions to the nearest 100th of a foot and angles to the nearest minute
- ☐ Names of adjacent property owners, streets, & subdivisions
- ☐ Location and description of monuments
- ☐ Lot lines, alleys, and building setback lines
- ☐ Lots numbered in numerical order
- ☐ Acreage of subdivision
- ☐ Location sketch map
- ☐ Conforms to General Requirements and Minimum Standards of Design

- ☐ Certificate of ownership & dedication
- ☐ Certificate of accuracy
- ☐ Certificate of approval of new water improvements sewerage systems
- ☐ Certificate of approval of sewerage systems
- ☐ Certificate of approval of existing water depicted on the plat
- ☐ Certificate of approval of new or existing streets
- ☐ Certificate of approval for recording
- ☐ Certificate of private common driveway easements
- ☐ Required physical improvements have been made or bond posted in the amount of \$ _____.

Approved for recording _____ Subject to _____

Variances granted: _____

Disapproved for the following reasons:

Signed _____
(Secretary of the Planning Commission)

ARTICLE III. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

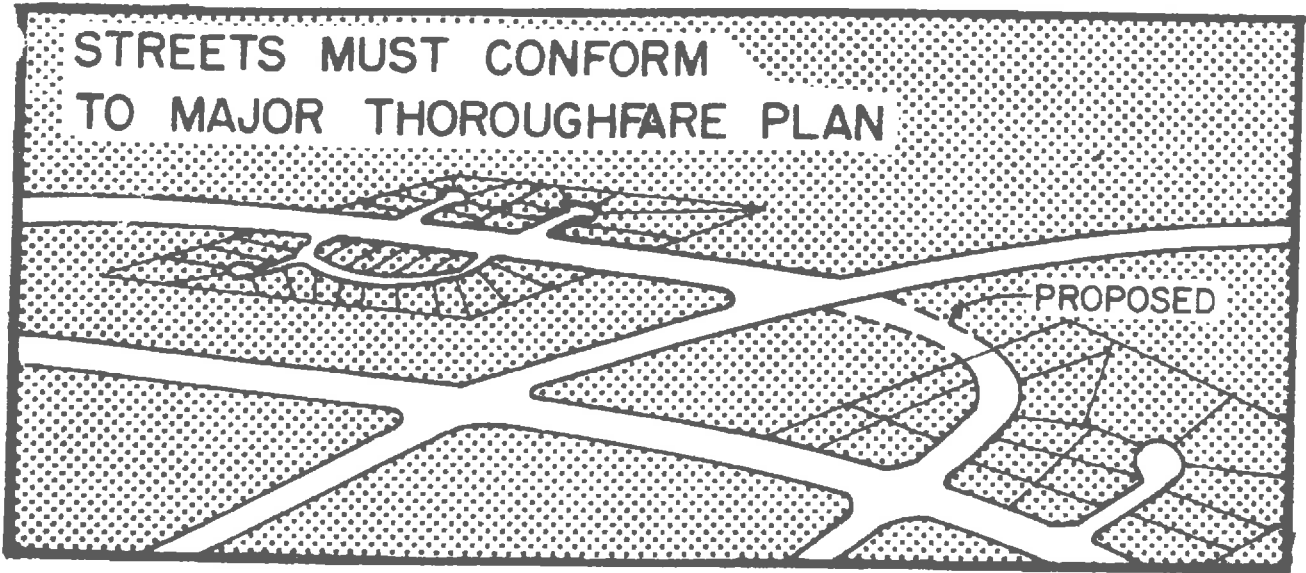
A. Streets

1. Conformity to the Major Road Plan – The location and width of all streets and roads shall conform to the official Major Road Plan.
2. Relation to Adjoining Street System – The proposed street system shall extend new streets at the same or greater right-of-way and pavement width, but in no case less than the required minimums shown below in 4a, b, and c.
3. Relation to Topography
The street design of a proposed subdivision shall bear a logical relationship to the topography of the site, and all streets shall be arranged in a manner to minimize street grades, blind curves and afford the maximum number of building sites at or above grade of the servicing street. *(Resolution 2018-14)*
4. Relation to Floodable Areas
Proposed streets that are subject to flooding shall not be approved. Proposed streets in designated floodplains shall be located at elevations at or above the one-hundred (100) year flood elevation in order to minimize the potential for flooded streets that limit access. Where proposed streets are located in designated floodplain areas, street profiles and elevations of streets will be required. *(Resolution 2018-15)*
5. Access Streets to Subdivision Boundaries – Sufficient access streets to adjoining properties shall be provided in subdivisions to permit harmonious development of the area.
6. Right-of-way and Pavement Widths – New streets shall be constructed to the following minimum widths:
(Resolution 2018-16)

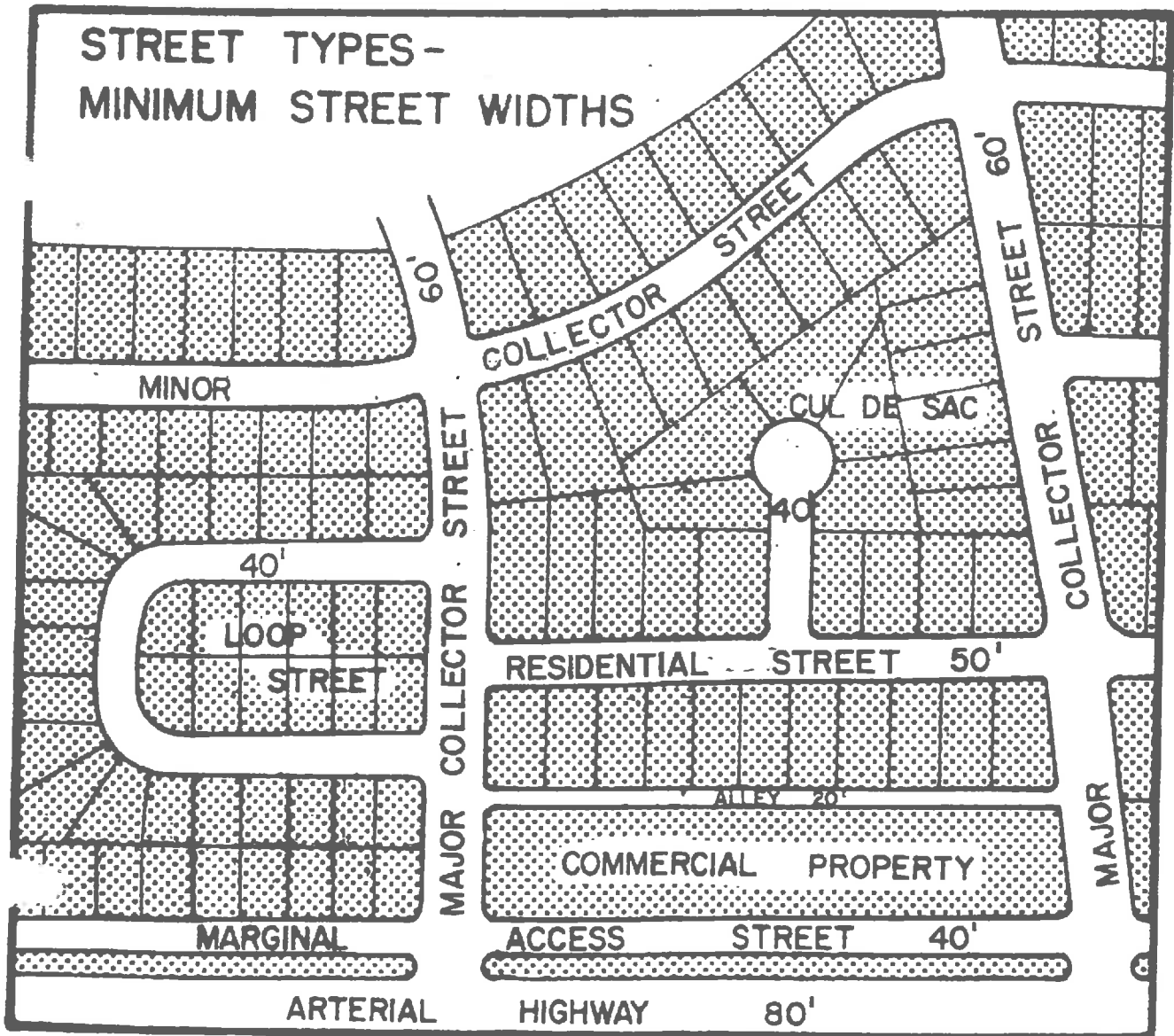
	<u>WIDTH (FEET)</u>	
	<u>ROW</u>	<u>PAVEMENT</u>
a. <u>Arterial Streets and Highways</u> : Roadways which link population centers, but sometimes lack controlled access and traffic flow separation. Typically these are federal or state highways. The major arterials consist of the <i>Lamar Alexander Parkway (U.S. 321)</i> and <i>State Highway 73</i> .	80 – 150	N/A

MINIMUM STANDARDS OF DESIGN

STREETS MUST CONFORM
TO MAJOR THOROUGHFARE PLAN



STREET TYPES -
MINIMUM STREET WIDTHS



<u>WIDTH (FEET)</u>	
ROW	PAVEMENT

- | | | | |
|----|--|----|----|
| b. | <u>Collector Streets:</u> Roadways that link and provide access to and between local streets in order to facilitate more efficient local traffic circulation. These types of streets generally provide direct access to major traffic generators and are entirely or partially considered collectors. These streets include <i>Old Tuckaleechee Road, Chestnut Hill Road, Old Highway 73, Depot Avenue, and Wears Valley Road.</i> | 60 | 32 |
| c. | <u>Minor Local Streets:</u> Roadways that function as the means for accessing individual properties. Most often minor local streets are intended for limited capacities, carrying traffic for shorter distances, and serving residential uses. The majority of these streets in Townsend are of this classification. | 50 | 26 |

5. Roadway Improvements

- a. Base: A compacted base course six (6) inches deep and three (3) feet wider than the required width of the pavement on each side of the street shall be installed on all streets, including cul-de-sacs, temporary turn-rounds and access streets to adjoining properties, according to the method specified in Section 303, Standard Specifications for Roads and Bridge Construction, Tennessee Department of Highways and Public Works – January 1, 2015, and latest revisions thereto. Wetting of the stone before compaction may be done at a point of origin or on the job site at the option of the contractor (*Resolution 2018-17*).

