

# **SUBDIVISION**

**LOUISVILLE, TENNESSEE**

# **REGULATIONS**

**These Regulations Are Adopted by the Louisville  
Municipal Planning Commission Under the Authority  
Conferred by Tennessee Code Annotated Section  
13-4-301 through 13-4-309**

**Initially Adopted: November 20, 1991**

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## SECTION 1. GENERAL PROVISIONS

- 1.1. TITLE
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1.1. **Title.** These regulations shall hereafter be known, cited, and referred to as the Subdivision Regulations of Louisville, Tennessee.

1.2. **Authority.** By the authority of Title 13, Section 13-4-301 through Section 13-4-309 of the Tennessee Code Annotated and other applicable laws, statures, ordinances, and regulations of the State of Tennessee. The Louisville Planning Commission does hereby exercise the power and authority to review, approve and disapprove plats for the subdivision of land within the Town of Louisville.

1.3. **Policy.**

1. It is hereby declared to be the policy of the planning commission to consider the subdivision of land and the subsequent development of the subdivision plat subject to the control of the planning commission's most recent adopted land use plan of the Town of Louisville for the orderly, planned, efficient, and economical development of the Town of Louisville.
2. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from flood, fire, lack of water supply or other menace, and land shall not be subdivided until available public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities, and improvement.

1.4. **Purpose.** These regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the Town of Louisville.
2. To guide the future growth and development of the Town of Louisville, in accordance with the planning commission's most recently adopted Land Use Plan.
3. To provide for adequate light, air, privacy, to secure safety from fire, flood, and other danger and to prevent overcrowding of the land and undue congestion of population.
4. To protect the character and the social and economic stability of all parts of the town and to encourage the orderly and beneficial development of all parts of the Town of Louisville.
5. To protect and conserve the value of land throughout the town and the value of buildings and improvements upon the land, and to minimize the conflicts about the uses of land and buildings.
6. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage facilities, schools, parks, playgrounds, recreation, and other public requirements and facilities.
7. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the town, having particular regard to the avoidance of congestion on the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
8. To establish reasonable standards of design and procedures for subdivisions and resubdivision, in order to further the orderly subdivision and use of land; and to insure proper legal descriptions and monumenting of subdivided land.
9. To ensure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
10. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the town in order to preserve the integrity, stability, and beauty of the community and the value of the land.
11. To preserve the natural beauty and topography of the town and to ensure appropriate development with regard to these natural features.

**1.5. Jurisdiction .**

1. These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the Town of Louisville, Tennessee.
2. No plat of a subdivision shall be used in the transfer of land within the municipality until:
  - a. The subdivider or his agent shall submit a preliminary plat of the parcel to the planning commission through its administrative staff.
  - b. The subdivider or his agent shall obtain preliminary and final approval by the planning commission.
  - c. The approved plat is filed with the Blount County Register of Deeds.
3. The municipality shall not nor shall any public authority accept, lay out, open, improve, grade, pave, or light any street or lay or authorize water mains or sewers or connection to be laid in any street within the municipality, unless such street shall have been accepted or opened as or shall have otherwise received the legal status of a public street prior to the attachment of the commission's subdivision jurisdiction, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the planning commission or with a street plat made and adopted by the commission; provided, however, that the chief legislative body of the municipality may locate and construct or may accept any other street, provided the ordinance or other measure for such location and construction or for such acceptance be first submitted to the planning commission for its approval, and if disapproved by the commission, be passed by the majority of the entire membership of the legislative body; and a street, approved by the planning commission upon such submission or constructed or accepted by such majority vote after disapproval by the commission, shall have the status of an approved street as fully as though it has been originally shown on a subdivision plat approved by the commission or on a plat made and adopted by the commission.

**1.6. Enactment.** In order that land may be subdivided in accordance with these purposes and policies, these subdivision regulations are hereby adopted.

**1.7. Interpretations, Conflict and Separability.**

1. In their interpretation and application, the provisions of these regulations shall be held to the minimum requirements for the promotion of the public health, safety, and general welfare.
2. Conflict with Public and Private Provisions.
  - a. Public Provisions. The regulations are not intended to interfere with, abrogate, or annul any other provision of law. Where these regulations impose restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose high standards shall control.
  - b. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the provision of the easement, covenant or private agreement or restriction impose duties and obligations more restrictive, or the determinations of the planning commission or the town in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations thereunder.
3. Separability. If any part or provisions of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The planning commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

**1.8. Saving Provision.** These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the Town of Louisville under any section or provision existing at the time of adoption of these regulations, or as vacating annulling any

rights obtained by any person, firm, or corporation, by lawful action of the Town of Louisville except as shall be expressly provided for in these regulations.

**1.9. Amendments.** For the purpose of providing for the public health, safety, and general welfare, the planning commission may from time to time amend the provisions imposed by these subdivision regulations. Public hearing on all proposed amendments shall be held by the planning commission in the manner prescribed by Tennessee Code Annotated Section 13-4-303.

**1.10. Conditions.** Regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State to this town. The developer has the duty of compliance with reasonable conditions laid down by the planning commission for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economical development of the Town of Louisville and to the safety and general welfare of the future property owners in the subdivision and of the community at large.

**1.11. Resubdivision of Land.**

1. Procedure for Resubdivision. For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plat legally recorded prior to the adoption of any regulations controlling subdivisions, such parcel shall be approved by the planning commission by the same procedure, rules and regulations as for a subdivision.
2. Procedure for Subdivisions, Where Future Resubdivision is indicated. Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be resubdivided into small building sites, the planning commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be requirement on the plat.

**1.12. Variances.**

1. General. Where the planning commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further

provided the planning commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property; and,
  - b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property; and,
  - c. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from mere inconvenience, if the strict letter of these regulations are carried out.
2. Conditions. In approving variances, the planning commission may require such conditions as will, in its judgment, secure substantially the objective of the standards to requirement of these regulations.
  3. A petition for any variance shall be submitted in writing by the subdivider at the time which the preliminary plat is filed for the consideration of the planning commission. The petition shall state in full the grounds for the application and all of the facts relied upon by the petitioner.

### **1.13. Enforcement.**

1. General.
  - a. It shall be the duty of the administrative staff of the planning commission to enforce these regulations and to bring to the attention of the planning commission and town attorney any violation or lack of compliance herewith.
  - b. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer, sell or negotiate to sell by reference to or exhibition of, or by other use of a plat of subdivision before the plat of such subdivision has received final approval in writing by the planning commission, in accordance with the provisions of the regulations and filed with the county register of deeds.
  - c. Civil Enforcement. Appropriate actions and proceedings may be taken by law or in equity to prevent any violations of these regulations, to prevent unlawful construction, to recover damages,

to restrain, correct or abate a violation, to prevent illegal occupancy of a building structure or premises, and these remedies shall be in addition to the penalties described above. These actions are specified in Tennessee Code Annotated 13-4-306 and 13-4-308.

## SECTION 2. DEFINITIONS

### 2.1. USAGE

### 2.2. WORDS AND TERMS DEFINED

#### 2.1. Usage

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

#### 2.2. Words and Terms Defined

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

**AASHO.** American Association of State Highway Officials or their current specifications.

**Block.** A tract of land bounded by physical boundaries such as streets, public parks, cemeteries, railroad right-of-ways, shorelines of waterways, or boundary lines or municipalities.

**Bond.** Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the planning commission. All bonds shall be approved by the town attorney wherever a bond is required by these regulations.

**Building.** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and include any structure.

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

**Central Water System.** A private water company formed by a developer to serve a new subdivision development in an outlying area. It includes water treatment and distribution facilities.

**Central Sewage System.** A community sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying area.

**County.** Blount County, Tennessee

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

**Designated Engineer.** An engineer designated by the Town of Louisville.

**Developer.** The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

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

**Engineer.** Engineer designated by the Town of Louisville.

**Final Plat.** The map or plan or record of a subdivision and any accompanying material, as described in these regulations.

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

**Floodway.** The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of a given magnitude.

**Frontage.** That side of a lot abutting on a street or way and ordinarily regarded as the front of a lot, but it shall not be considered as the ordinary side of a corner lot.

