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## **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. 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.

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

No. State law makes it a misdemeanor, punishable by law, to use an unapproved subdivision plat even if metes and bounds description is used in the instrument of transfer or sale.

### **5. 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.

### **6. Where can I get technical site planning assistance?**

Although they will not prepare final plans for you, trained planners are available at the East Tennessee Section of the Local Planning Assistance Office in Knoxville, Tennessee.



SUBDIVISION REGULATIONS  
OF THE  
GRAINGER COUNTY REGIONAL PLANNING COMMISSION

**ARTICLE 1. 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 and 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 in 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 have the following major objectives: (1) to provide for the harmonious development of the planned region; (2) to secure a coordinated layout; (3) to provide adequate streets and roads for traffic and (4) to secure adequate provisions for light, air, recreation, transportation, water, drainage, sewer and other sanitary facilities.

**B. Authority**

These subdivision regulations are adopted under authority granted by **Sections 13-3-401 through 13-3-411, 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 Grainger County, Tennessee, Major Street and Road Plan has been filed in the Office of the Registrar of Grainger County, Tennessee, on April 10, 1967, or a more recent copy.

**C. Jurisdiction, and definitions of key words and phrases**

These regulations shall govern all subdivision of land within the county limits of Grainger County, Tennessee, as now or hereafter established except for those lands within the city limits of Bean Station, Blaine and Rutledge. Any prospective subdivider owning land located within the Grainger County Planning Region shall submit their subdivision plat to the Grainger County 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.

Definitions. Within these regulations the term:

1. **"Subdivision"**: "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 less than five (5) acres 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.
2. **"Road"** shall mean, relate to and include roads, streets, highways, avenues, boulevards, parkways, lanes or other ways or any part thereof.
3. **"Plat"** shall mean plat, plan, plot or replot.
4. **"Planning Commission"** shall mean any regional planning commission established by the state planning office as provided by law, and includes any municipal planning commission designated by the state planning office as the regional planning commission of a planning region composed of the territory of a single municipal together with the territory adjoining but outside of such municipality.



## 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 and the Superintendent of Roads.

### A. General Information

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 obtain such approval prior to the filing of the subdivision plat for recording. Any such plat 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 section of this Article.

**No plat of a subdivision of land within these areas of jurisdiction shall be accepted for recording by the county Registrar of Deeds without the approval of the Grainger County Planning Commission, nor will the Registrar of Deeds record any land division from a deed using only a metes and bounds description without a surveyed plat that has been approved by the Planning Commission.**

2. The subdivider should consult early and informally with the planning commission and its technical 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 Street and 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 condition is met: **All public improvements as set forth in Article V are already installed.** Any construction, installation, or improvements to any existing public improvements shall require the submission of a preliminary plat as prescribed by Section B or 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 for Land Surveyors.



## B. Preliminary Plat Requirements

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 to the County Executive four (4) copies of a preliminary plat of the proposed subdivision in order to allow the planning commission technical staff and utilities heads time to review and prepare recommendations. The preliminary plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet. At the time of such submission, the secretary or a designated representative shall issue a receipt acknowledging said submission.

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 shall give the following information insofar as possible.

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 professional land surveyor registered in the State of Tennessee.

b. Date, approximate north arrow, and graphic scale.

c. The location of existing and platted property lines, 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 subdividers.

d. 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.

e. The names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building setback lines and utilities. Proposed road and street names must be submitted to the Grainger County 911 Board for approval.

f. Contours at vertical intervals of not more than five (5) feet except when specifically not required by the planning commission.

g. The acreage of the land to be subdivided.

h. Surveyor's seal and certification as to the class of survey and the ratio of precision of the unadjusted survey (up to 1:7,500).

3. If the subdivision is going to be developed and submitted as final plats in portions of the preliminary plat, the portions must be designated and titled in alphabetical characters.



4. No new subdivision shall use the name of an existing subdivision except one being developed in stages.

5. 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 will be indicated.

6. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat.

7. One (1) copy of the conceptual plan, sketch plat or 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.

## CHECKLIST FOR PRELIMINARY PLATS ONLY

Name & Location of Subdivision \_\_\_\_\_

Owner Name & Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Surveyor Name & Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Date of official Preliminary Plat submittal: \_\_\_\_\_ Approval Date: \_\_\_\_\_

### **CHECKLIST:**

- \_\_\_\_\_ At least four (4) copies submitted ten (10) days prior to the meeting
- \_\_\_\_\_ Subdivision name and location
- \_\_\_\_\_ Name & Address of Owner and Surveyor
- \_\_\_\_\_ Boundary lines by bearing and distance
- \_\_\_\_\_ Drawn to a scale not less than one inch equals 100 feet (1"=100')
- \_\_\_\_\_ Date, approximate north arrow & graphic scale
- \_\_\_\_\_ Vicinity map & acreage of land to be subdivided
- \_\_\_\_\_ Contours at vertical intervals of no more than five (5) feet
- \_\_\_\_\_ Any identifiable flood prone areas (according to applicable FIRM)
- \_\_\_\_\_ Lot numbers in numerical order & Building setbacks
- \_\_\_\_\_ Location of existing & platted property lines, streets, buildings, water courses, railroads, water mains, sewers, bridges, culverts, easements & names of adjoining property owners
- \_\_\_\_\_ Plans of proposed utility layouts showing connections to existing utilities
- \_\_\_\_\_ Proposed streets names, street widths, street centerline and Road profiles submitted (if applicable)
- \_\_\_\_\_ Surveyor's seal and certification as to the survey class and the ratio or precision