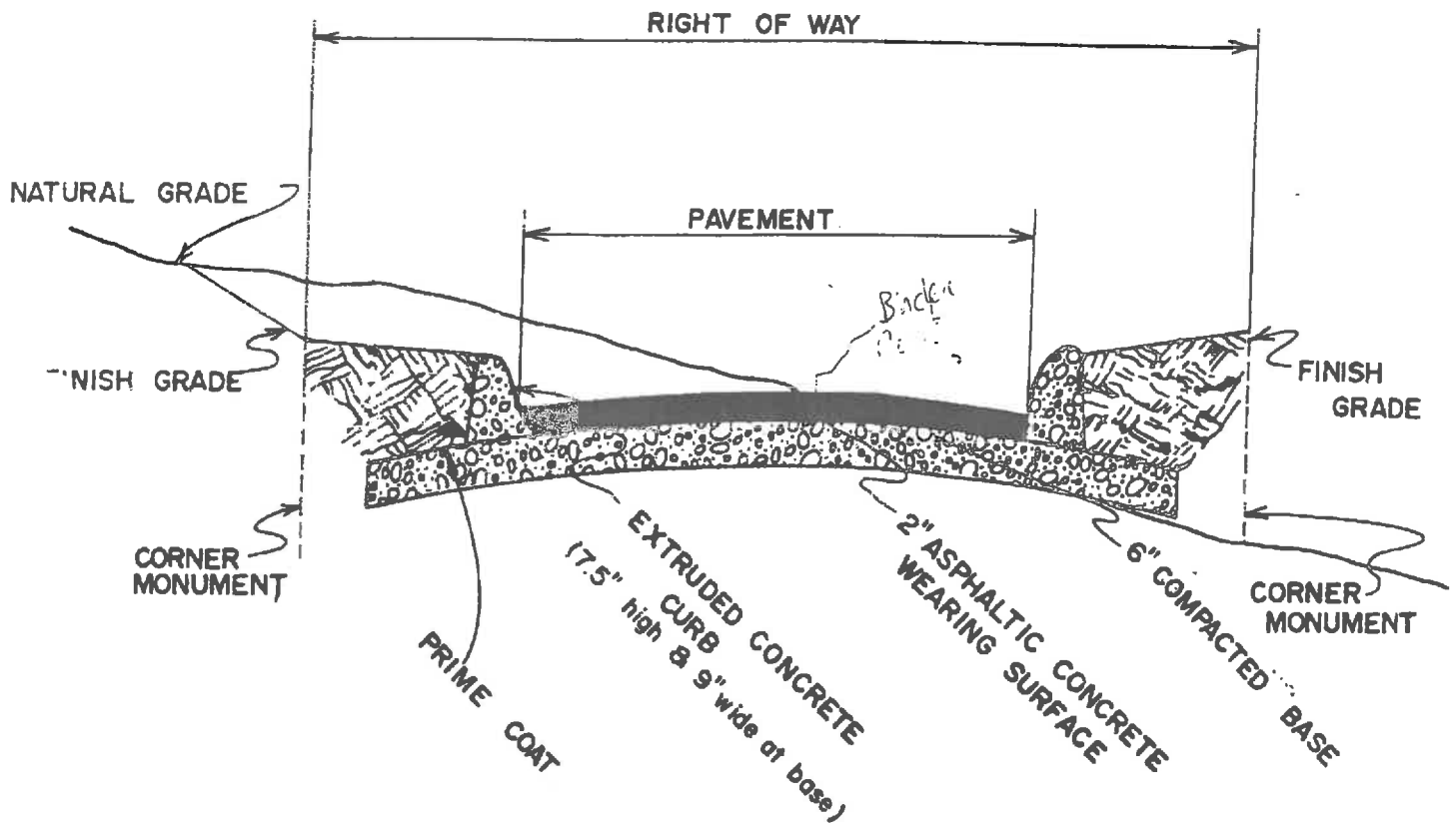
In all cases the center line of a roadway shall coincide with the center line of the right-of-way dedicated for such road or street.

- b. Prime Coat: After a thoroughly compacted base has been established, a prime coat shall be applied as specified in Section 402, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works – January 1, 2015, and latest revision thereto (*Resolution 2018-17*)

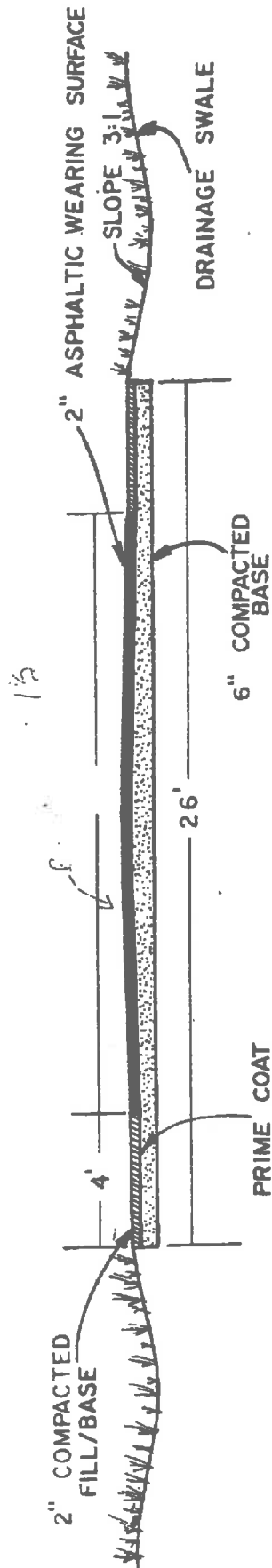
- c. Wearing Surface: The wearing surface shall consist of a surface course constructed with asphaltic concrete, prepared with mineral aggregate, laid hot as specified under Section 411, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works – January 1, 2015 and latest revision thereto. It shall be constructed in one layer not less than two (2) inches thick to conform to the lines, grades and cross sections indicated on a plan submitted to the building inspector and planning commission (*Resolution 2018-17*)
- d. Curbing: The subdivider shall install curbs of no lower classification than machine formed concrete extruded curb, nine (9) inches wide at the base and seven and one-half (7 ½) inches high. The curb shall be installed after the prime coat is applied to the base. Back fill shall be towards the curb to insure drainage of surface water into the drainage system.

In lieu of curbs as the drainage system on cul-de-sacs and loop streets in the city limits, the planning commission may accept one of two alternatives: (1) swales may be used on streets where the finished grade does not exceed two (2) percent; (2) streets with an inverted crown may be used provided that the drainage area of the street does not exceed five (5) acres.

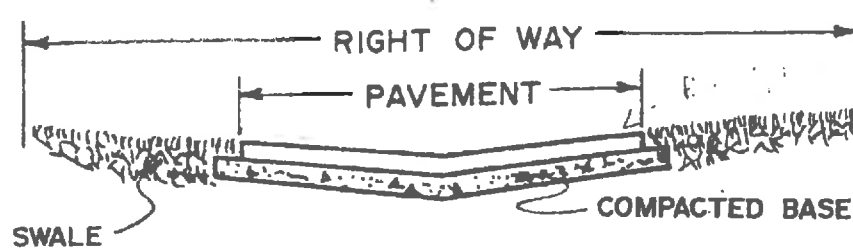
TYPICAL ROADWAY CROSS SECTION WITH CONCRETE CURBS



TYPICAL ROADWAY CROSS SECTION WITH DRAINAGE SWALES IN LIEU OF CURBS



TYPICAL STREET WITH INVERTED CROWN



6. Additional Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the minimum street width requirements as specified in Article III.A.4.

- 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 center line of the existing roadway, shall be provided. In no case shall the resulting right-of-way width be less than fifty (50) feet.

7. Restriction of Access

Where a subdivision abuts or contains an existing or proposed major street, the planning commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties to afford separation of through and local traffic.

8. Street Grades

Grades on major streets shall not exceed seven (7) percent. Grades on other streets shall not exceed fifteen (15) percent. A maximum grade of three percent (3%) is permitted within one hundred (100) feet of an intersection for arterial and collector streets and a maximum grade of five percent (5%) is permitted within fifty (50) feet of an intersection for local streets (*Resolution 2018-18*).

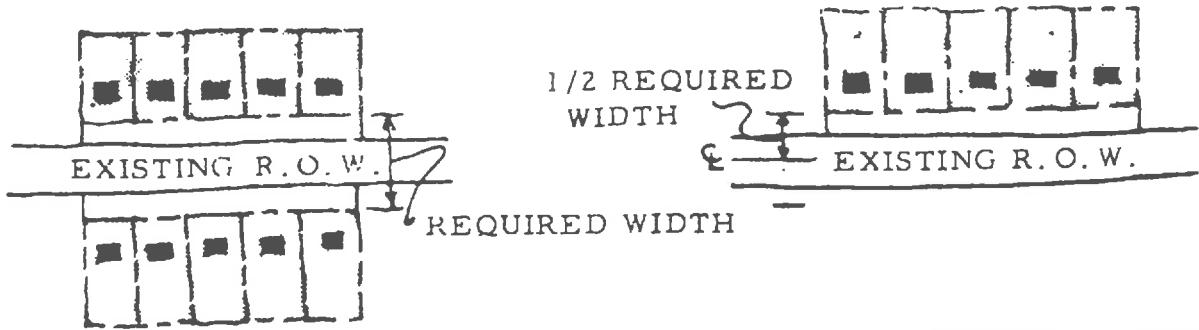
9. Horizontal Curves

Where a deflection angle of ten (10) degrees or more in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets sixty (60) feet or more in width, the center line radius of curvature shall not be less than three hundred (300) feet; on other streets, not less than one hundred (100) feet.

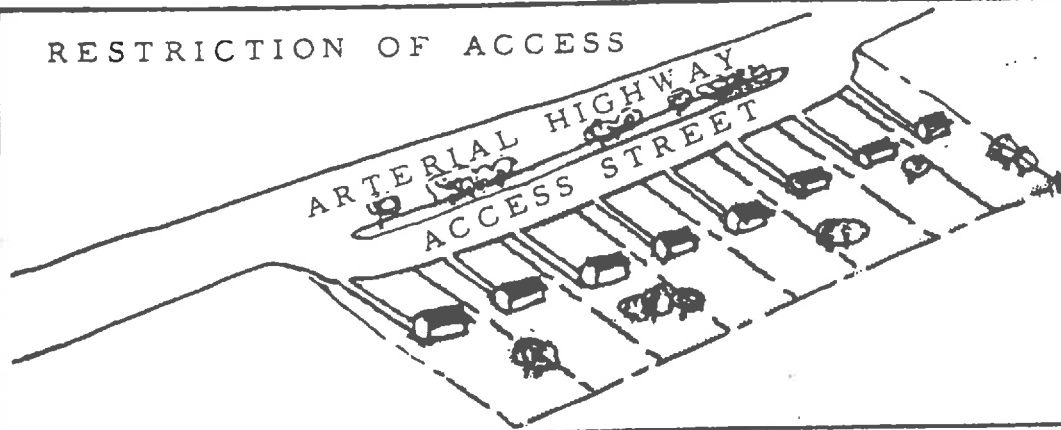
10. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, sight distance measured from four and one-half (4 ½) feet from the pavement surface (*Resolution 2018-19*).