**Grade.** The slope of a road, street, or other public way, specified in percentage (%) terms.

**Health Department.** The agency and person designated to administer the local health regulations. The Blount County Health Department.

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

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

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

**Lot area – usable.** Lot area suitable for septic fields. This area does not include areas which have been filled, areas within the TVA flowage easement, land which lies within flood hazard areas, areas with slope greater than 25%, or areas where the soil is designated unsatisfactory by the Soil Conservation Service’s soil scientist or soil scientist approved by the Blount County Health Department.

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

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

**Monuments.** Markers place on or in the land. Steel pins not less than three-fourths (3/4) inches in diameter and two (2) feet long.

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

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

**One Lot Subdivision.** The subdivision of a larger tract, parcel, or lots into two lots, in which only one additional lot is created. Both lots may be platted. The combining of two or more existing lots which creates a single lot. {This subdivision and the requirements specified in Section 4.4 (4) (b)}.

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

**Percolation Test.** An examination of subsoil used in determining the acceptability of the site and the design of the subsurface disposal field. The procedure of administering the test is set forth in TCA.

**Planning Commission.** The Louisville Planning Commission.

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

**Public Utility.** Any person, firm, corporation, municipal department or board duly authorized to furnish, under state or municipal regulations, to the public, electricity, gas, steam, communications, telegraph, transportation, water or sewer.

**Register of Deeds.** Blount County Register of Deeds.

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

**Right-of-Way.** A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term “right-of-way” for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the owner of the property on which such right-of-way is established.

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

**Road Right-of-Way Width.** The distance between property lines measured at right angles to the center line of the street.

**Roadway.** The portion of a highway within limits of construction.

**SCS.** United States Soil Conservation Service.

**Setback.** The distance between a building and the property line nearest thereto.

**Staff.** The professional assistants to the Louisville Planning Commission.

**Street Grade.** The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street at the midpoint of the lot shall be taken as the street grade.

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

**Subdivision.** The definition in these regulations shall conform to the meaning set forth in TCA 13-4-301 and any amendments or revisions thereto.

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

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

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

**Temporary Improvement.** Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of any performance bond.

**Town.** Town of Louisville.

**Town Attorney.** Attorney for the Town of Louisville.

**Water Hazard Area.** The area adjacent to continuously flowing waterways which due to its proximity to the waterway, is unsuitable for residential structures or septic fields due to potential water pollution.

### **SECTION 3. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS**

- 3.1. Improvements and Performance Bond**
- 3.2. Inspection**
- 3.3. Maintenance of Improvements**
- 3.4. Deferral or Waiver of Required Improvements**
- 3.5. Other Methods of Assurance for Completion and Maintenance of Improvements**

#### **3.1. Improvements and Performance Bond**

1. Completion of Improvements. Before the plat is signed by the Secretary of the planning commission, all applicants shall be required to complete, in accordance with the planning commission's decision, all the streets, sanitary and other improvements, including lot improvements on the individual lots of the subdivision as required in these regulations, specified in the final subdivision plat, and as approved by the planning commission, and to dedicate same to the town, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.
2. Performance Bond.
  - a. The planning commission at its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the subdivision plat, and that, as an alternative, the applicant post a performance bond, including labor and material payments, at the time of application for final subdivision approval in an amount estimated by the planning commission as sufficient to secure to the town the satisfactory construction, installation, and dedication of the incompleting portion of required improvements. The performance guarantee/surety shall also secure all lot improvements on the individual lots of the subdivision as required in these regulations.
  - b. Such performance guarantee/surety shall comply with all statutory requirements and shall be satisfactory to the town attorney as to form and sufficiency (i.e., inflation or rising construction costs shall be taken into account of guarantee/surety regulations.) A copy of the power of attorney from the countersigning agent shall be attached. The period within specified by the planning commission in the resolution approving the final subdivision plat and shall be incorporated in the guarantee/surety and shall not in any event exceed two (2) years from date of final approval.

Such guaranteed/surety shall be approved by the planning commission as to amount and surety and conditions satisfactory to the planning commission.

The planning commission may, upon proof of difficulty, grant an extension of the completion date set forth in such guarantee/surety for a maximum period of one (1) additional year. The planning commission may at any time during the period of such guarantee/surety accept a substitution of principal or sureties on the guarantee/surety.

3. **Temporary Improvement.** The applicant shall build and pay for all costs of temporary improvements required by the planning commission and shall maintain same for the period specified by the planning commission. Prior to construction of any temporary facility or improvement, the developed may be required to file with the planning commission a separate suitable guarantee/surety for temporary facilities, which guarantee/surety shall insure that the temporary facilities will be properly constructed, maintained and removed.
4. **Cost of Improvements.** All required improvements shall be made by the applicant, at his expense, without reimbursement by the local government.
5. **Governmental Units.** Governmental units to which these guarantee/sureties and contract provisions apply may file in lieu of said contract or guarantee/surety a certified resolution or ordinance from officers or agencies authorized to act in their behalf, agreeing to comply with the provisions of this section.
6. **Failure to Complete Improvements.** In those cases where a performance guarantee/surety has been posted and required improvements have not been installed within the terms of such guarantee/surety, the planning commission thereupon shall declare the guarantee/surety to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the guarantee/surety is declared to be in default.
7. **Acceptance of Dedication Offers.** Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by resolution of the Board of Mayor and Alderman of the Town of Louisville. The approval by the planning commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the town of any street, easement, or park shown on said plat. The planning commission may require said plat to be endorsed with appropriate notes to this effect.

### **3.2. Inspection of Improvements.**

1. General Procedure. The planning commission shall provide for inspection of required improvements during construction and ensure their satisfactory completion. If the designated engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the planning commissions or agencies involved construction standards and specifications, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a performance guarantee/surety, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.
2. Release or Reduction of Performance Bond.
  - a. Certificate of Satisfactory Completion. The governing body will not accept dedication of required improvements, nor shall the planning commission release nor reduce a performance bond, until the designated engineer has submitted a certificate stating that all required improvements have been satisfactorily completed and until the applicant's surveyor has certified to the designated engineer, through submission of detailed "as built" survey plat of the subdivision, indicating location, dimensions, materials, and other information required by the planning commission or designated engineer, that the layout of the line and grade of all public improvements is in accordance with construction plans for the subdivision. Upon such approval and recommendation, the governing body shall thereafter accept the improvements for dedication in accordance with the established procedure.
  - b. Reduction of Performance Bond. A performance bond shall be reduced upon actual dedication of public improvements and then only to the ratio that the public improvements dedicated bears to the total public improvements for the plat. In no event shall a performance bond be reduced below twenty-five (25%) of the principal amount.

### **3.3. Maintenance of Improvements.**

1. The applicant shall be required to maintain all improvements on the individual subdivided lots until acceptance of said improvements by the town.
2. The applicant shall be required to file a maintenance bond including labor and material payments, with the planning commission prior to dedication. The bond shall be an amount considered adequate by the town attorney, in

order to assure the satisfactory condition of the required improvements, including all lot improvements on the individual subdivided lots for a period of one (1) year after dedication of same to the town. In lieu of a maintenance bond the planning commission may accept a certificate of road guarantee from the road contractor. This certificate shall meet the bond terms specified above and shall specify the developer as responsible should the road contractor default.

3. In cases where more than two lots within a proposed development are to be served by a private road(s), the applicant shall be required to establish a property owners' association charged with the responsibility to ensure the future maintenance of said road(s). The Louisville Planning Commission has no role in this process beyond requiring the establishment of such a system.

#### **3.4. Deferral or Waiver of Required Improvements.**

1. The planning commission may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.
2. Whenever it is deemed necessary by the planning commission to defer the construction of any improvements required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant may be required to pay his share of the costs of the future improvements to the town prior to signing of the final subdivision plat, or the applicant may post a guarantee/surety ensuring completion of said improvements upon demand of the town.

#### **3.5 Other Methods of Assurance for Completion and Maintenance of Improvements**

In lieu of guarantee/surety, the planning commission may accept alternative methods of assurance which are adequate to ensure completion and maintenance of improvements. The methods which may be considered for acceptance are cashiers check, certified check, money in escrow, and irrevocable letter of credit. The exact terms of these alternatives shall be satisfactory to the town attorney and planning commission. These alternatives shall be written so that they are collectable upon presentation with a letter from the designated engineer verifying that the proposed improvements are not completed as scheduled for the improvements have failed to withstand the first year of use without damage.