Plat contingencies:

\_\_\_\_\_

Not approved for the following reasons: \_\_\_\_\_

Signed & Dated: \_\_\_\_\_ Secretary of Planning  
Commission



### C. Final Plat Requirements

1. The final plat should conform substantially to the preliminary sketch plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposed to record and develop at the time, provided, however, that such portions conforms to all requirements of these regulations.
2. 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 four (4) copies of the drawings (blue line prints or black line copies), together with street profiles or other plans that may be required.
3. The final plat shall be presented to the planning commission at its next meeting by the developer or designated representative for consideration of approval or disapproval.
4. The plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets no larger than twenty four (24) by thirty (30) inches or of an approved size to correspond to local plat book dimensions. When more than one (1) 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.
5. When the final plat has been approved by the planning commission one (1) 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.
6. 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 in the records of the planning commission.
7. **Approval of the final plat shall not constitute the acceptance by the County Commission of the dedication of any streets or other public way or ground.**
8. The final plat shall show:
  - a. The lines of all streets and roads, alley lines, lanes, lot lines, building setbacks, 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 and approximate location of existing septic tank and drainfield.
  - 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 (100<sup>th</sup>) 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 unsubdivided 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.
- 9. The following certificates shall be presented with the final plat:
  - a. Certification showing that applicant is the land owner and dedicates streets, rights-of-way and any sites for public use.
  - b. Certification by registered land surveyor to accuracy of survey and plat and placement of monuments.
  - c. Certification by the city or county health offices when individual sewage disposal or water systems are to be installed.
  - d. Certification by the city engineer or other designated person that the subdivider has complied with one of the following alternatives:
    - e. Installation of all improvements in accordance with the requirements of the subdivision regulations, and utility policies, or
    - f. Posting of an approved financial guarantee in accordance with all county requirements assure such completion of all required improvements (see Appendix B).
  - g. Certification of approval to be signed by the secretary of the planning commission.
  - h. Certification from the Grainger County E-911 Office that all street names in proposed subdivisions have been approved and do not conflict with other street names in the county.
  - i. Certification of approval of existing waterlines by utility representative or authorized representative.
  - j. Certification of existing county roads by County Road Superintendent.



k. All applicable notations for designated floodplain area, existing septic systems, encroachment within setbacks of existing structures and utility and drainage easements (See Appendix C).

## **CHECKLIST FOR FINAL PLATS ONLY**

Name & Location of Subdivision \_\_\_\_\_

Owner Name & Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Surveyor Name & Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Date of official Final Plat submittal: \_\_\_\_\_ Preliminary Approval Date: \_\_\_\_\_

### **CHECKLIST:**

- \_\_\_\_\_ At least four (4) copies submitted ten (10) days prior to the meeting
- \_\_\_\_\_ Subdivision name and location, name & Address of Owner and Surveyor
- \_\_\_\_\_ Boundary lines by bearing and distance and dimensions to the nearest foot and angles to the nearest minute
- \_\_\_\_\_ Drawn to a scale not less than one inch equals 100 feet (1"=100') on sheets no larger than 24"x 30"
- \_\_\_\_\_ Date, approximate north arrow & graphic scale
- \_\_\_\_\_ Vicinity map & acreage of land to be subdivided
- \_\_\_\_\_ Right-of-way widths with centerlines, radius, central angle and tangent distance for curved right-of-ways
- \_\_\_\_\_ Any identifiable flood prone areas (according to applicable FIRM)
- \_\_\_\_\_ Building setbacks and lot numbers in numerical order
- \_\_\_\_\_ Location and description of monuments
- \_\_\_\_\_ Sufficient data to readily determine and reproduce on the ground the bearing and length of every street line, lot lines, buildings, water courses, railroads, water mains, sewers, bridges, culverts, easements & names of adjoining property owners

The following certificates shall be included on the final plat (whenever applicable):

- \_\_\_\_\_ Certificate of Ownership and Dedication
- \_\_\_\_\_ Certificate of Accuracy and Precision



- \_\_\_\_\_ Certificate of General Approval of septic system (*must be signed @ final plat submittal*)
- \_\_\_\_\_ Certificate of Existing Water Supply
- \_\_\_\_\_ Certificate of Approval of Water Lines
- \_\_\_\_\_ Certificate of Road Names
- \_\_\_\_\_ Certificate of County Roads
- \_\_\_\_\_ Certificate of Approval of Roads, Drainage System & Other Related Improvements
- \_\_\_\_\_ Certificate of Approval for Recording