EXISTING STREETS -
ADDITIONAL WIDTH



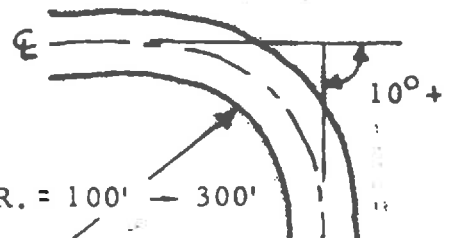
RESTRICTION OF ACCESS



MAXIMUM GRADES

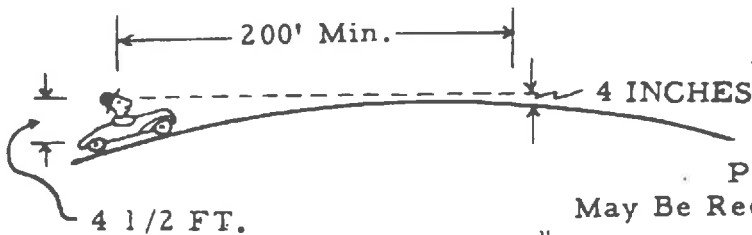


HORIZONTAL CURVES



...Radius of Curvature Shall Be Not Less Than 300' on Streets 60' or More in Width, and Not Less Than 100' on All Others.

VERTICAL CURVES



SCALE: 1"=20' (MINIMUM)



SCALE: 1"=100' (MINIMUM)

Profiles of All Streets May Be Required by the Planning Comm.

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.

To permit the construction of a curb or swale having a desirable radius, property line radii at all street intersections shall not be less than twenty (20) feet. Where the angle of the street intersection is less than ninety (90) degrees, the planning commission may require a greater radius.

12. Tangents

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

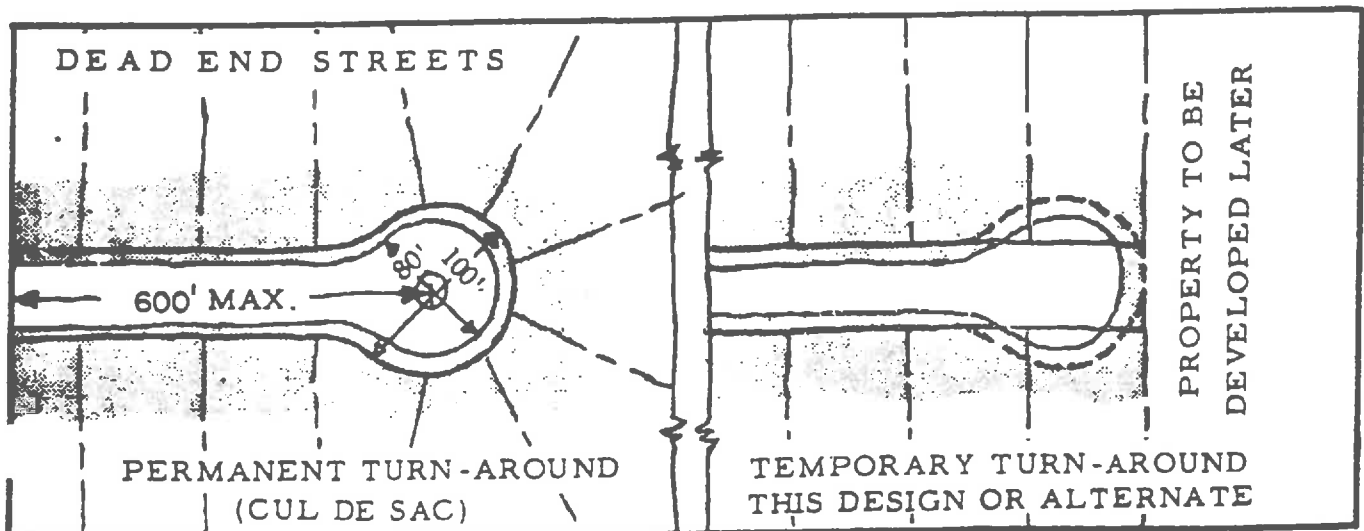
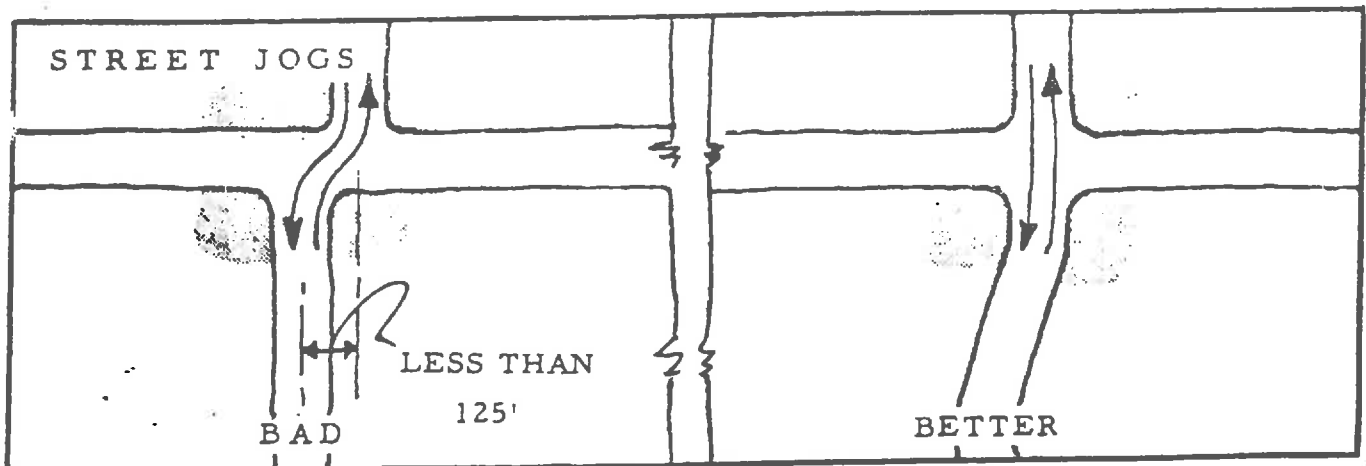
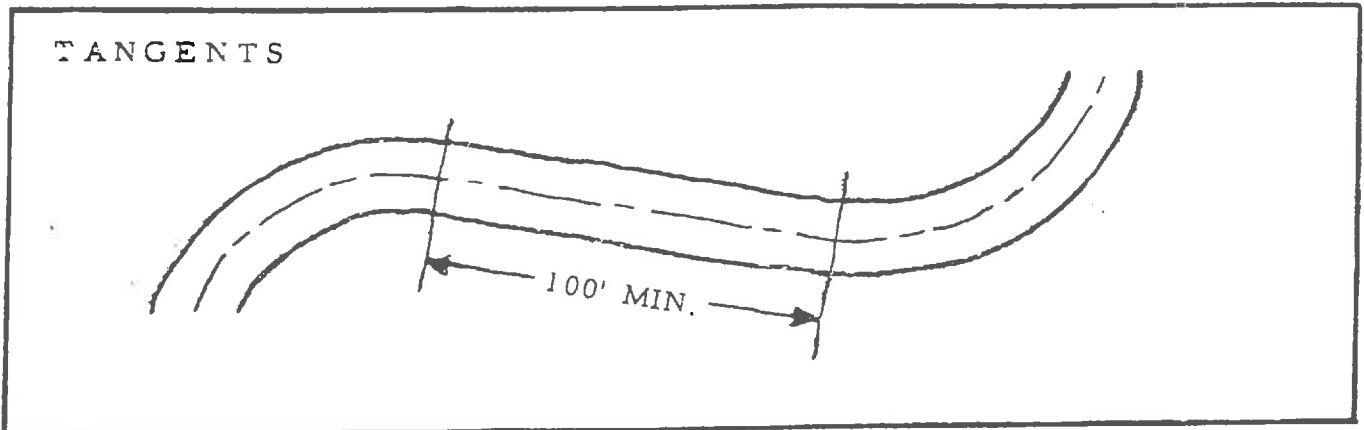
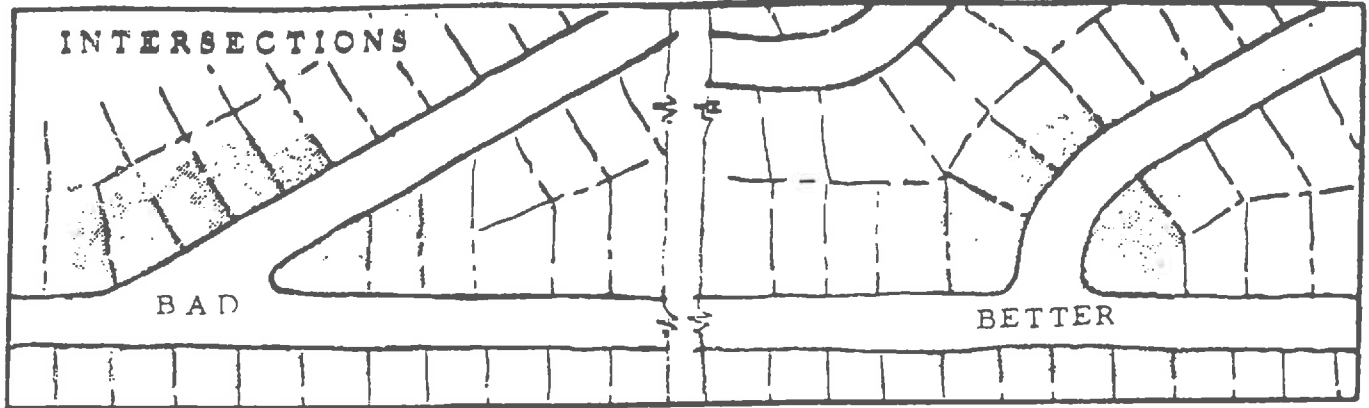
13. Street Jogs

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

14. Dead-end Streets

- a. Dead end streets are designed to have one end permanently closed. They shall be no more than one thousand and two hundred (1,200) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the planning commission may approve an alternate design such as the T or Y back-around (*Resolution 2018-20*).
- b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around.