## **SECTION 4. SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS**

- 4.1. General Procedure**
- 4.2. Classification of Subdivision**
- 4.3. Submission Process**
- 4.4. Submission Date**
- 4.5. Submission Deadline for Final Plats**
- 4.6. Action by the Planning Commission**

### **4.1. General Procedure**

The owner of land lying within the area of jurisdiction of the Louisville Planning Commission who wishes to divide such land into two (2) or more lots shall seek approval by the Louisville Planning Commission prior to recording a subdivision plat with the Blount County Register of Deeds. Following are Louisville's subdivision procedures:

1. **Informal Consultation.** The applicant shall consult early and informally with the planning commission and/or its technical staff for advice and assistance prior to submitting any plat. This will enable the applicant to become thoroughly familiar with these regulations, the major street and road plan, and other official plans or public improvements which affect the area. Such informal review should prevent unnecessary and costly revisions.
2. **Submission of Preliminary Plat.** Prior to making any street improvements or installing any utilities, the applicant shall submit a preliminary plat to the Planning Commission as provided for in Section 5 of these subdivision regulations. The preliminary plat is required in order to properly identify the property being subdivided, to ensure adherence to Louisville's subdivision and zoning regulations and to all other applicable regulations, to assess infrastructure capacity and availability, and to guide construction of the required improvements. The preliminary plat must be approved by the Planning Commission prior to utility and street construction.
3. **Submission of Final Plat.** After the Planning Commission approves the preliminary plat and the required improvements have been installed, or appropriate assurance for completion and maintenance of improvements in accordance to Section 3 of these regulations has been accepted by the planning commission, the final plat can be submitted for approval. The final plat must follow the requirements outlined in Section 5 of these subdivision regulations.

#### 4.2. Classification of Subdivision.

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

1. Major Subdivisions. All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of five (5) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities, or the creating of any public improvements. The application process for major subdivision approval requires an informal consultation, submission of a preliminary plat, and submission of a final plat.
2. Minor Subdivisions. Any subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road, or the extension of water, or the creating of any public improvements, and not adversely affecting the remainder of the property or adjoining property. If a lot has been previously subdivided within the last ten (10) years either by a deed, a one lot subdivision, or as an administrative plat, with the subdivision resulting in an additional lot or lots, any further subdivision of any of the resulting lots into additional lots will require review as a minor subdivision. The application process for minor subdivision approval requires an informal consultation and submission of a final plat; minor subdivisions are exempt from the preliminary plat requirement.
3. Administrative Review Subdivision. The subdivision may be classified as an administrative plat under the following conditions: when the plat divides a larger tract, parcel, or lot into no more than two lots, in which only one additional lot is created; where the plat combines existing lots into no more than two lots; where an adjustment is made to the lot line(s) between two existing recorded lots; and where a plat is required for recording an easement or new information and no subdivision of land is involved. Administrative review subdivisions cannot create any variances to the applicable subdivision or zoning regulations. These subdivisions can be endorsed in writing on the plat by the secretary of the planning commission or by another designee of the planning commission without the approval of the municipal planning commission, upon certification by the planning staff of the municipal planning commission that the plat complies with the Louisville Subdivision Regulations. The application process for administrative review subdivision approval requires an informal consultation and submission of a final plat; administrative review subdivisions are exempt from the preliminary plat requirement. At the discretion of the applicant and/or the planning staff, the subdivision may be submitted to the planning commission for formal review.

### 4.3. Submission Process.

1. For Preliminary Plats: At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the planning commission or its staff eight (8) copies of the preliminary plat of the proposed subdivision drawn to a scale of not less than one (1) inch equals one hundred (100) feet, and meeting all other requirements delineated in Section 5.2., Preliminary Plat, of these subdivision regulations, including the submission of an Impact Statement if required. The subdivider shall also submit eight (8) copies of the Construction Plan as described in Section 5.3. of these subdivision regulations.
2. For Final Plats: At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the planning commission or its staff eight (8) copies of the final plat, meeting all requirements of Section 5.4. of these subdivision regulations, Final Subdivision Plat.
3. For Administrative Review Subdivision Plats: The subdivider shall submit to the planning commission or its staff three (3) copies of the final plat, meeting all requirements of Section 5.4. of these regulations, Final Subdivision Plat.

### 4.4 Submission Date

The official submission date shall be considered the date of the commission meeting at which a plat is considered for approval. This is not the date upon which the plat is submitted to the planning commission staff for review. Plats shall be submitted to the planning commission staff for on or before the seventh calendar day of the month in which approval is requested.

### 4.5 Submission Deadline for Final Plats

1. Approval of a preliminary plat shall be valid only for a period of twelve (12) months following the date of preliminary approval by the planning commission unless a request for an extension has been received and approved by the planning commission prior to expiration of preliminary approval. Upon expiration of preliminary approval, a final plat of the same subdivision shall not be considered by the planning commission unless said preliminary plat is submitted for preliminary approval based on standards in effect at the time of resubmission.
2. Extension of Time: If the developer is unable to complete the improvements required for final approval within the specified time, he may present in writing to the planning commission a request for an

extension of time, explaining the reasons for the extension. The developer shall submit his request two regularly scheduled planning commission meetings prior to the date preliminary approval expires and no less than thirty (30) days prior to the expiration of preliminary approval. In the event such an extension is granted, the planning commission shall state the time limit of the extension, which shall be recorded in the minutes of the planning commission.

#### 4.6 Action by the Planning Commission.

##### 1. Preliminary Plat Review.

- a. Within thirty-five (35) days after the official submission date of the preliminary plat, the planning commission will review it and indicate its approval or disapproval. The commission shall act on the preliminary plat within these thirty-five (35) days; otherwise the plat shall be deemed approved and a certificate to that effect shall be issued by the commission on demand. The applicant for the commission's approval may waive the time requirement set in this subsection and consent to an extension or extensions of the applicable time period. Grounds for disapproval shall be stated in the records of the planning commission.
- b. The approval of the preliminary plat by the planning commission serves as a basis for preparation of the final plat but does not constitute acceptance of the final plat and preliminary approval will not be indicated on the preliminary plat.

##### 2. Final Plat Review.

- a. Within thirty-five (35) days after the official submission date of the final plat, the planning commission will review it and indicate its approval or disapproval. The planning commission shall act on the final plat within thirty-five (35) days; otherwise the plat shall be deemed approved and a certificate to that effect shall be issued by the commission on demand. The applicant for the commission's approval may waive the time requirement set in this subsection and consent to an extension or extensions of the applicable time period. Grounds for disapproval shall be stated on the records of the planning commission.
- b. The planning commission secretary shall sign only the prints of the final plat which exhibit original signatures of certification.
- c. After approval of the final plat, the original drawing shall be returned to the subdivider for his records and one print shall be

returned by the subdivider duly certified for filing to the county register of deeds as the official plat of record. Two copies shall be retained by the planning commission for its records.

- d. Approval of the final plat shall not constitute acceptance by the public of the dedication of any improvements, roads, way, or ground; however, upon satisfactory completion of all required improvements, and the recording of the approved plat in the Office of the Blount County Register of Deeds, the planning commission shall recommend such acceptance to the Board of Mayor and Aldermen of the Town of Louisville.

## **SECTION 5. SPECIFICATION FOR DOCUMENTS TO BE SUBMITTED**

- 5.1. Standards for Submittal**
- 5.2. Preliminary Plat**
- 5.3. Construction Plans**
- 5.4. Final Subdivision Plat**

### **5.1. Standards for Submittal**

All documents submitted for review must meet the minimum standards as set forth in the rules of the Department of Insurance Division of Regulatory Boards, Board of Examiners for Land Surveyors, Chapter 0820-3 Standards of Practice and any amendments thereto.