Plat contingencies:

\_\_\_\_\_

Not approved for the following  
reasons: \_\_\_\_\_

Signed & Dated: \_\_\_\_\_  
Secretary of Planning Commission

### **ARTICLE III. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN**

#### **A. Streets.**

##### **1. Street and Road Right-of-Way width.**

The minimum width measured from lot line to lot line, shall be as follows:

- a. Arterial Streets and Highways 80-150 feet, as may already be required or established.
- b. Collector Streets 50 – 60 feet
- c. Residential Streets and all proposed County roads 40 or 50 feet.
- d. Dead-end Streets (cul-de-sac) 40 feet. Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future. However, when a subdivision is developed in phases, temporary cul-de-sacs may be allowed.

Where the street right-of-way is a minimum of 40 feet the centerline of the street must coincide with the centerline of the right-of-way. This will allow, with a 20 foot wide pavement plus 3 feet of gravel apron on each side, for seven feet on each side which will provide space for the placement of various underground and above ground utilities and storm drain ditches.

In many cases where topography or other physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements.

##### **2. Additional Width on Existing Streets and County Roads**

Subdivisions that adjoin existing streets that do not meet current width requirements shall dedicate additional right-of-way to meet the above minimum street width.

- a. The entire right-of-way shall be provided where any part of the proposed 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 (1/2) of the required right-of-way, as 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 thirty (30) feet.

##### **3. 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.

#### 4. Street Grades

Grades on major streets shall not exceed 7 percent. Grades on dead end streets may exceed 7 percent but shall not exceed 15 percent. Maximum slope within 100 feet of any intersection shall be 3% or less.

#### 5. 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.

#### 6. 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, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 ½) feet above the pavement surface. Profiles of all streets, showing natural and finished grades drawn to a scale of not less than one inch equals one hundred (100) feet horizontal, and one inch equals ten (10) feet vertical, may be required by the planning commission.

#### 7. 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. All street intersections shall have adequate visibility. If necessary, obstructions to visibility must be removed.

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.

#### 8. Tangents

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

#### 9. Street Jogs

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

## 10. Dead-end Streets

a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than one thousand and two hundred feet (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.

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 turnaround.

## 11. Private Streets and Reserve Strips

Private streets shall not be approved except when platted within subdivisions deemed as Planned Unit Developments (PUD's). Every other subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

## 12. 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 surface drainage, the planning commission may require the installation of a storm sewer system.

## 13. Street Name

Proposed streets that 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. All new street names must be approved by the Grainger County 911 Board prior to final approval by the Planning Commission.

## 14. Alleys

Alleys may be provided to the rear of all lots used for business purposes, and shall not be provided in residential blocks without the approval of the Planning Commission. Paved rear service streets will not be less than 20 feet in width.



## 15. Easements

Common Driveway Easements (CDE'S) for minor subdivisions may be permitted for access provided that such easement serves no more than one (1) subdivided lot and one (1) lot of record not to exceed a total of two lots, if the following requirements are met.

1. The Joint Permanent Easement must have direct access to a public street;
2. All lots served by a Joint Permanent Easement shall contain a minimum of forty (40) feet of road frontage along the easement;
3. The Joint Permanent Easement must be improved to contain at least a gravel wearing surface ten (10) feet wide.
4. A mechanism must be established for future maintenance of the Joint Permanent Easement.

## B. Lots

### 1. Arrangement

a. All lots shall have a traversal access from the property line fronting on a public road to the building site of the lot. Access shown on a plat only that is not accessible shall not be approved. Each individual access to a lot shall consist of an area with a slope of less than twenty percent (20%). Driveway access exceeding twenty percent (20%) shall be reviewed for approval on a case-by-case basis to ensure there will not be an impact to the county or constitute a safety hazard. Multiple lots within a subdivision that exceed twenty percent (20%) shall not warrant a variance from these requirements, but require re-configuring the lot design.

2. Minimum size of lots. The size, shape and orientation of lots shall be as the planning commission deems appropriate for the type of development and use contemplated. Public utility water and sewer must be used if reasonably accessible.

a. Lots served by public water and sewerage system must have a minimum of 40 feet of road frontage and shall not be less than seventy-five (75) feet wide at the building setback line nor less than ten thousand (10,000) square feet in area.

b. Lots served by utility water but not served by a public sewerage system shall not be less than fifty (50) feet wide at the street right-of-way line and a minimum of eighty (80) feet wide at the building setback line and shall provide a minimum area of twenty thousand (20,000) square feet.

c. Lots not served by public utility water or public sewer shall not be less than 75 feet wide at the street right-of-way line, not less than 100 feet wide at the building setback line and shall have a minimum area not less than thirty thousand (30,000) square feet.

d. Pie-shaped or wedge shaped lots are allowed only on curved parts of streets and around cul-de-sacs. These lots must contain the minimum square footage shown in items



(a), (b), and (c) above. In addition each lot must be a minimum of 40 feet wide at the street right-of-way line and the building setback line will conform to that contained in items (a), (b), and (c) above.