ILLUSTRATION 9



15. Private Streets and Reserve Strips. (Res. 208-04-1P)

Every lot of subdivided property shall front upon and be serviceable from a publicly dedicated street or a private common driveway easement (private road). There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the city under conditions approved by the municipal planning commission.

Said private common driveway easements shall be established in accordance with provisions of this section.

- a. All private common driveway easements or rights-of-way shall be twenty-five (25) feet in width. Access shall be for vehicles as well as utilities to be contained within this easement.
- b. No more than four (4) lots shall be served exclusively by the private common driveway easement.
- c. Lot sizes shall be restricted by the minimum area standards established by the Subdivision Regulations, Zoning Ordinance, or the Health Department, which ever shall require the greater.
- d. Drainage improvements shall be required, as deemed necessary by the planning commission, and the drive itself shall be a compacted surface, at minimum of gravel or shale that is two inches (2") deep, and at least twelve (12) feet in width, upon a prepared subgrade with a crown. Compacted shoulders three (3) feet wide on both sides shall be slightly lower than the road surface.
 - 1) Shoulders shall be sown in grass and covered in straw to facilitate germination and to stabilize the shoulders.
 - 2) Ditches on both sides (outside the shoulders) shall run the length of the driveway (when applicable) and rip-rap or other water flow energy dissipaters may be required.
 - 3) Turnouts to facilitate vehicles passing one another may be required by the planning commission depending upon the length and alignment of the drive. At a minimum a T- or Y turnaround shall be contained within the easement at the end of the private common driveway easement.
 - 4) The maximum grade for a private common driveway easement shall not exceed fifteen (15) percent.
- e. The private common driveway easement shall be constructed to the last (furthest) lot to be served. Drives serving more than one (1) parcel must

be maintained by a maintenance agreement between all lots served by the common driveway.

- 1) The maintenance agreement must accompany the final plat and be recorded in the Register of Deeds Office along with the final plat and referenced in the deeds for separate lots. The plat and deed(s) shall note the restriction that no more than four (4) lots may be served by a private common driveway easement and said easement is to be maintained by a private maintenance agreement and recorded at the Register of Deeds Office.
 - 2) A copy of the recorded maintenance agreement must be provided before a building permit may be obtained.
 - 3) The property owner shall install a street identification sign for private common driveway easements and shall indicate in a recognizable fashion that the easement is not a public street.
- f. If further subdivision of lots is requested, the twenty-five (25) foot easement shall be increased to a fifty (50) foot wide right-of-way and improved to the public street standards contained in these subdivision regulations; including the full right-of-way width, drainage, base, and surface requirements; have offered the improved street for public dedication. Improvement of a street to public standards includes all requirements contained in Articles III and IV of these regulations. Further, a note shall be placed on the plat clearly indicating this.

16. Drainage

All streets and roads must be so designed as to provide for the discharge of surface water from the right-of-way. Where it is the opinion of the planning commission that water cannot be adequately discharged by

17. Street Name

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 suffix street, avenue, boulevard, driveway, place, or court.

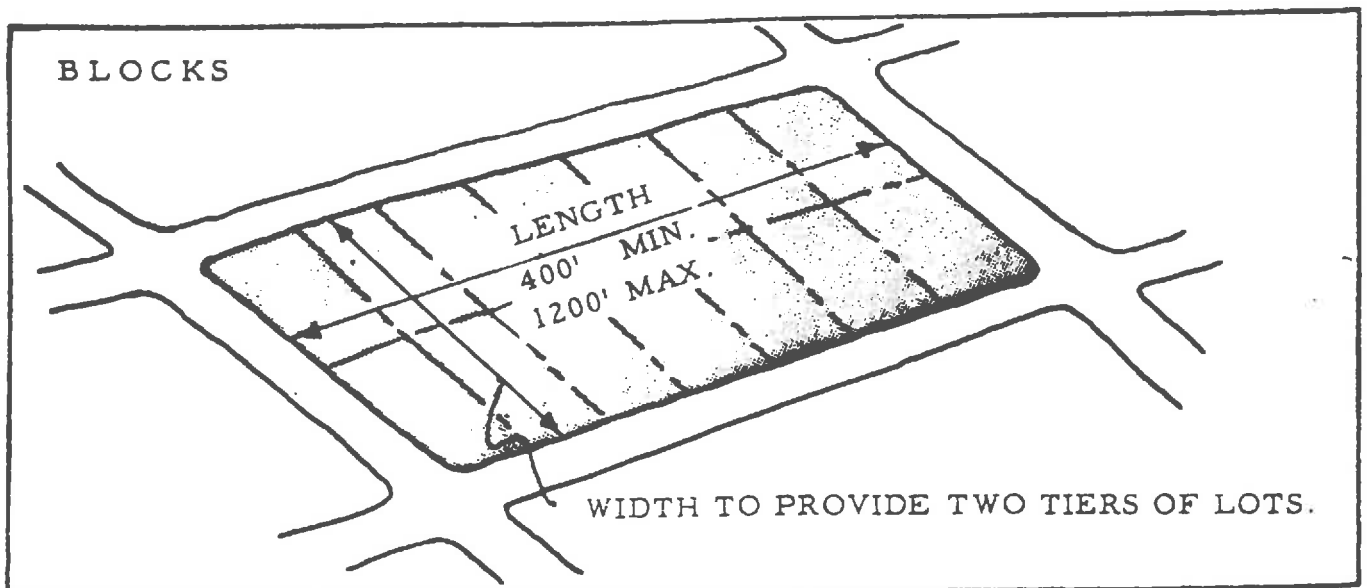
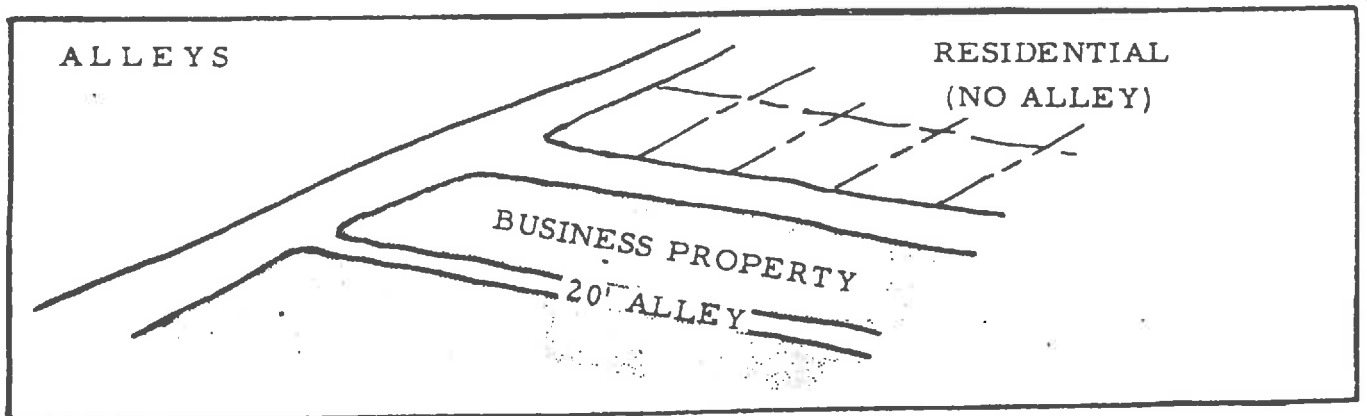
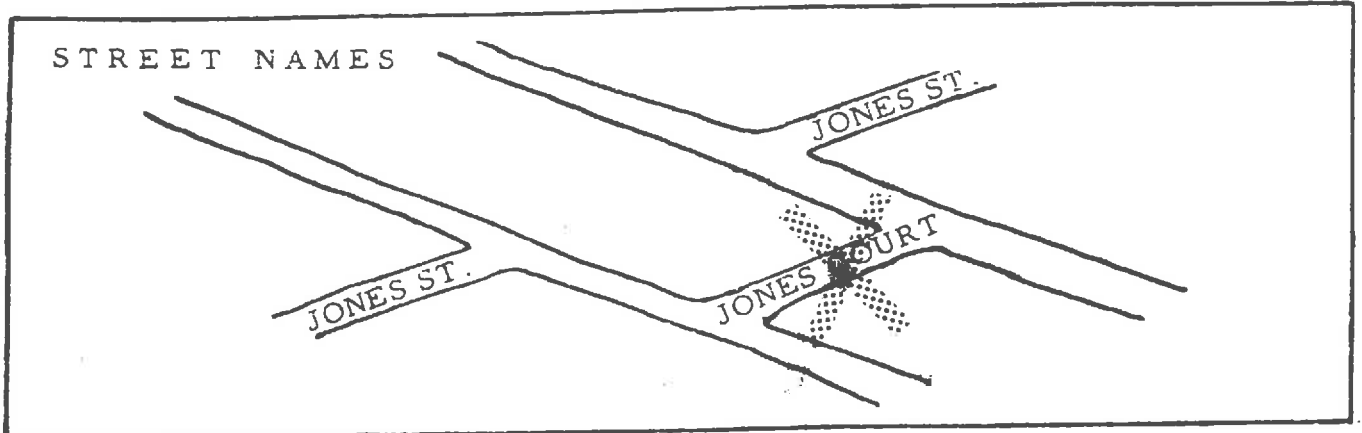
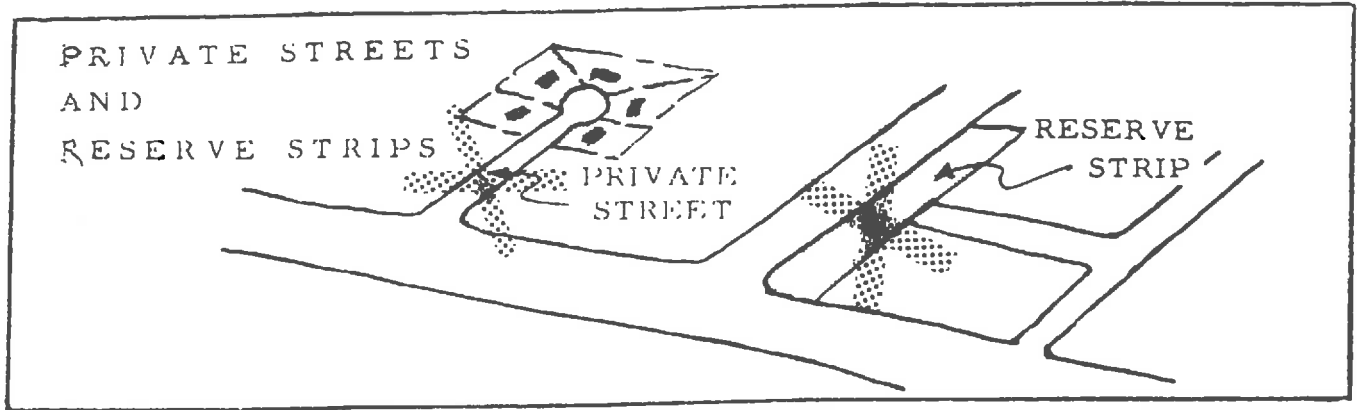
18. Alleys