### **5.2. Preliminary Plat**

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

1. Name.
  - a. Name of existing subdivision if property is within an existing subdivision.
  - b. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded.
  - c. Name of property if no subdivision name has been chosen (this is commonly the name by which the property is locally known).
2. Ownership.
  - a. Name and address, including telephone number of legal owner or agent of the property.
  - b. Citation of any existing legal rights-of-way or easements affecting the property.
  - c. Reference to existing covenants on the property, if any.
  - d. Name and address, including telephone number, of the professional person(s) responsible for subdivision design, for the design of public improvements and for survey.

3. Description. Location of property by tax map and parcel number.
4. Features. The preliminary plat shall show the following:
  - a. Location sketch map showing relationship of the subdivision site to the surrounding area.
  - b. Location of property with respect to surrounding property and streets, the names of all adjoining property and streets, the names of all adjoining property owners of record within two hundred feet.
  - c. The approximate location of all boundary lines of the property and the total acreage of land to be subdivided in Louisville.
  - d. The location of existing and platted streets, easements, water bodies, water courses (including sinkholes, dry stream beds, and pond overflow streams,) buildings (including mobile homes,) railroads, parks, cemeteries, bridges, sewers, water mains, culverts, lands subject to flood and included in the 100-year flood plain per current FEMA flood maps, and other pertinent features.
  - e. The location and dimensions of all proposed or existing lot and their front, side, and rear setbacks.
  - f. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservations, with designation of the purpose thereof, and conditions, if any, of the dedications or reservation.
  - g. Names of all new streets and right-of-way widths from the centerline of the street, and their classification.
  - h. Indication of the zoning designation of all of the lots in the subdivision.
  - i. All lots in each subdivision shall be consecutively numbered.
  - k. If applicable, a notation specifying that utility water is not presently available to the subdivision.
  - l. The preliminary plat shall be accompanied by “Application for Preliminary Subdivision Approval” from the Blount County Health Department. (See Appendix IV, Preliminary, Form 1)

### 5.3 Construction Plan

1. General. Construction plans shall be prepared for all required improvements. Plans shall be drawn at a scale of no more than one (1) inch equals one hundred (100) feet, and map sheets shall be of the same size as the preliminary plat. A title block shall appear on (a) – (f) below and shall contain the name of the subdivision, name, address and telephone number of the professional person responsible for the subdivision design.
2. Features. The following shall be shown:
  - a. Profiles showing existing and proposed elevations along center lines of all roads at a scale not less than one (1) inch equals one hundred (100) feet horizontally and one (1) inch equals ten (10) feet vertically. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection, shall be shown. Approximate radii of all curves, lengths of tangents and central angles on all streets. Stations shall be shown on profiles as well as plans at intervals not greater than one hundred (100) feet.
  - b. The planning commission may require, where steep slopes exist or where cut or fills are anticipated to be six (6) feet or greater, that cross sections be prepared at one hundred (100) foot stations throughout the area of concern. The cross sections shall be on standard cross section paper at a scale not greater than one (1) inch equals ten (10) feet (horizontally and vertically). Cross sections shall be drawn perpendicular to the proposed center line of the road and extend a minimum of twenty-five (25) feet on each side of the street line. Additional cross section information may be required by county agencies if deemed necessary for adequate review.
  - c. A topographic map with contours at vertical intervals of not more than five (5) feet, at the same scale as the preliminary plat, for all major subdivisions or when required by the planning commission staff. The date and method of preparing the topographic survey shall be stated.
  - d. The applicant shall supply the name of an engineer that can serve as a contact for the town engineer if required by the Town of Louisville.

- e. Proposed drainage plan for the subdivision showing the types and sizes of drainage structures and the calculations used in devising the plan.
  - f. Plans of proposed utility layouts (sewer, electric, telephone, and water) showing feasible connections to the existing utility system, or any proposed utility system.
3. Relation to Preliminary Plat. The construction plans listed above are part of the preliminary plat information and should be submitted for staff review at the time the preliminary plat is submitted.

**5.4. Final Subdivision Plat.**

- 1. General. The final plat shall conform to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that section of the approved preliminary plat which he proposes to record.
- 2. Features. The final plat shall show the following information:
  - a. The final plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets twenty-four (24) by thirty-six (36) inches. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key, or the location sketch map shall show the relationship of the separate sheets. One lot subdivisions and replats may be on paper size eight and one-half (1/2) by fourteen (14) inches.
  - b. Location sketch map showing relationship of the subdivision site to the surrounding area.
  - c. The location of the property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments and adjoining streets.
  - d. Graphic scale, date, north point, name of the subdivision, name, address and phone number of legal owner or agent of property.
  - e. The dimensions of all boundary lines of the property and lot lines expressed in feet and hundredths of a foot and bearings and angles to the nearest minutes. This same information shall be shown for the county boundary lines where applicable.

- f. The total acreage of land to be subdivided. If less than one (1) acre, the square footage of each lot and if one (1) acre or greater the acreage of each lot.
- g. The location, width and classification of all existing and proposed streets and easements, alleys, and other public ways, and easement and proposed street rights-of-ways and building setback lines.
- h. Sufficient data to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments. For curved lines, this shall include: a) radius; b) central angle; c) tangent distance for the center line of curved streets and curved lines.
- i. All lots in each subdivision including subsequent phases and/or additions shall be consecutively numbered.
- j. The location and dimension of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof and conditions, if any, of the dedication or reservation.
- k. Delineation of the flood hazard area and floodway based on the Areas of Special Flood Hazard identified on the most current Louisville, Tennessee, Federal Emergency Management Agency, Flood Insurance Study (FIS) and Flood Insurance Rate Maps.
- l. If applicable, a notation that utility water is not presently available to the subdivision and individual private water supplies shall be located by the county health department prior to construction.
- m. A notation indicating the maximum number of bedrooms for which each lot is designed.
- n. Certification showing the applicant is the land owner and dedicates streets, rights-of-way and any sites for public use (Appendix IV, Form 1).
- o. Certification of private streets. (Appendix IV, Form 2)
- p. Certification by a licensed surveyor to accuracy of survey and plat and placement of monuments (Appendix IV, Form 3)
- q. In cases where the owner or developer divides only a portion of an entire tract, the surveyor shall certify that the remaining lands are greater than five acres and that they have road frontage per

Louisville Zoning Ordinance and per the Louisville Subdivision Regulations. (Appendix IV, Form 4)

- r. Certification by the designated engineer or an authorized representative (Appendix IV, Form 5) that the subdivider has installed street improvements, according to city specifications and these subdivision regulations or proper provisions have been made for their installation.
  - s. Certification of installation of subsurface sewage disposal systems, if applicable. (Appendix IV, Form 6)
  - t. Certification by the local utilities board, if applicable (Appendix IV, Forms 7, 8, & 9) that public utility facilities have been provided or proper provisions have been made for their installation.
  - u. Certificate of Approval of Road Names and Property Numbers (E-911). (Appendix V, Form 10).
  - v. Certification that any multifamily residential, industrial, or commercial use must go before the Louisville Design Review Board (Appendix IV, Form 11)
  - w. Certification of approval to be signed by the secretary of the planning commission (Appendix IV, Form 12).
3. In cases where more than two lots within a proposed development are to be served by a private road(s), the final plat shall be accompanied by the necessary legal documents to establish a property owner's association to ensure the future authority to levy assessments for road maintenance, and the power to impose liens, if necessary, to enforce such action. The Louisville Regional Planning Commission has no role in this process beyond requiring the establishment of such a system.

### **5.5. Partial Tract Development Plan**

A partial tract development plan may be required by the planning commission in accordance with Section 6.2., letter (f). The purpose of the partial tract development plan is to ensure the health, safety, and welfare of Louisville residents by mandating that the remaining, unsubdivided land will have logical layouts for the opening of future streets to provide access by emergency vehicles. The partial tract development plan, if submitted as part of a preliminary plat,

expires at the same time as the preliminary plat. If no preliminary plat is necessary, the partial tract development plan expires on year after submission, given that final approval of the subdivision is not obtained within that time period. Approval of a partial tract development plan does not constitute preliminary of final approval of a plat.