Greater area may be required for private sewage disposal if, in the opinion of the county health officer, there are factors of drainage, soil conditions or other conditions to cause potential health problems. High Intensity soil mapping of lots not connected to a public sewage system or to a public water supply shall be used by the Health Department to determine if the actual lot size will need to be larger than what is minimally required in these regulations.

Lot size for conventionally built homes, double wides and modular construction.

	Min. size area	min. width*	Min. street frontage**
Water & Sewer	10,000 ft. <sup>2</sup>	75 ft.	40 ft.
Water, no sewer	20,000	80	50
No water or sewer	30,000	100	75

\*Minimum width at building setback line.

\*\*Minimum street frontage can be reduced to 40 feet on cul-de-sacs, and to a minimum of 40 feet with special approval of the Planning Commission.

e. Size of properties reserved or laid out for commercial or industrial properties 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.

### 3. Building Setback Lines and Yard Requirements

a. The minimum depth of building setback lines from the street right-of-way line shall not be less than thirty (30) feet from minor residential and collector streets and forty (40) feet from all others. In case of corner lots, provide a setback of thirty (30) feet from all side street right-of-way lines unless a variance is granted. Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of building setback lines as outlined above. A minimum side yard setback of fifteen (15) feet is required for interior lots.

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:

Voltage of line	Minimum building setback
46 KV	37-1/2 feet
69 KV	50 feet
161 KV and over	75 feet



### C. Public Use and Service Areas

#### 1. Public open space

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 area.

#### 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 therefrom to prevent dead-end water mains.

#### b. Storm Drains

Where in the opinion of the planning commission the flow of water cannot be accommodated with surface drainage, storm sewers or an alternate system may be required. The planning commission shall determine, on the basis of the watershed and the estimated runoff, the size of the storm sewers. In ascertaining the size of the storm sewers, the planning commission may call upon its technical staff or any public or private agency to assist in its determinations. The developer must prepare and present a storm water retention plan that will retain surface runoff for at least a 24 hour period after a heavy rain event. In addition, a plan must be presented and approved regarding the retention of all erosion sediment on site.

#### 3. Water Supply and Sewerage Connections

##### a. Water Supply.

Where a public water supply system is reasonably accessible and adequate to service the proposed development, the subdivider shall connect to said system and extend service to all lots within the subdivision. All said connections, water mains, and other related facilities shall be indicated and shown on the plat. All materials, line sizes, and construction procedures for public water mains and service connections shall be approved by the appropriate public utility and the planning commission. Where a public water supply is not reasonably accessible or planned in the future, all lots must contain adequate area for the installation of individual wells for water supply purposes.

##### b. Fire Hydrants.



Where utility district water lines are available and of sufficient size, the developer must place fire hydrants in the subdivision. The utility district will specify water line sizes and number of hydrants. Fire hydrants and water supply and distribution lines can be shown on a plat that must be signed by a representative of the utility district prior to final planning commission approval.

c. Sewerage Connections or Subsurface Sewage Disposal.

Where a public sewer system is reasonably accessible and adequate to service the proposed development, the subdivider shall connect to said sewer system and extend service to all lots within the subdivision. All said connections, sewer mains, and other related facilities shall be indicated and shown on the plat. All materials, line sizes, and construction procedures for public sewer mains and service connections shall be approved by the appropriate public utility and the planning commission. Where a public sewer system is not reasonably accessible or planned in the future, each subdivided lot must contain adequate area for the installation of septic tanks and disposal fields as determined and approved by the County Environmentalist or other representative of the Tennessee Department of Environment and Conservation (TDEC). The planning commission shall not permit the platting of lots where, because of their size and/or physical limitations, any portion of a required subsurface sewage disposal system (SSD) can not be located on the building lot it is intended to serve. This includes all septic tanks, pumps, and drainage/leaching fields. The approval of each lot for an individual septic system by the County Environmentalist or TDEC representative shall be noted on the plat in writing prior to final approval by the planning commission. Lots in excess of five acres in area, lots that contain existing buildings, or those not planned for building purposes may be platted without being approved for septic system use in accordance with all guidelines and policies of the Tennessee Department of Environment and Conservation (TDEC). The planning commission shall coordinate the platting of all such lots with the County Environmentalist or other TDEC representatives to ensure compliance with all applicable TDEC requirements and the general purposes of these subdivision regulations. The planning commission may also require additional explanatory notes or lot restrictions to be platted for any lot that has not been approved by TDEC under their guidelines and policies.