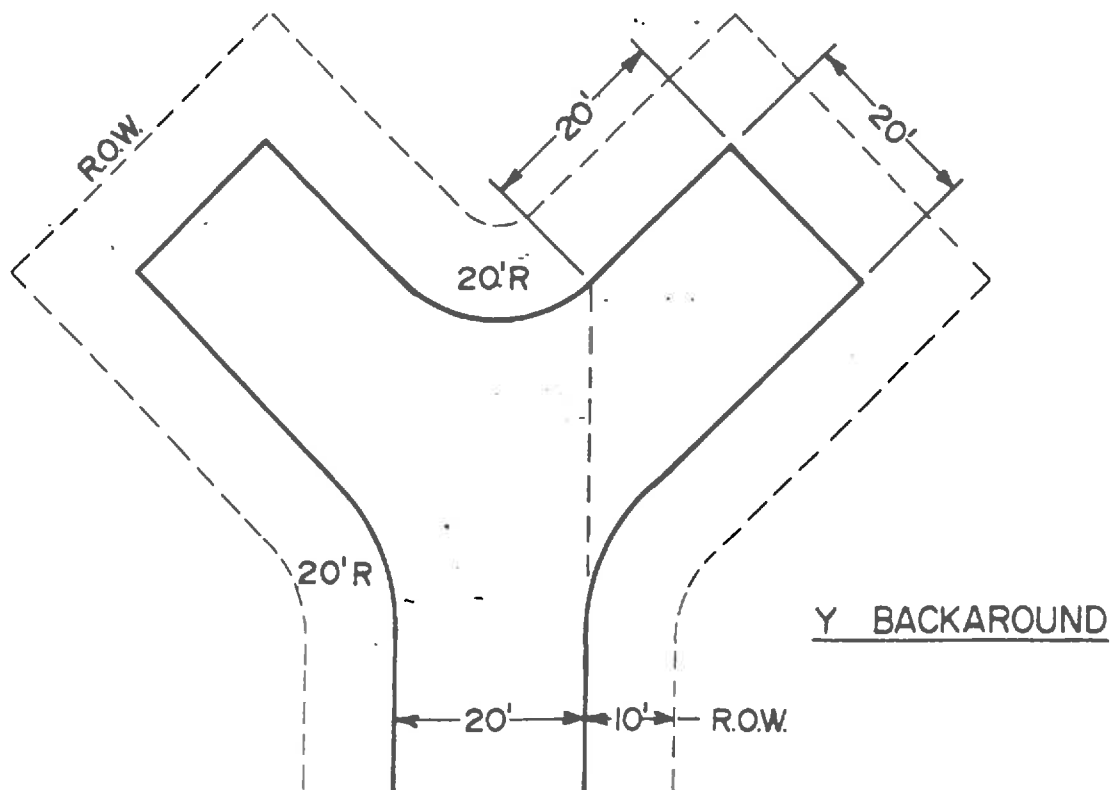
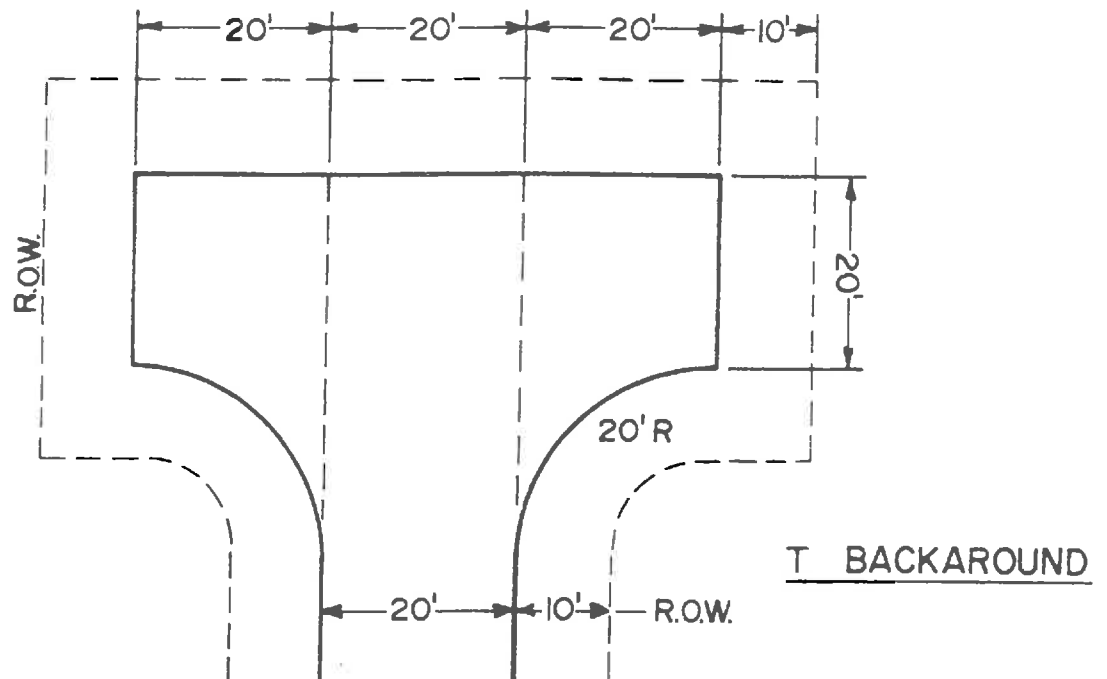
Alleys may be required to the rear of all lots used for business purposes, and shall not be provided in residential blocks.

19. Warning and Regulatory Signs

The developer is required to install all required warning and regulatory signs at appropriate locations, in coordination with the relevant jurisdiction, within the subdivision (*Resolution 2018-21*)

ILLUSTRATION 10





B. Blocks

1. Length

Blocks shall not be less than four hundred (400) nor more than twelve hundred (1200) feet in length, except as the 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 or more public crosswalks.

2. Width

Blocks shall be wide enough to allow two tiers of lots of the minimum required depth, except where fronting on major streets or prevented by topographical conditions or size of the property.