1. Ownership
  - a. Name and address, including telephone number of legal owner or agent of the property.
  - b. Any existing legal rights-of-way or easements affecting the property.
2. Description
  - a. Location of property by tax map and parcel number.
  - b. Location of property with respect to surrounding property and streets
  - c. The approximate location of all boundary lines of the property and the total acreage of the property.
3. Provisions for Future Development
  - a. Feasible right-of-way locations to provide road access to the entire property.
  - b. To the extent possible, the location and dimension of lots in future phases of the development.
  - c. To the extent possible, the location and design of intersections where proposed roads tie in to existing roads.

## **SECTION 6. GENERAL REQUIREMENTS AND MINIMUM STANDARDS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN**

- 6.1. Suitability of the Land**
- 6.2. Streets**
- 6.3. Blocks**
- 6.4. Lots**
- 6.5. Public Use and Service Areas**
- 6.6. Zoning or Other Regulations**

### **6.1. Suitability of the Land.**

1. Land Physically Unsuitable for Subdivision. Land which the planning commission has found to be unsuitable for development:
  - a. Because of flooding, bad drainage, steep slopes, rock formation, and other such features which may endanger health, life, or property, aggravate erosion, increase flood hazard, or necessitate excessive expenditure of public funds for supply and maintenance of services, and/or
  - b. Which other public agencies concerned have investigated and found in the best interest of the public not suitable for the type of platting and development proposed,

shall not be approved for subdivision unless adequate methods are formulated by the developer for meeting the problems created by subdivision of such land. Such land within any plat shall be set aside for such uses as shall not produce unsatisfactory living conditions.
2. Land Unsuitably Located for Subdivision. The planning commission shall not approve what it considers to be scattered or premature subdivision of land which would endanger health, safety or property because of lack of or adverse effect on water supply, schools, proper drainage, good transportation, other public services or public funds for the supply or maintenance of such services.
  - a. In establishing the impacts of subdivision of land on public infrastructure or the public health, safety and welfare, the planning commission shall require studies of such potential impact to establish a factual basis for decision, shall refer to expert opinion and professional standards for infrastructure service, shall require cost estimates for any needed improvements to overcome deficiencies, and shall establish a record for each decision under this section. The planning commission may require the developer

or subdivider to provide such studies and other information as part of subdivision plat consideration. The following subsection(s) present specific criteria and procedures for land suitability or infrastructure of concern, but shall not limit consideration of other issues of land suitability under this section.

- b. Minimum Off-Site Road Standards as Criteria Precedent to Platting. Except upon recommendation of Town Engineer, a minimum off-site road of twenty (20) feet of paved width with two (2) foot shoulders on either side shall be present from entrance to any subdivision or development to intersection with any road with same standard or better. This standard applies to any subdivision plat of more than thirteen (13) lots per year, or a subdivision plat of less than thirteen lots per year which requires the construction of more than one thousand (1000) feet of new road surface.

In determining the status of a proposed subdivision as a plat of more than thirteen lots that requires the construction of more than one thousand (1000) feet of new road surface, this section shall apply also to any combined division of the same property and to overall platting of any land in phases. The intent of this regulation is to allow only one such subdivision per year without the off-site construction of roads that meet this standard or gaining exclusion from the standard by action of the planning commission as provided herein.

For the purpose of this section, shoulder shall mean an area outside of two ten foot paved travel lanes (20 foot total travel surfaces) with the following characteristics:

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

The planning commission may consider lesser pavement width and shoulder width upon submission of a traffic and roads condition study by the subdivider or developer. The traffic and roads condition study shall be done by a qualified engineer licensed in the State of Tennessee and acceptable to the Town Engineer.

The traffic and roads condition study shall at a minimum contain present road and shoulder width of off-site roads measured at intervals of no greater than 100 feet, present and expected future ADT (average daily traffic), and specific impact of the proposed subdivision or development on the safety of traffic on off-site roads. Upon determination and recommendation by the Planning Commission, the study shall also assess road geometry (vertical and horizontal curves, etc.), sight distances, bridges, and roadside hazards as part of determining safe and acceptable road conditions. The study shall also include estimates of cost to improve the existing roads to safe and acceptable conditions.

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

In considering lesser pavement width and shoulder width under this subsection, the planning commission shall not approve a subdivision of more than thirteen (13) lots per year, or a subdivision of less than one thousand (1000) feet of new road surface, which has ingress and egress of off-site road(s) with pavement width less than eighteen (18) feet; provided that any such off-site road(s) with less than two hundred (200) ADT (average daily traffic) may have distances of fifty feet or less with pavement width between sixteen (16) and eighteen (18) feet if there are warning signs and adequate approach sight distances as evidenced and recommended by the Planning Commission.

3. Land Subject to Flood. Land within any floodway shall not be platted for residential occupancy or other building site and shall not be raised by fill. Other land subject to flood may be platted for residential use only if filled to such height as will secure a flood-free site based on data submitted by the subdivider and prepared by competent engineers, provided such use or fill does not endanger health, life, or property or restrict the flow of water

or increased flood heights. To prevent such hazards, fill material should be taken from between the stream bank and the area to be filled. In applying these provisions, land subject to flood shall be defined as follows:

- a. Land lying within the special Flood Hazard Area as indicated on the Federal Emergency Management Agency (FEMA) “Flood Insurance Rate Map, Blount County Tennessee and Incorporated Areas” effective date September 19, 2007, particularly but not exclusively Map Panels 47009C0105C, 47009C0110C, 47009C0155C, 47009C0120C and 47009C0117C.
  - b. The areas shown in the floodway shall not be included when calculating the lot area.
4. Water Protection Areas. For the purpose of preventing pollution of water resources, subsurface sewage disposal systems shall be located, as set out below:
- a. Fort Loudon Reservoir: No portion of a subsurface sewage disposal system shall be installed below the elevation of 815 feet nor closer than twenty-five (25) horizontal feet from the 813 foot elevation contour. This is considered a minimum standard. The planning commission shall require the application of a higher standard upon recommendation by the Blount County Department of Development Services (formerly and inclusive of Blount County Department of Environmental Health). The final plat shall show the required setback line and contain appropriate language regarding the prohibition of use of property below such line for subsurface sewage disposal.
  - b. Other Water Resources: No portion of a subsurface sewage disposal system shall be installed along any stream, lake, pond, or other water resource any closer than such distance as shall be prescribed by the Blount County Department of Development Services (formerly and inclusive of Blount County Department of Environmental Health). The final plat shall show the required setback line and contain appropriate language regarding the prohibition of uses of property below such line for subsurface sewage disposal.
5. Waterways Protection.
- a. Any development that requires a Storm Water Pollution Prevention Plan (SWPPP) from the State, or that includes clearing, grading, filling, excavating, or other similar construction activities that result in the disturbance of one acre or more of total land area,

shall secure a drainage and erosion control permit from the Louisville Building Official. Along with request for permit, the developer shall submit any required SWPPP permit, including SWPPP plan documents, and a plan that shows how items b. through h. below will be implemented. No construction on a development site shall commence prior to securing a permit, and all construction on a development site shall conform to both applicable SWPPP permit, and permit and plan approved by the Building Official. The Building Official shall have authority to enforce the permit and plan, and shall coordinate with appropriate State officials to enforce the SWPPP. All development along Tennessee Valley easements or right-of way for waterways or lakes shall conform to any Tennessee Valley Authority Shoreline policies.

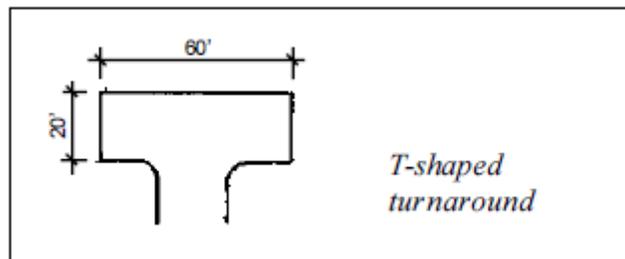
- b. Priority shall be given to protecting natural drainage systems, including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area.
- c. A natural vegetative border shall be maintained within twenty-five (25) feet of the lake shore and water or drainage features. All trees, shrubs, grasses and ground cover are considered natural vegetation. Whenever practical, natural vegetation shall be retained, protected or supplemented. If stripping of vegetations required, it shall be done in a manner to minimize soil erosion.
- d. Measures shall be taken to control sediment and retain it within the project area. Sediment in runoff water shall be trapped and retained within the project area.
- e. Off-site surface water runoff shall be carried non-erosively through the project area, or diverted away from disturbed areas where feasible.
- f. Shoreline stabilization is permitted provided it meets all applicable Federal and State requirements and permits.
- g. The area of disturbance and the duration of exposure shall be kept to a minimum. Disturbed areas remaining idle for more than thirty (30) days shall be stabilized.
- h. All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within thirty (30) days.