This section shall not be interpreted to limit the planning commission from considering the use of alternative sewage treatment methods approved by the Tennessee Department of Environment and Conservation when they are proposed for use within a fully planned subdivision development, and are completely integrated into the design of the overall development.

d. Off Site Sewage Disposal

When sewage disposal is not accomplished on each individual lot, the plan for the sewage disposal system must be shown on the final plat, and be approved by either the DGWP or by the Division of Water Pollution before final planning commission approval.



If a wastewater utility company is used to operate and maintain any community sewage treatment system, the company must be bonded by Grainger County.

Community sewage disposal systems usually require a Class 5 well permit. If such a permit is required, then it must be presented to the planning commission before final approval is granted.

#### 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.

#### D. Suitability of the Land

The planning commission shall not approve proposed subdivisions that are deemed not in the best interest of the county due to natural factors such as flooding, poor drainage, steep slopes, sinkholes and other similar features that may endanger health, life or property. Moreover, the planning commission shall not approve what is deemed as scattered or premature subdivision of land due to inadequate or problematic provision of public water, schools, adequate transportation or other public services which would necessitate an excessive expenditure of public funds for those services.

##### 1. Flood Control Measure

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 aggravate erosion of flood hazard. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

a. Fill may not be used to raise land in areas where the fill would increase flood levels.

b. All proposed developments containing land shown on the flood maps of Grainger County shall identify the floodway and flood fringe area on the proposed development plan and the location of structures and improvements that will be subject to flood restrictions.

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. Mountain side developments



Slopes exceeding 15% on streets will not be allowed. The developer will provide a sediment retention plan, will construct such sediment containing measures and maintain such structures from filling with sediment for a period of 15 years after construction of the road or street.

#### E. Large Tracts or Parcels

When land is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further re-subdivision. Each tract must have a 40 foot minimum access to an existing road or street to facilitate future possible development unless otherwise approved by the planning commission.

#### F. Group Housing Developments

The authority to plan and regulate these types of developments was granted to the Grainger County Planning Commission by a resolution of the Grainger County Commission at a regular meeting in 1997.

A comprehensive group housing development, including large scale construction of housing units and mobile home sites together with necessary drives and ways of access, may be approved by the planning commission, although the design of the project does not include standard street, lot and subdivision arrangements. Not included under these Group Housing regulations are those situations where a landowner, without selling a lot, allows a trailer or manufactured home to be placed for a son or daughter, or other immediate family members and no rent is collected.

##### 1. Planned Unit Development (PUD)

For the purpose of these regulations, a planned unit development shall be a planned residential, commercial, or industrial development professionally designed as a unit on a parcel of land that may have separate ownership of, or acceptable lease arrangements and property in joint ownership. A planned unit development shall have ample open space provisions for the benefit and use of the residents. The open space shall be permanent and established in an appropriate manner. Planned unit developments shall include condominiums, mobile/manufactured home parks, and similar group building developments formally or informally divided for development.

a. Planned unit developments shall generally comply with the standards established in these regulations. However, the uniqueness of each proposed development may require special consideration of these standards and they may be modified by the planning commission to achieve appropriate design arrangements.



b. The final site plan shall contain the location of proposed structures, roads, drives, parking, utilities, drainage, open space areas and all other requirements established for final approval.

1. Internal driveways will be private and privately maintained. The final plat will show a minimum driveway access width of 30 feet and off road parking will be required. An optional sign may be posted at the entrance of a PUD stating that the driveway is privately maintained.

2. Necessary easements will be provided by the developer for the placement of public utilities within the 30 foot access width.

c. A planned unit development plat shall show appropriate subdivision of properties.

d. No free standing building shall be closer than twenty (20) feet to any other free standing building and no closer than twenty-five (25) feet to any exterior property line. There shall be a minimum setback of 10 feet from the street or parking area.

e. Each development shall have a pedestrian circulation system plan and the walkways shall be paved a minimum of four (4) feet in width.

f. A final landscaping plan shall be required. Landscaping shall be designed to lessen noise, improve the visual appearance and create a pleasing environment.

g. A final open space plan shall be required for apartments, condominiums and any multi-storied structures. The open space shall be permanent and established through appropriate legal documents which shall be submitted with the plan. The documents shall show the manner or way in which the open space is owned and how it will be maintained. The open space plan shall also show all open space improvements such as swimming pools, tennis courts, golf courses, and similar open space uses.

h. Changes and modifications in the final planned unit development plan shall be submitted to the planning commission as a revision request of the approved planned unit development.

## 2. Gated Subdivisions

a. Gated subdivisions within Planned Unit Developments (PUD's) must conform to all specifications contained in these regulations that pertain. All streets must be built to the minimum standards specified in these regulations. However, those streets behind the gate will be privately maintained as long as the gate is present. A sign shall be placed at the gate stating that the streets are privately maintained. Should the Homeowners Association of a gated subdivision, sometime in the future, petition the County Commission to accept and maintain the street(s), the gates must be removed. Any petition to have the County Commission take over the street system in a gated

subdivision is irrevocable once the County Commission has voted to take over the street system.

b. For all gated subdivisions with private roads and other subdivisions containing common areas, drainage structures outside of a public right-of-way or other elements that will require future maintenance, documentation for the establishment of an association shall be submitted by the developer to the county attorney for review prior to final plat approval. In addition, the developer shall bear the cost of such review and correspondence from the county attorney noting the findings of the review shall be forwarded to the planning commission prior to final plat approval.