C. Lots

1. Arrangement

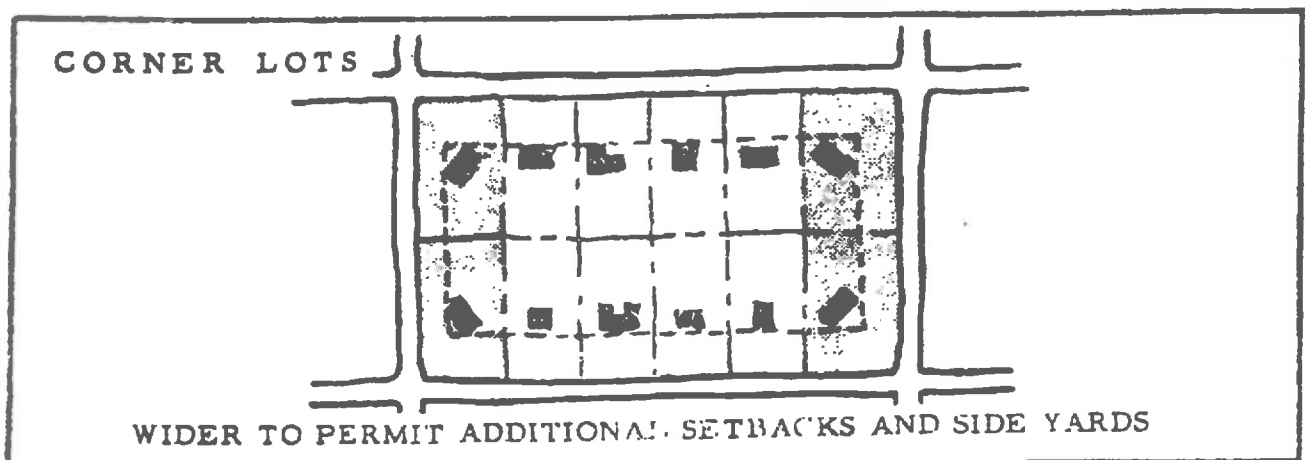
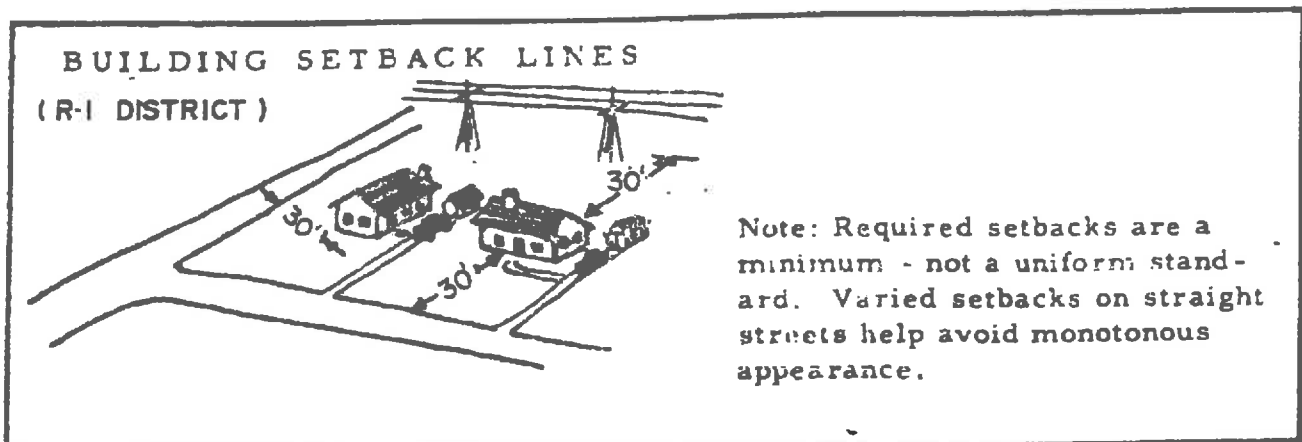
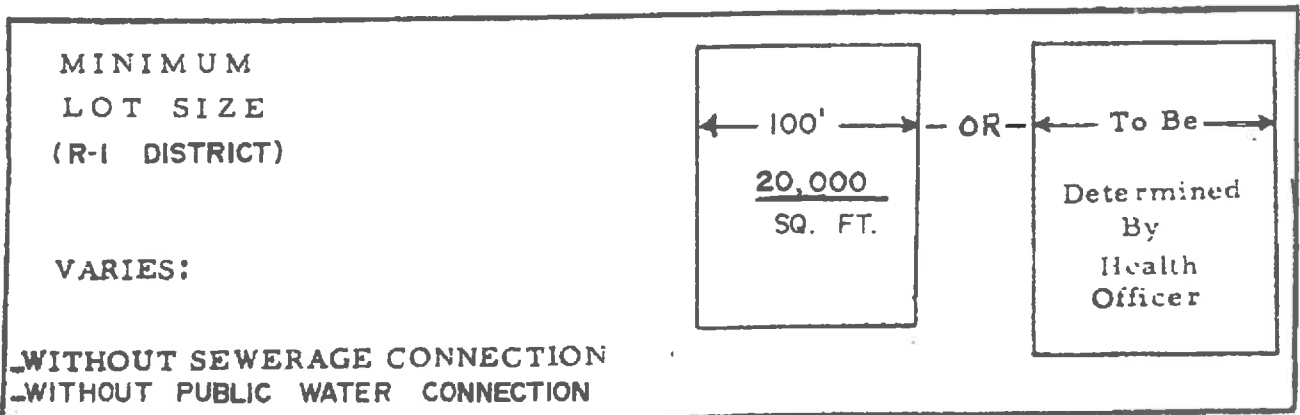
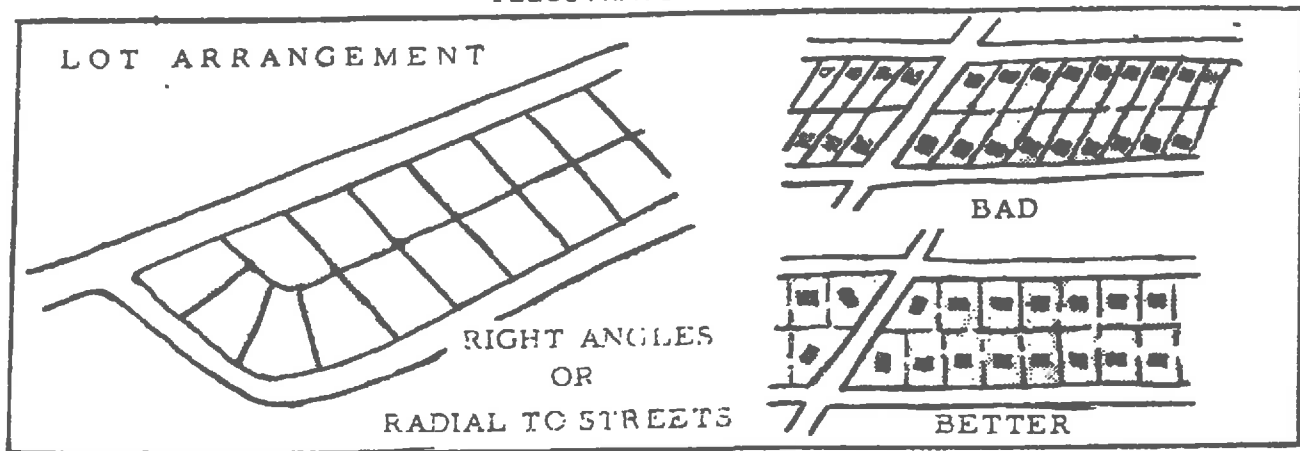
Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front for a minimum of forty (40) feet upon a public street. Condominium and townhouse lots may be excluded from this frontage requirement in the planned unit development approval process.

2. Minimum Size

The shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. The size, width at building line, and setbacks from property lines shall in no case, however, be less than the minimum requirements of Section 8-607 of the Townsend Zoning Ordinance (*Resolution 2018-21*)

- a. Greater lot size may be required for private sewage disposal if, in the opinion of the county health officer, there are factors of drainage, soil condition or other conditions that may cause potential health problems. The planning commission may require that data from percolation tests be submitted as a basis for passing upon subdivisions dependent on septic tanks for sewage disposal.
- b. Greater lot size may be required for lots to be served by a private source of water supply if, in the opinion of the county health officer, there are factors of drainage, soil conditions, proposed sewerage system, depth of ground water, or other conditions that may cause potential health problems.

ILLUSTRATION 12



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

D. Building Setback Lines and Yard Requirements

- a. The minimum front yard building setback lines from the street right-of-way line shall not be less than those specified in Section 8-607 of the Townsend Zoning Ordinance (*Resolution 2018-21*).
- b. 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:

<u>Voltage of line</u>	<u>Minimum building setback</u>
46 KV	37 ½ feet
69 KV	50 feet
161 KV and over	75 feet

4. Corner Lots

Corner lots (lots lying at the intersection of two roads) shall be sufficiently wider and larger to permit the additional side yard area and/or front yard area specified in the Townsend Zoning Ordinance. The minimum width of a side yard along an intersecting street shall be fifty (50) percent greater than the minimum side yard requirements of the district in which the lot is located.

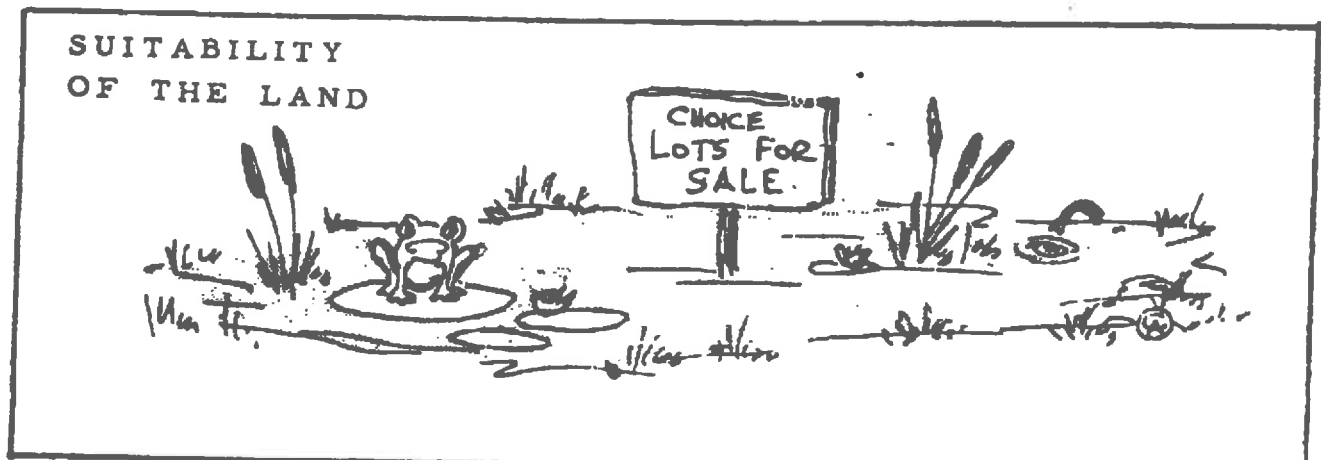
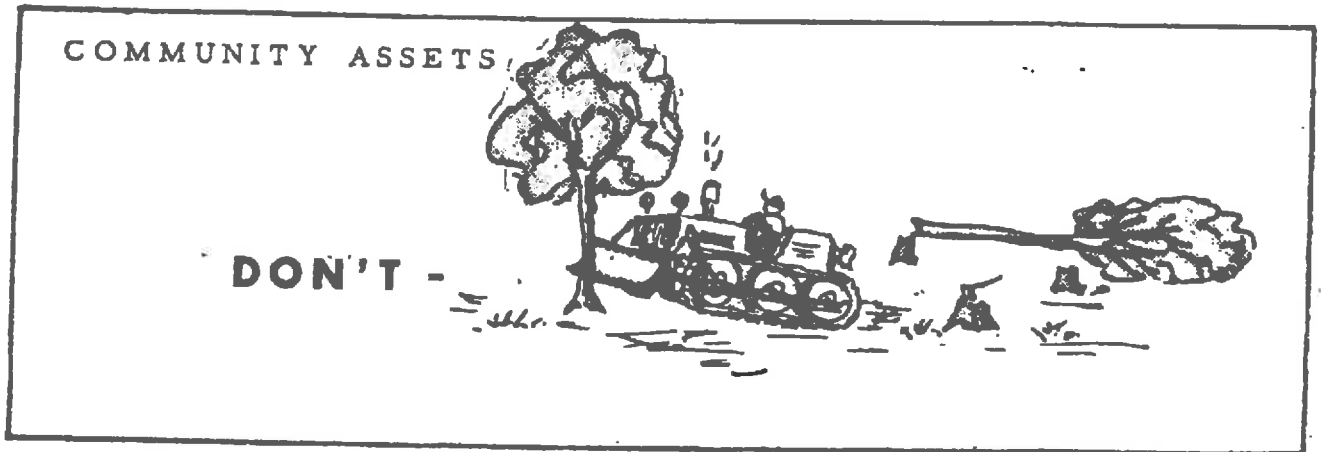
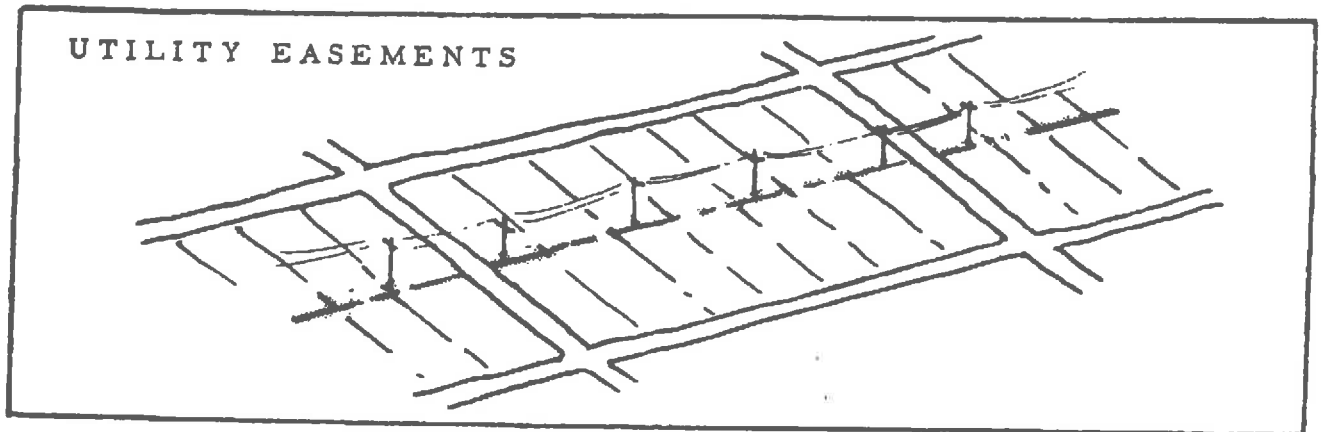
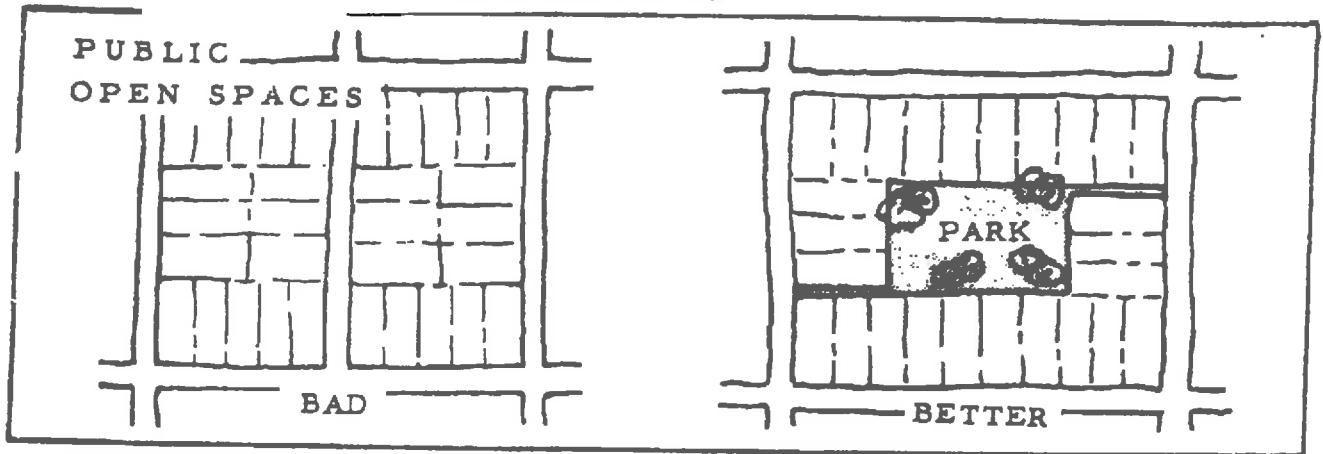
E. Public Use and Service Areas