## 6.2. Streets

1. Classification. Streets and roads are hereby classified according to the function which they are to serve, the type, speed, and volume they will carry, and the required standards of design. The broad categories shall be: a) arterials; b) collectors; and c) residential streets. The designation in the major street and road plan of arterials and collectors does not prevent other streets proposed in or adjoining subdivisions from being similarly classified. Classifications are defined as follows:
  - a. Arterials. Minor Arterials – Those arterials used for traffic of moderate speeds and high volumes which connect the higher classified arterials with each other and with local centers and public facilities; access with other arterials, collector streets, and some minor streets.
  - b. Collectors – (Major & Minor). Those streets used for traffic of moderate speeds and high peak volumes between minor streets and the system of arterials or serving as principal entrance streets or primary circulation routes within a neighborhood or other limited area; access at all other streets and some private ways.
  - c. Residential. Residential Streets. Those minor streets used for traffic of low volumes situated predominantly within a neighborhood or other limited area; access with higher classified streets and private property.
2. Relation to Present, Proposed, and Future Street System.
  - a. The location and width of all streets and roads shall not be in conflict with the official major street and road plan currently filed with the Register of Deeds, and the Louisville Planning Commission at Louisville Town Hall.
  - b. For the purpose of these design standards, existing streets which terminate at or adjoin a subdivision boundary shall be deemed a part of the subdivisions. The proposed street system shall extend the right-of-way of existing streets at no less width than the required minimum width. Subdivisions adjoining only one side of existing streets shall dedicate one-half (1/2) of the additional right-of-way needed to meet minimum width requirements. If any part of the subdivision includes both sides of an existing street all the required additional right-of-way needed to meet minimum width requirements shall be dedicated. Dedication and acceptance of new

town streets shall be to the Town of Louisville Board of Mayor and Aldermen by plat reference as shown on final approval plat. Additionally, a resolution will be forwarded to the Board of Mayor and Aldermen for acceptance of streets.

- c. Where, in the opinion of the planning commission it is necessary to provide for street access to adjoining property, proposed streets shall be extended by dedication of right-of-way to the boundary of such property. A temporary turn-around having a roadway diameter at least eighty (80) feet shall be provided. Alternatively, a 20 foot by 60 foot T turn-around may be permitted as illustrated below.



- d. When an arterial adjoins or is included in a subdivision, lots therein which abut the arterial shall be provided with another means of access, e.g. 1) platting a single tier of lots which back to the arterial and front on a minor street, or 2) other method approved by the planning commission.

Subdivision streets which intersect the arterial shall do so at intervals not less than 250 feet.

- e. When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further subdivision. When a portion of a parcel is subdivided into building lots with unsubdivided acreage remaining, the planning commission may require that a concept plan be submitted as part of the preliminary platting process. If the proposed subdivision does not require the submission of a preliminary plat, the planning commission may require the submission of a concept plan prior to giving final approval to a plat. The concept plan shall conform to the provisions of Section 5 of these regulations. Future lots and roadways shall be designed to provide adequate access from existing road right-of-ways.
- f. The planning commission shall encourage the extension of existing road right-of-ways, and the platting of new right-of-ways, in such

as manner as to increase the connectivity of the road system in Louisville and in a manner consistent with the Major Road Plan.

3. Design Standards for Streets.

- a. Width of Street Rights-of-Way. The minimum width of right-of-way measured from lot line to lot line shall be indicated by the street classification:

<u>Classification</u>	<u>Width of Right-of-Way</u>
Minor Arterial	90 feet
Major Collector	60 feet
Minor Collector	50 feet
Residential	50 feet

- b. Minimum Width of Pavement, measured between curbs or edge of pavement at shoulders, shall be as indicated on tables b1, b2 and b3 below within this subsection.

The total number of lots to be served by a street shall be used to determine the required width of pavement. Pavement widths may only be reduced at points of intersection at which stop signs are located.

Table b1 – width of pavement for major road classifications.

Arterial	36 feet pavement width
Major Collector	28 feet pavement width
Minor Collector	26 feet pavement width

Table b2 – width of pavement for residential streets by number of lots served and design\*

Lots served Cul-de-sac	Lots served looped street**	Pavement width shoulder***	Pavement width curb and gutter ****
20 lots	40 lots	18 feet	22 feet
25 lots	50 lots	20 feet	22 feet
30 lots	60 lots	22 feet	22 feet
35 lots	70 lots	24 feet	24 feet
40 lots or more	80 lots or more	26 feet	26 feet

\* Through streets serving up to 40 lots shall be 24 feet in width, and serving more than 40 lots shall be 26 feet in width.

\*\* Street that loops back onto onto same external street.

\*\*\* Pavement width with accompanying shoulder at least 3 feet wide on each side of pavement.

\*\*\*\* In cases where curbing is required on only one side of street, the required pavement width shall be determined by the Town Engineer.

Table b3 – maximum length of cul-de-sac.

Lots Served by Cul-de-sac	Maximum length
20 lots	1000 feet
25 lots	1500 feet
30 lots	2000 feet
35 lots	2500 feet
40 lot or more	3000 feet

- c. Vertical Alignment of Streets. Grades on arterials and collectors shall not exceed seven (7) percent; grades on residential streets shall not exceed ten (10) percent. All changes in grade shall be connected by a vertical curve so constructed as to afford a minimum sight distance, said sight distance being measured from the driver’s eyes, which are assumed to be three and three-fourths

(3-3/4) feet above the pavement. This minimum sight distance shall be the minimum stopping sight distance from the rated speed of the street as follows:

<u>Classification</u>	<u>Design Speed (MPH)</u>	<u>Min. Stopping Sight Distance</u>
Minor Arterials	45	360'
Collector (major)	45	360'
Collectors (minor)	30	200'
Residential	30	200'

Vertical curves shall be constructed in accordance with standard engineering design practice, reference AASHTO standards in design.

The design of all streets shall provide adequately for the discharge of surface water from the right-of-way. No street which is subject to inundation by flood water shall be approved. Fill may be used for streets if fill, drainage and openings provided do not unduly increase flood height.

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

<u>Classification of Street</u>	<u>Minimum Radius of Curvature of Center Of Centerline (w/o super-elevation)</u>
Minor Arterials	310
Collectors	230
Residential	150

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

Street jogs with center line offsets at street intersection of less than the minimum stopping sight distance in accordance with Section 6.2 (3.c.) above shall not be allowed.

#### Intersections:

All streets shall intersect at right angles where possible; such intersecting streets shall continue as perpendicular from the center point of the intersection for not less than the minimum stopping sight distance for their respective rated speeds in accordance with Section 6.2(3.c) above. No intersection shall be at an angle of less than sixty (60) degrees.

Right-of-way lines at street intersections shall have a radius of curvature of not less than twenty (20) feet. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the street right-of-way line at such street corner shall be rounded or otherwise setback to permit such construction.

Grades at intersections shall not be greater than four (4) percent for a distance of not less than fifty (50) feet measured from the intersection of center lines.

- e. Private Streets and Reserve Strips. The minimum width of private street easements platted under this section shall be fifty (50) feet. Easements to permit the installation and repair of utilities and to allow drainage shall be designated within a private street or easement. In no instance shall the slope of any type of private street or easement exceed thirteen (13) percent.

The final plat shall be accompanied by the necessary legal documentation to establish a means for continuing maintenance of the private street or easement. This may be a property owners association or other means which the town attorney finds acceptable. The documents shall not exempt the subdivider from the responsibility to share in the maintenance of a private street or easement so long as he remains the owner of a lot(s). A copy of such legal documents showing the recordation date and location of such documents shall be forwarded to Planning Commission Secretary within twenty-four (24) hours of being recorded in the Blount County Register of Deeds office.