#### G. 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, or
2. Where the planning commission determines 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 and the reasons therefore shall be stated in writing in the minutes of the planning commission. 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 AND CONSTRUCTION PRIOR TO FINAL SUBDIVISION PLAT 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 recording will establish legally.**

##### A. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install storm water drainage and water mains in accordance with specifications established by the Grainger County Regional Planning Commission. Street curbs are optional but are recommended. Where specifications adopted by local authorities conflict with standards as set forth in these subdivision regulations, the higher set of standards, as determined by the planning commission, shall govern. Certification of adequate roadway improvements is a two-step process. After completion of grading, storm drainage improvements and application of the pavement base, and again following application of the wearing surface, the developer shall be responsible for providing documentation from a civil engineer confirming the improvements are adequate and meet the required county specifications.

##### 1. Monuments

- a. Iron pins or other suitable monuments 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 curb in each street. These shall be shown on the final plat.
- b. All other corners and points shall be marked with iron pins. Subdivision lots must be properly marked at all corners and survey points with iron pipe or solid steel rods not less than one half (1/2) inches in diameter and twenty four (24) inches in length.

##### 2. Grading

All streets, roads and alleys shall be graded or filled horizontally to the width required to place the desired cross section of the finished asphalt surface and compacted gravel apron. Due to special topographical conditions, any deviation from the specifications will be allowed only with special approval. **Core drilling may be conducted at any time during road construction and up to one year after the final wear surface has been added to determine if specifications have been met. Should specifications not be met, the developer is responsible for bringing the road up to specifications.**



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, rock floaters, 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. All organic enriched topsoil shall be removed. Additional subsurface soil may also have to be removed in order to have a firm subgrade surface. After the removal of unusable soil, an additional 12 inches of the subbase is removed, the soil base is compacted by a sheepsfoot roller and then the material removed is put back in minimum 6 inch lifts and thoroughly compacted with a sheepsfoot roller. At this stage in road construction, proofing that the subgrade has been thoroughly compacted is done by passing a loaded truck of gravel, total gross weight of 60,000 to 80,000 pounds in one pass over the subbase. If the truck wheels penetrate more than one inch then additional compaction will be required. The compaction process must be done at the optimum moisture content for the soil being compacted. Adequate compaction cannot be accomplished if the soil is too dry or too moist. Subbase compaction is critical to long term road performance. The developer may also use other engineering services and procedures to provide proof that suitable compaction has been obtained.

c. 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 development site. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a "sheep's foot roller". Unless another method of preparation of the subgrade is specified, it shall be constructed as specified in Section 203, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works - January 1, 1968, and later 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 moisture content.

### 3. 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 side slopes. The pipe openings to be provided shall be determined by Talbot's formula (in Appendix D), but in no case shall the pipe be less than fifteen (15) inches in diameter. 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 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. If curbs are used, a subsurface storm drain system may be required, otherwise



road side ditches are generally required in order to keep the road bed dry and to keep water from ponding on the asphalt surface.

#### 4. Roadway improvements

a. Base: vibratory roller compacted crusher-run or pug-mill gravel base course six (6) inches thick after compaction and three (3) feet wider than the width of the pavement on each side of the street shall be installed on all streets, including cul-de-sacs, temporary turnarounds and access streets to adjoining properties, according to the method specified in Section 33, Standard Specifications for Roads and Bridge Construction, Tennessee Department of Highways and Public Works, January 1, 1968, and latest revisions thereto. Wetting of the stone if needed, before compaction, may be done at the point of origin or at the job site at the option of the contractor.

b. Curbing (OPTIONAL). The subdivider shall provide curbs of no lower classification than machine formed concrete or asphalt 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. If curbs are used, the 3 foot wide gravel apron on each side of the paved surface is not required, but a subsurface storm drain system may be required. In lieu of curbs as the drainage system on cul-de-sacs and loop streets in the planning region, the planning commission may accept one of two alternatives: (1) swales may be used on streets where the finished grade does not exceed 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. One-half (1/2) inch to three-fourth (3/4) inch expansion and contraction joints for the curbs and gutters shall be placed at intervals not exceeding forty (40) feet.

c. Asphalt Surface: The wearing surface shall consist of a surface course constructed with asphalt, 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, 1968, 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 approved by the inspecting County Superintendent of Roads. After a period of at least one (1) year and no more than three (3) years later the developer will add an additional minimum of one (1) inch of hot mix asphalt after making any needed repairs. The road surface shall be thoroughly cleaned and a tack coat placed before the final wear surface is placed. The County Superintendent of Roads will supervise this process and certify the road as having met County Planning Commission paving standards and specifications.