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 Space

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 planning commission, is located in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area or water frontage of the plat, for park, recreation, or other public purposes.

ILLUSTRATION 13



2. Easements for Utilities

- a. Drainage and utility easements shall be provided on each side and rear lot line where deemed necessary by the planning commission. The easements shall be designed to adequately provide utilities and drainage for all lots in the proposed subdivision. Where drainage is proposed to cross any lot at any point other than the side or corner of the lot, the plat shall indicate the size of the pipe necessary to carry the proposed runoff. Each cul-de-sac shall have provisions for a fifteen (15) foot utility easement extending there from to prevent dead-end water mains. Easements of the same or a greater width may be required along the lines of or across lots where necessary for the extension of existing or planned utilities.
- b. Where in the opinion of the planning commission the flow of water cannot be accommodated with surface drainage, storm sewers may be required. The planning commission shall determine, on the basis of the watershed and the probable runoff, the size of the storm sewers. The planning commission may call upon its technical staff or any public or private agency to assist it in its determinations.

3. Water Supply and Sewerage Connections

Where a public water supply or public sewerage system is reasonably accessible, the subdivider shall indicate a connection with such water supply or sewerage system and a water and sewerage connection for each lot with such supply or system and to such size and length as shall be approved by the planning commission. Where a public water supply or public sewerage system is not reasonably accessible or not planned for in the future, an alternate method of water supply and sewage disposal may be indicated and shall be approved in writing by the county health officer.

4. Community Assets

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

F. Suitability of the Land

The planning commission shall not approve the subdivision of land, if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public a site is not suitable for platting and development purposes of the kind proposed.

1. Flood Control Measures

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or increase erosion or flood hazard. Such land within the plat shall be set aside for uses that are not endangered by periodic or occasional inundation or that do not produce unsatisfactory living conditions.

- a. Fill may not be used to raise land in areas where the fill would increase flood levels.
- b. In no case shall a building or structure be located closer than fifteen (15) feet to the top of the bank of any watercourse.
- c. All development proposals shall have all public utilities and facilities located and constructed to minimize flood damage.
- d. All development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

2. Sinkhole Restrictions

The disturbance or alteration of sinkholes should be avoided for platted lots within a subdivision. All sinkholes located within a subdivision shall be depicted on the plat. There shall be a minimum 40-foot undisturbed buffer area completely surrounding the identified sinkhole. No development or land disturbing activities are allowed within the buffer area. The area of the sinkhole and buffer area shall not be calculated for the applicable minimum lot area requirements or other applicable yard requirements. The identified sinkhole shall not be designed to manage the drainage if a drainage plan is required for the subdivision for subsurface discharges into the sinkhole (*Resolution 2018-22*).

G. Large Tracts or Parcels

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further re-subdivision.

H. Variances

Variances from the subdivision regulations may be granted under the following conditions:

1. Where the subdivider can show that strict adherence to these regulations would cause extraordinary hardship, or
2. Where the planning commission determines that there are topographical or other physical conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized and the reasons therefore shall be stated in writing in the minutes of the planning commission.

I. Zoning or Other Regulations

No final plat of land within the force and effect of the existing zoning ordinance will be approved unless it conforms with such ordinance.

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

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 prospective lot buyer and the planning commission that improvements are made as required prior to sale of the land being developed.

A. 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 Townsend Municipal Planning Commission.

1. Monuments

- a. Concrete monuments four (4) inches in diameter or square, three (3) feet 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 monuments shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other corners and points shall be marked with iron pins.

2. Grading

All streets, roads and alleys shall be graded or filled horizontally to the full width of their rights-of-way by the subdivider or developer. Due to special topography conditions, deviation from the above will be allowed only with special approval of the planning commission.

- a. Preparation. Before grading is started, necessary parts of the right-of-way area shall be cleared of all trees, stumps, roots, brush and other objectionable materials.
- b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below subgrade.
- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approached, or other places as needed. Excess materials including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a sheep's foot roll. Unless another method of preparation of the subgrade shall be constructed as specified in Section 203,

Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works – Jan. 1, 1968, and latest revisions thereto. 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.

3. Road Improvements

All streets, roads, and alleys shall be improved by the developer or subdivider as specified by Article III, A.1-18 herein.

4. Storm Drainage

An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional, drains, drop 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 openings to be provided shall be determined by Talbot's formula (in Appendix F), but in no case shall the pipe be less than fifteen (15) inches.

5. Installation of Utilities

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 shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut drained.

6. Sewage Disposal System

- a. Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the county health officer.
- b. Subdividers shall supply all data required for the inspection, installation, and/or operation of the septic system to the planning commission, Blount County Health Department and the Tennessee State Department of Health.

7. Street Name Signs

Street name signs shall be placed at all intersections. Upon request the planning commission will aid the subdivider with specifications for the construction and placement of such signs.

B. Guarantee in Lieu of Completed Improvements (*Resolution 2018-23*)

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

1. All required improvements have been constructed in a satisfactory manner and approved and certified by the Townsend Planning Commission.
2. The planning commission reserves the discretionary authority, on a case-by-case basis, to accept one of the permissible financial guarantees in an amount equal to the estimated cost of installation of the required improvements, plus a twenty-five percent (25%) inflationary value whereby improvements may be made without cost to the town in the event of default. Such improvements shall include, but not be limited to, public roads, utilities and drainage structures. All improvements shall conform to General Requirements and Minimum Standards of Design contained in Article III. The conditions of such financial guarantee shall provide for the installation of the improvements covered by such bond within a period not to exceed one (1) year; provided, however, that such period may be extended by the planning commission with the consent of the parties thereto if the planning commission finds that the public interest will not be adversely affected by such extension. It shall be the responsibility of the developer to submit a minimum of two (2) detailed cost estimates by the entity responsible for such work prior to final plat approval. The highest estimate will be used as the basis for establishing the surety amount. The final plat shall not be approved until such time as the financial guarantee has been reviewed and approved by the planning commission. In reviewing such financial guarantee, the planning may consult with town representatives/employees for advice on specific estimates and/or relevant legal questions. It shall be the responsibility of the developer to confirm their intent to extend the financial guarantee within thirty-five (35) days of the expiration date. It is the sole responsibility of the developer to make arrangements to extend and/or renew the financial guarantee prior to the expiration date. If such financial guarantee fails to be extended and/or renewed within thirty (30) days of the expiration date, the town shall forward all required documentation to the town attorney for enforcement of the financial guarantee.
3. Acceptable forms of financial guarantees are as follows:
 - (a). An Irrevocable Letter of Credit in the amount of the estimated cost, plus 25% inflationary value, issued by an FDIC-approved institution with main office and/or branches in the State of Tennessee.
 - (b). The establishment of a cash escrow account whereby all funds are maintained in accounts under the control of the city. A detailed "Escrow Agreement" shall be prepared and endorsed by all parties to such agreement.

(BANK LETTERHEAD)

IRREVOCABLE LETTER OF CREDIT
TOWNSEND, TENNESSEE

Letter of Credit No. _____

Expiration Date: _____

_____ Subdivision

We, _____ (financial institution), hereby establish an Irrevocable Letter of Credit in favor of Townsend, Tennessee as Beneficiary for the account of _____ (developer) for completion of improvements in the _____ Subdivision located in Townsend, Tennessee, up to the aggregate amount of \$ _____.