The final plat shall clearly indicate that the private street or easement is not a public street and that the name of the street or easement has been approved by the appropriate authorities. The subdivider shall not be exempt from provisions of these regulations which require the installation of traffic control signs and street identification signs. Street identification signs for private streets or easements shall indicate in a recognizable fashion that the

easement is not a public street by color of signs that do not match color of public street signs as approved by the Town Engineer.

Private streets, ways, or vehicular access easements may be platted in a subdivision only if they conform to one of the following types:

- i. Type I. A joint private permanent easement that serves no more than five (5) lots of any size. Within a joint permanent easement, an area at least eighteen (18) feet in width within a 50 foot easement and which is composed of at least six (6) inches of compacted crushed aggregate stone, shall be reserved and maintained as a vehicular travel lane. Type I private streets which function as cul-de-sacs shall terminate with a platted right-of-way turnaround having a diameter of one hundred (100) feet. A twenty (20) foot by sixty (60) foot T turnaround may be permitted at the terminus of a joint private permanent easement in lieu of a standard cul-de-sac (see illustration in Section 6.2.2.c above). In all other specifications, the private easement shall conform to the standards for public streets.

The final plat shall indicate that the easement is designed to serve no more than five lots and that further subdivision cannot occur until such a time as that the easement is improved to town standards for new subdivision public streets in effect at the time the subdivision is proposed.

- ii. Type II. A type II private streets may be platted if all of the lots served by such streets are at least five (5) acres in size and the total number of lots served remain less than thirty (30) in number. Within the 50 foot right-of-way, an area at least eighteen (18) feet in width and which is composed of at least six (6) inches of compacted crushed aggregate stone, shall be reserved and maintained as a vehicular travel lane. Type II private streets which function as cul-de-sacs shall terminate with a platted right-of-way turnaround having a diameter of one hundred (100) feet. In all other specifications, the private street shall conform to the standards for public streets.

The final plat shall indicate that the private street easement is designed to serve no more than thirty (30) lots, each being greater than five (5) acres in size, and that further subdivision cannot occur until such a time as that the street is improved to town standards for new subdivision public streets in effect at the time the subdivision is proposed.

- iii. Type III. The private street is within an approved planned unit development (PUD). Type III private streets shall be designed and improved in accordance with all provisions contained in Sections 6, 7, and 8 of these regulations, notwithstanding any specifications required in this section. The purpose of this classification is to allow a developer to complete a standard subdivision while maintaining private ownership of the streets.

Nothing in this section shall be construed to prohibit the establishment of a twenty-five (25) foot driveway easement developed under the provisions of Section 6.4. (3) (a), Subsection 6.

There shall be no reserve strips controlling access to streets except where the control of such strips is definitely placed with the Town under conditions approved by the planning commission.

- f. Street Names. All streets, whether public or private, shall be named. 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 a proposed street duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, road, pike, drive, way, place, court, or other derivatives. The final names of streets shall be approved by the Blount County E-911 addressing and mapping division.
- g. Service Drives. Service drives may be provided to the rear of all lots used for business purposes and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys, such as subdividing adjacent to an artery. All service drives shall be within private easements and maintained by properties using the easements, and not within public right-of ways.
- h. Acceleration Lanes. Acceleration lanes may be required on town roads when deemed necessary based on engineering study provided by the subdivider at request of the Town Engineer, showing necessity based on standard engineering criteria, and shall meet the design specification of standard engineering practice.

### **6.3. Blocks**

1. Length. Blocks shall be neither less than four hundred (400) feet 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 greater than eight hundred (800) feet in length (or at the ends of cul-de-sacs) the planning commission may require at locations it deems necessary, one (1) or more public cross walks of not less than ten (10) feet in width to extend entirely across the block, or pedestrian easements in lieu thereof.

2. Width. Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets is provided or where prevented by topographic conditions or size of the property or location next to an arterial, in which case the planning commission may approve a single row of lots.

### **6.4. Lots.**

1. Adequate Building Sites. Each lot shall contain a building site not subject to flood as defined in Section 6.1 (3) and outside the limits of any building setback lines required by subsection 3.b. of this section and any easements required by Section 6.5.
2. Arrangement. Insofar as practical, said lot shall be at right angles to straight lines or radial to curved street lines.
3. Minimum Lot Dimensions and Areas. The size, shape or orientation of lots shall be such as the planning commission deems appropriate for the use contemplated, type of water supply and sewage disposal services, soil characteristics, improvements, and relation to the street system.
  - a. Residential lots shall meet the minimum requirements as indicated in Table II of Subsection d below, except as modified by the following provisions:
    1. Corner lots shall be required to have greater area to allow for the setbacks provided below, the greater area being calculated as 30 percent of the required setback in relation to standard lot frontage requirements.
    2. Areas which have been filled, which are within TVA flowage easement areas, or which lie within floodway areas cannot be used for septic fields, and therefore will not be

counted towards any lot area requirement where septic fields are used.

3. The minimum size of residential lots to be served by private source of water supply shall be determined by the planning commission after investigation of soil conditions, proposed sewerage system, depth of ground water, topography, etc. However for individual private sources of water (wells), this shall not be less than 40,000 square feet and the width at the building line shall not be less than one hundred fifty (150) feet, or as recommended by the Blount County Department of Development Services (formerly and inclusive of Blount County Department of Environmental Health).
5. Frontage requirement for interior one lot subdivisions. An interior one lot subdivision shall abut a publicly maintained road and must have at least twenty (25) feet of frontage on said road. The area of the “flag pole” of such flag lot shall not be counted towards the minimum lot size for the lot.
6. Lots Served by a 25-foot (Driveway) Easement. The planning commission may permit the establishment of a new or the use of an existing permanent private easement to provide access to property proposed for subdivision in limited instances where such a means of access is deemed reasonable considering the nature of the property proposed for subdivision.
  - i. Only one interior lot shall be provided access to a public street by any individual 25-foot permanent private easement.
  - ii. The lot shall be no larger than 2 acres in area and shall not be further subdividable unless access other than said easement is available. A note stating this limitation shall be placed on the plat.
  - iii. The permanent private easement’s length shall not exceed 500 feet and the level of improvement shall be acceptable as determined by the planning commission. In making this determination the planning commission may consider topography, accessibility, and the provision of services, which includes but is not limited to utilities and emergency services.

- iv. The easement shall provide for the extension of utilities to the property in question, unless alternate access for utilities is available.
- b. The minimum depth of building setback lines for lots platted for all purposes shall be as follows:

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

<u>Classification of Adjoining Street</u>	<u>Minimum Depth of Building Setback Line from Property Line of that Street</u>
Minor Arterial	60'
Major Collectors	50'
Minor Collector	40'
Residential	30'

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

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

<u>Voltage of Line</u>	<u>Minimum Depth Building Setback Line from Center of Transmission Line</u>
46KV	37.5'
69KV	50.0'
161KV & over	75'

3. Stream and fill setbacks. In areas subject to flood where no fill is proposed, the building setback line shall be located no closer to the stream than the edge of such area along small streams as defined in Section 6.1 (3). Wherever fill is proposed to raise land, the building setback line shall be

located not less than twenty-five (25) feet from the outer edge of the fill.

4. To prevent infringement of sight lines at intersections, the setback distance for corner lots shall be based on the minimum stopping sight distances for automobiles approaching the intersection as cited in Section 6.2 (3.c.). The building setback line for the corner lot shall be no nearer the street right-of-way line than that line which connects the two points located on the center lines of the two streets the prescribed minimum stopping sight distance from the center of the intersection.
  5. In determining whether a lot has an adequate building site, side and rear setbacks in the Louisville Municipal Zoning Ordinance and any required front setbacks shall be considered in lot design.
- c. Properties reserved or platted for commercial or industrial purposes shall be adequate in size to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

Land shall not be platted for commercial or industrial purposes unless the subdivider can demonstrate to the planning commission each of the following:

1. A site arrangement that prevents undue interference with through traffic. Each industrial subdivision or area shall utilize a single collector for all heavy traffic between the area and the general system of streets and roads. Minor industrial streets and individual industrial parcels shall be oriented at right angles with the collector and with adjacent railroad.
2. An integrated parking area.
3. Mitigation of adverse effects on any present adjacent residences.
4. A parcel size sufficient in area to allow future expansion if intended initially.