#### 5. Minimum Street Improvement Widths

Due to the diversity of development in the planning region ranging from sparsely populated agricultural areas to the densely populated urban areas, required street improvement widths will necessarily vary with the character of building development and



the amount of traffic encountered. Minimum widths of asphalt surface treatment of roads and streets shall be those indicated below.

- a. Existing arterial street (not paved by developer).
- b. Collector streets 32 feet
- c. Residential streets 26 feet. 20 feet minimum without street side parking.
- d. Marginal access 20 feet minimum width.
- e. Loop streets 20 feet minimum width.
- f. Dead-end streets (cul-de-sacs) 20 feet minimum width.
- g. Rural streets 20 feet minimum without curbs.

#### 6. Installation of utilities

After grading is completed and approved and before any gravel 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 paved center section. Any trenches across the road bed must be backfilled with gravel and mechanically compacted.

#### 7. Water supply system

Water mains properly connected with the utility water supply system shall be constructed in such a manner to adequately serve all lots shown on the subdivision plat for both domestic use. (Fire protection is optional depending on the ability of the utility to supply water).

The size of water mains, the location and type of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the planning commission upon the recommendation of the Superintendent of the Utility District or other applicable inspection agencies, and shall conform with accepted standards of good practice for municipal water systems. This data must be supplied on a final copy of the subdivision plat that will be recorded at the courthouse.

#### 8. Street name signs

Appropriate street signs also add sales value to land subdivisions and enable strangers, delivery concerns and even potential lot buyers to find their way around. Street names should appear at all intersections. Upon request the planning commission will provide the developer with specifications for the construction, placing and setting of such signs. Purchase and placement of street signs is the responsibility of the developer.



## B. Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the planning commission or accepted for record by the 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 by the Grainger County Planning Commission and the water utility.
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 percent (20%) inflationary value whereby improvements may be made without cost to the county in the event of default. Such improvements shall include, but not be limited to, public roads, utilities and drainage structures. Acceptable financial guarantees shall conform to Section C8(f) of Article II. 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 by the planning commission. 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 county shall forward all required documentation to the county 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 20% 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 county. A detailed "Escrow Agreement" shall be prepared and endorsed by all parties to such agreement.

#### 4. Maintenance/Warranty Bond

In addition to the requirements of Section B(2), prior to the release of the financial guarantee, a maintenance/warranty bond shall be required that will provide funds for any needed improvements, in case of damage and/or deterioration prior to acceptance as a county road. Prior to formal dedication and acceptance of the road into the county road system, the developer shall post a maintenance/warranty bond assuring the quality of the materials and workmanship effective for at least two (2) years after acceptance. The minimum amount of the bond shall be twenty-five percent (25%) of the total cost of the road improvements or the pre-construction surety amount previously posted for such improvements, whichever is greater. Within thirty (30) days from the end of the effective date, a final inspection shall occur to assure no problems exist prior to authorizing release of the maintenance/warranty bond.



## **ARTICLE V. REGULATIONS FOR THE REVIEW AND APPROVAL OF MINOR SUBDIVISIONS ON EXISTING COUNTY ROADS**

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 the Grainger County Subdivision Regulations does not apply to minor subdivisions.

### **A. Definition**

In order to be considered a minor subdivision the tract or parcel of land to be subdivided shall be located along an existing open public road that has been accepted and is being maintained by the 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 Articles I through III of the Grainger County Subdivision Regulations.

Minor subdivisions will be considered for official approval at each regularly scheduled meeting of the Grainger County Planning Commission. In the event that it places an extreme and undue hardship on the developer or selling agent a special review committee may review the subdivision prior to the regular monthly meeting. The special review committee may grant tentative approval and permission to sell pending official approval by the Grainger County Regional 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 commission technical staff four (4) copies of the subdivision plat.
2. Requests for special review and approval due to hardship must be accompanied by a statement explaining the nature of the hardship and reasons why special reviews are necessary.
3. Preliminary approval may be granted prior to health department approval (includes layout design of the subdivision and development requirements).
4. Permission to sell subject to final approval may be granted by the full commission.

5. Permission to sell cannot be granted unless the plat has received health department approval.
6. Subdivisions must be properly marked at all corners and survey points with iron pipe or solid steel rods not less than one half (1/2) inches in diameter and twenty four (24) inches in length.
7. If permission to sell is granted, the sale is made subject to any changes or additional requirements requested by the planning commission for final approval and buyers of the property shall be properly informed of this condition by the person or persons selling the property.
8. Final approval will not be granted by the planning commission until after approval has been granted for subsurface sewage disposal systems on each lot.



## **ARTICLE VI. ENFORCEMENT AND PENALTIES FOR VIOLATIONS**

The enforcement of these regulations and penalties for the unapproved recording 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 (2) or more lots located within the Grainger County Planning Region 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 13-3-402, 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 construction of other facilities or utilities in any road located within the planning region 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 13-3-406, Tennessee Code Annotated.