Drafts are not to be presented for collection unless the prescribed improvements under the terms of the Letter of Credit Agreement covered herein by said letter of credit, in accordance with the construction standards of design of the Townsend Subdivision Regulations.

This letter of credit expires at the close of business on the aforementioned expiration date and drafts must be presented in the prescribed manner prior to expiration. The financial institution must provide the Town of Townsend as beneficiary a thirty (30) day written notice of its intention to renew or otherwise amend the letter of credit prior to the expiration date. Failure to provide written notice within the specified time period will compel the authorized town representative to call such letter of credit. In so doing so, the town representative shall present an original letter of credit and an affidavit from the Secretary of the Townsend Municipal/Regional Planning Commission stating the following:

“The aforementioned developer has failed to complete the required subdivision improvements in a timely manner and/or failed to construct the required subdivision improvements in accordance with the Townsend Subdivision Regulations.”

Except as otherwise expressly stated, this documentary credit is subject to the Uniform Commercial Code.

We, _____ (Financial Institution), agree to abide with the terms of this Letter of Credit and such terms will be duly honored if presented in the stated manner to the financial institution.

Name & Title

Date

PERFORMANCE BOND FORM

KNOW ALL MEN by these presents:

WHEREAS Principal herein is the owner and developer of the _____ and a surety company authorized to do business in the State of Tennessee (hereafter called the "surety"). And

WHEREAS, the plans and specifications of said subdivision showing the location, construction and installation of streets, roads, curbs and utilities and other improvements therein have been filed with the Townsend Municipal/Regional Planning Commission for final approval, and which are referred to and made a part of this instrument, as if fully copies and set forth therein, and

WHEREAS, the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, and utilities, and all other improvements in the said subdivision in accordance with the said plans and specifications now on file, pending final approval by the said planning commission.

NOW, THEREFORE, the, as Principal and, as Surety, do hereby firmly bind the Townsend Municipal/Regional Planning Commission for and on behalf of the town in the sum of \$ _____ conditioned upon the performance by the Principal of its undertaking herein, and its completion of said

Subdivision in the construction of all the streets, sidewalks, roads, curbs, and all other improvements therein called for by the plans thereon and same to be completed on or before the day of _____, 20____, and upon the completion thereof this obligation to be null and void, otherwise to remain in full force and effect.

If the Principal fails to complete the construction, and the improvements of said subdivision as shown and provided for by said plans and specifications herein referred to within the time herein specified, the Commission may in its discretion extend the time for the completion of said work by order duly made and entered by the said Commission for a period of from thirty (30) days to ninety (90) days.

WITNESS our hands this the _____ day of _____ 20_____.

WITNESS:

Principal _____

Surety _____

ARTICLE V. REGULATIONS FOR THE REVIEW AND APPROVAL OF MINOR SUBDIVISIONS

This article sets forth procedures designed to expedite the review and approval process for minor subdivisions. Due to the nature of minor subdivisions, no development other than the platting process is required. Therefore, Article IV of these regulations does not apply to minor subdivisions, and only one plat must be submitted which shall be regarded as the “preliminary” and “final” plat.

A. Definition

In order to be considered a minor subdivision the tract or parcel of land to be subdivided shall be located on an existing open public road that has been accepted and is being maintained by the city, county or state highway departments and shall be situated in a manner that there are no changes in existing streets, no new streets or easements of access, and no excavation, grading or physical development needed and the property must be adequately provided with existing community facilities to the extent that no extensions of water, sewer or gas lines are required.

B. General Requirements

All requirements and design standards including requirements for the preparation of subdivision plats will be the same as set forth in Article I through III of these regulations.

Minor subdivisions may be considered for official approval at a regularly scheduled meeting of the planning commission. The following procedures and policies shall govern the review and approval of minor subdivisions:

1. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the secretary of the planning commission or the planning staff twelve (12) copies of the subdivision plat.
2. Plat approval cannot be granted unless the proposed septic system has received Health Department approval.
3. Subdivisions must be properly marked at all corners and survey points with iron pipe or solid steel rods not less than one half ($\frac{1}{2}$) inches in diameter and twenty-four (24) inches in length.

ARTICLE VI. ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

A. Enforcement

1. No plat or plan of a subdivision of land into two or more lots located within the city limits shall be admitted to the land records of the county or received or recorded by the County Registrar of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-4-302, Tennessee Code Annotated.
2. No board, public officer, or authority shall light any road, lay or authorize the laying of water mains or sewers, or the constructions of other facilities or utilities in any road located within the city limits unless such road shall have been accepted, opened or otherwise received the legal status of a public road prior to the adoption of these regulations, or unless such road corresponds in its location and lines to a road shown on a subdivision plat approved by the planning commission, or on a road plan made and adopted by the commission as provided in Section 13-4-307, Tennessee Code Annotated.

B. Penalties

1. No county registrar shall receive, file, or record a plat of a subdivision within the city limits without the approval of the planning commission as required in Section 13-4-302, 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 13-4-306 of the 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 by this Act and before such plat be recorded in the office of the county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from such penalties.” In the case of the municipal planning commission, Section 13-4-306 provides that the city through its solicitor or other official designated by the chief legislative body may enjoin such transfer or sale or agreement by action or 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 inspector or the solicitor of the municipality or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.


ARTICLE VII. ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the planning commission; adequate public notice of the time and place of which shall be given by publication in a newspaper of general circulation in the municipality.
- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.


Public Hearing: MARCH 8, 2018

Adopted: MARCH 8, 2018

Effective: MARCH 8, 2018

ATTEST: 
Secretary, Townsend MPC

5/10/2018
Date


Chairman, Townsend MPC

5/10/2018
Date

APPENDICES

**APPENDIX A
SUBDIVISION CERTIFICATION FORMS**

1. ***CERTIFICATE OF OWNERSHIP AND DEDICATION***

I (we) hereby certified that the following signature(s) represent the property owner(s) and that the owner(s) of the property shown and described hereon hereby adopt this subdivision plat and dedicate all streets, alleys, walks, parks or other public ways and open space to public or private use, as noted.

Date

Owner

2. ***CERTIFICATE OF ACCURACY AND PRECISION***

I hereby certify that the plat shown and described hereon is a true and correct survey to the accuracy required by the Townsend Municipal Planning Commission. I further certify that the degree of precision (linear and angular) meets the standards established by the Tennessee Board of Examiners for Land Surveyors, and, that monuments have been placed as shown hereon, in accordance with the specifications of the Townsend Municipal Planning Commission.

Date

Surveyor

3. ***CERTIFICATE OF APPROVAL OF WATER SYSTEMS***

I certify that the water system installed, or proposed for installation along with the financial guarantee provided, fully meets requirements of the State of Tennessee.

Date

Authorized Representative of Utility Provider

3a. ***CERTIFICATE OF EXISTING WATER SUPPLY***

I hereby certify that the existing waterlines and/or fire hydrants as shown on said plat are in place, functional, and are maintained by the _____ (Utility entity).

Date

Utility Representative or Authorized Representative

4. ***CERTIFICATION OF STREETS***

I certify that the streets and related appurtenances installed, or proposed for installation along with the financial guarantee provided, fully meet the specifications established by the Townsend Municipal Planning Commission.

Date

Authorized Representative of Townsend

4a. ***CERTIFICATION OF CITY STREETS***

I hereby certify that the existing street(s) shown hereon said plat is an existing city street maintained by the Townsend City Street Department.

Date

Authorized Representative of Townsend

5. ***CERTIFICATE OF SUBSURFACE DISPOSAL (septic system)****

Approval is hereby granted for platted lots as shown herein for subsurface sewage disposal. Owner/developer shall obtain from the Blount County Health Department 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 perform any construction or mutilation (cutting or filling) of the so designated primary and secondary disposal area without the prior approval of the appropriate county department of environment and health and any such activity may void approval.

Date

Director, Environmental Health
Blount County Health Department

6. ***CERTIFICATE OF APPROVAL OF STREET NAME(S) (E-911)***

I certify that the street names on this plat have been reviewed and are acceptable in accordance with the policies of the Blount County Communications District.

Date

Authorized Representative of Blount County
Communications District

7. ***CERTIFICATE OF APPROVAL FOR RECORDING***

I certify that this plat has been found to comply with the subdivision regulations for the City of Townsend, with the exception of such variances, if any, which are noted in the minutes of the Townsend Municipal Planning Commission. 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 register of deeds.

Date

Secretary, Townsend Municipal
Planning Commission

8. **CERTIFICATION OF PRIVATE COMMON DRIVEWAY EASEMENTS**

Certain roads within this subdivision are designated as private common driveway easements. It is acknowledged that said easements must be privately maintained unless and until they are improved to the city road standards at the property owner(s) expense, have been formally offered for dedication by the owner(s), approved by the municipal planning commission, and accepted by the Townsend Board of Commissioners.

Date: _____

Owners: _____

APPENDIX B

TALBOT'S FORMULA

FULL CIRCLE DRAINAGE TABLE

This chart is based on Talbot's Formula for determining correct culvert 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
12	.785	.75	3	6
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	12.566	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

APPENDIX C

MULTIPLE CULVERT INSTALLATION

This table shows the number of smaller diameter culverts equal in water carrying capacity to that of one culvert of larger size. It is based on culverts laid on the same slope.

EXAMPLE: One 24" diameter culvert is equivalent to five 12" culverts or two 18" culverts in water carrying capacity.

Dia. in Inches	12"	15"	18"	21"	24"	30"	36"	42"	48"	54"
12"	1									
15"	1.7	1								
18"	2.5	1.5	1							
21"	3.6	2.2	1.4	1						
24"	5	3	2	1.4	1					
30"	8	5	3	2.3	1.7	1				
36"	12	8	5	3.5	3.6	1.5	1			
42"	18	11	7	5	3	2.2	1.4	1		
48"	24	15	10	7	5	3	1.9	1.4	1	
54"	32	19	13	9	6.5	4	2.6	1.8	1.3	1
60"	41	25	16	11	8	5	3.3	2.3	1.7	1.3
66"	51	29	20	14	10	6	4	2.8	2	1.6
72"	63	37	25	17	12	7.5	5	3.5	2.5	1.9
84"	90	53	35	25	18	11	7	5	3.6	2.8