### **B. 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. Sections 13-3-410 and 13-4-306, 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 the 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 regional planning commission, Section 13-3-410 provides that the county through its county attorney, or other official designated by the quarterly county court may enjoin such transfer or sale or agreement by action or injunction.

## 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; thirty (30) days notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in each county lying wholly or partly in the planning region.

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

Adopted \_\_\_\_\_

Effective \_\_\_\_\_

Signed \_\_\_\_\_ Secretary, Grainger County Regional Planning  
Commission



## **APPENDICES**

## APPENDIX A



## FINAL PLAT CERTIFICATIONS

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### CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon said plat and that I (we) adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and open spaces to public or private use, as noted. I (we) further acknowledge that any change to this subdivision constitutes a re-subdivision and requires the approval of the Grainger County Regional Planning Commission.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

### CERTIFICATE OF ACCURACY AND PRECISION

I hereby certify that the plan shown and described hereon is a true and correct survey to the level of accuracy required by the Grainger County Regional Planning Commission and that the monuments have been placed as shown hereon, in accordance with the subdivision regulations.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Surveyor

### CERTIFICATE OF GENERAL APPROVAL FOR INSTALLATION OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS WITH RESTRICTIONS

General approval is hereby granted for lot(s) \_\_\_\_\_ shown hereon as being suitable for subsurface sewage disposal with the listed and/or attached restrictions. Before the start of construction, the location of the house or other structure, mobile or permanent, must be approved and a SSD permit issued by the Division of Ground Water Protection. Water taps, water lines, underground utilities and driveways should be located at the side property lines unless otherwise noted. Any cutting, filling or alteration of the soil conditions may void this approval.

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Environmentalist or Authorized Representative

### **CERTIFICATE OF EXISTING WATER SUPPLY**

I hereby certify that the existing waterlines and fire hydrants as shown on said plat are in place and correct and are maintained by the \_\_\_\_\_  
(Utility entity).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Utility Representative or Authorized Representative

### **CERTIFICATE OF APPROVAL OF WATER LINES**

I hereby certify that the water lines and fire hydrants have been installed in an acceptable manner in accordance with the requirements of the subdivision regulations and consistent with the applicable utility district; or a Financial Guarantee in the amount of \$\_\_\_\_\_ has been posted to the planning commission as an assurance that the required water supply improvements will be completed in accordance with the county subdivision regulations and applicable utility district requirements.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Utility Representative or Authorized Representative

### **CERTIFICATION OF ROAD NAMES**

I hereby certify that the road(s) names shown on said plat are correct and do not conflict with other county street names in accordance with the Grainger County Street Naming System.

\_\_\_\_\_  
Date

\_\_\_\_\_  
E-911 Director

### **CERTIFICATION OF COUNTY ROADS**

I hereby certify that the existing road shown hereon said plat is an existing county road maintained by the Grainger County Highway Department.

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Road Superintendent



**CERTIFICATION OF APPROVAL OF ROADS, DRAINAGE SYSTEM AND  
OTHER RELATED IMPROVEMENTS**

I hereby certify that the roads, drainage structures and other related improvements depicted on said plat have been constructed to the county road specifications; or a Financial Guarantee in the amount of \$\_\_\_\_\_ has been posted to the planning commission as an assurance that the required road improvements will be completed in accordance with the county road specifications.

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Road Superintendent

**CERTIFICATION OF PRIVATE ROADS**

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

**CERTIFICATE OF APPROVAL FOR RECORDING**

I hereby certify that the subdivision plat shown hereon has been found to comply with the Grainger County Subdivision Regulations, with the exception of such variances, if any, as noted on said plat and the subdivision plat shown hereon has met all of the requirements of the Grainger County Subdivision Regulations and has been approved by the planning commission for recording in the Office of Register of Deeds.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Grainger Co. Regional Planning Commission

## APPENDIX B



(BANK LETTERHEAD)

IRREVOCABLE LETTER OF CREDIT  
GRAINGER COUNTY, TENNESSEE

Letter of Credit No. \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_ Subdivision

We, \_\_\_\_\_ (financial institution),  
hereby establish an Irrevocable Letter of Credit in favor of Grainger County, Tennessee  
as Beneficiary for the account of \_\_\_\_\_ (developer)  
for completion of \_\_\_\_\_  
improvements in the \_\_\_\_\_  
Subdivision located in Grainger County, 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 Grainger County 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 Grainger County 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 county representative to call such letter of credit. In so doing so, the county  
representative shall present an original letter of credit and an affidavit from the Secretary  
of the Grainger County 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 Grainger County 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  
County, Tennessee, 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 Grainger County 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 Grainger  
County Regional Planning Commission for and on behalf of Grainger County, Tennessee  
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 \_\_\_\_\_



## APPENDIX C

## 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 inches	Area of ditch bottom Sq. feet	acres mountains	acres rolling	acres level
12	.785	0.75	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