- d. A comprehensive planned development (refer to Appendix III) or condominium project development (refer to Appendix V), including unified design and construction of units 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 streets, lots, and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

**TABLE II**

Classification of Street of Access	***Frontage on Street of Access	Lot Width At Bldg. Setback Line	Lot Area w/o Public Water And Sewer	Lot Area w/ Public Water**
Minor Arterial	*200'	75'	40,000 sq. ft.	30,000 sq. ft.
Collector (major)	150'	150'	40,000 sq. ft.	30,000 sq. ft.
Collector (minor)	100'	75'	40,000 sq. ft.	30,000 sq. ft.
Residential	50'	**75'	40,000 sq. ft.	30,000 sq. ft.

\* Direct access for new lots not recommended. If feasible, shared or parallel easement access that reduces the need for direct access driveways shall be provided.

\*\* For residential lots not served by a public sewage system, the planning commission shall require that the soils survey and/or data from percolation tests be submitted as a basis for passing upon subdivisions dependent upon septic as a means of sewage disposal. Greater area may be required for private sewage disposal if, in the opinion of the planning commission, conditions could cause potential health problems.

\*\*\* Lots served from a service drive (L-5) must abut another standard street.

**6.5. Public Use and Service Area.**

1. Public Open Spaces.

Where a school, neighborhood park, or recreation area shown in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such area within the subdivision up to a total of ten (10) percent of the gross area of the plot, for park, school or recreational purposes. Prior to requiring such area, the planning

commission shall consult with the Board of Mayor and Alderman, and the Blount County Parks and Recreation Commission or Blount County School Board to insure that they respectively are willing to accept, utilize and maintain any such area dedicated.

2. Easements.
  - a. Utility Easements. Easements of five (5) feet in width, situated along both sides of all boundary lines of each lot in a subdivision, shall be dedicated to the public and to appropriate utilities agencies. This required easement shall be ten (10) feet in width along all exterior lot lines where the adjoining lot or property is not subject to a similar easement at least five (5) feet in width. In the case of developments containing private streets, said private rights-of-way shall also be designated as easements for current or future utilities usage, unless adequate alternative utilities easements are dedicated. All easement dedications shall be noted on the final plat of a subdivision.
  - b. Drainage Easements. In cases in which a subdivision is traversed by a stream or drainage channel, there shall be provided a storm water easement of such width along each side of the stream for the purpose of widening, deepening, protecting, relocating, or otherwise improving such drainage easement, such easement to be established by engineering study as part of any required draining plan, or as approved by the Town Engineer
3. Community Assets. In all subdivisions, due regard shall be shown for all natural features such as large trees and water courses and for historic spots and similar community assets which, if preserved, will add attractiveness and value to the property.

#### **6.6. Zoning or Other Regulations.**

No final plat of land within the force and effect of an existing zoning regulation shall be approved unless it conforms to such ordinance.

Where there is a discrepancy between minimum standards of dimensions noted herein and those contained in zoning regulations, the more stringent standard shall apply.

## SECTION 7. DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

### 7.1. Required Improvements

- (1) Monuments and Lot Markers
- (2) Street Development
- (3) Storm Drainage
- (4) Sanitary Sewers
- (5) Water Supply System
- (6) Installation of Utilities
- (7) Sidewalks
- (8) Street Name Signs
- (9) Site Improvements
- (10) Guarantee in Lieu of Completed Improvements

A perfectly prepared and recorded subdivision plat means little to a prospective lot buyer until he can see raw acreage physically transformed into lots suitable for building and human habitation. Improvements by the subdivider spares the community from a potential tax liability. The following tangible improvements are required before final plat approval in order to assure the physical reality of a subdivision for which recordation will establish legality. Wherever in these regulations, standards of construction and specifications for materials are provided, equivalent standards and specifications contained in the Tennessee Highway Department Standard Specifications for Road and Bridge Construction, as amended, will be accepted

### 7.1. Required Improvements

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

1. Monuments and Lot Markers. Iron pins not less than three-fourths (3/4) inches in diameter and twenty-four (24) inches long shall be set at all street corners, at points where the street lines intersect the exterior boundaries of the subdivision, at the intersection of curves and tangents along street lines, at all lot corners, and at all corners of the plat. These pins shall be driven so as to be approximately flush with the finished grade. The location of these pins shall be identified with wooden stakes or other suitable markers at the time the plat is submitted for final approval so that all necessary inspections may be made by the various agencies involved in the review of the subdivision.

- 2 Street Development. Every subdivision developer shall be required to grade and improve new streets. These improvements shall be in accordance with the minimum standards for design specified in Section 6 and with the procedure and standards for road construction specified in Section 8.
- 3 Storm Drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc. shall be provided for the proper drainage of all surface water.

Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and required slopes. The size openings to be provided shall be determined by methods specified in Erosion and Sediment Control Handbook for Urban Areas and Construction Sites in Tennessee by the U.S. Soil Conservation Service, 1974, or other method accepted by the designated engineer or the planning commission. In no case shall the pipe diameter be less than twelve (12) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the road bed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the road bed.

In residential and commercial subdivisions, the subdivider shall provide curbs where they are deemed necessary by the designated engineer to ensure surface drainage without erosion of damage to pavement edge. Where curbs are not required, shoulders at least three (3) feet in width shall be constructed on each side of the paved surface. Shoulders shall be constructed in accordance with the requirements of the designated engineer.

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

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

<u>Number of Lots*</u>	<u>Extension</u>
At least...but less than	
1...5	50' + 50' each lot over 1
5...20	250' + 7" each lot over 5
20...50	1,374' + 100" each lot over 20
50	4,375' + 125' each lot over 50

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

Sewer lines shall be installed according to the standards and regulations of the utility and State of Tennessee.

Where, in the opinion of the planning commission and utility company, lots cannot be economically connected with a sewerage system they must contain adequate area (based on soil survey, percolation tests, source of water supply, etc.) for the installation of approved septic tanks and disposal fields, and must be approved in writing by the county health department.

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

<u>Number of Lots*</u>	<u>Extension</u>
At least...but less than	
1...5	50' + 50' each lot over 1
5...20	250' + 7" each lot over 5
20...50	1,374' + 100" each lot over 20
50	4,375' + 125' each lot over 50

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

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

Where in the opinion of the planning commission and utility company, lots cannot be economically connected with a water system, they must contain adequate area (based on information concerning the soil survey, water table, type of sewage disposal, etc.) for the installation of private water supply systems, and must be approved in writing by the county health department. In cases where there is no public utility water to a subdivision, that fact shall be noted upon the plat in writing.

In major subdivisions with new roads where a public or an approved private water supply system is available, the developer shall install necessary fire hydrants. Hydrants shall be located so that no individual dwelling shall be more than eight hundred (800) feet from a hydrant.

6. Installation of Utilities. All utility services shall be so designed as to conform with all appropriate state, local and utility agency requirements.

Utilities shall be installed in the following manner. After grading is completed and approved and before any base is applied, all of the underground work – 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. After utilities are installed, trenches shall be backfilled and compacted with mechanical or hand tamps to a density comparable to the roadbed or will be backfilled with crushed stone.

Where utility mains are off the pavement, the developer may elect to omit the installation of service connections providing that at such time as they are needed, they may be jacked across the street without breaking or weakening the existing pavement. Where rock is known to exist beneath the pavement at such a depth as to interfere with the jacking of service connections, the planning commission shall require the complete installation of service connections before any base is applied.

7. Sidewalks. Sidewalks may be required where deemed necessary by the planning commission as an integral part of a pedestrian traffic system within a one (1) mile radius of existing or planned schools, neighborhood recreation or commercial areas, or other public place. They shall be installed to meet the requirements of the designated engineer. Where provided, sidewalks shall be located not less than one (1) foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on property lines at a later date.
8. Street Name Signs. Appropriate street signs add sales value to land subdivisions and enable emergency vehicles, strangers, delivery concerns,

and even potential lot buyers to find their way around. Street name signs of a type approved by the engineering department shall be installed at the intersections of all streets, whether public or private.

9. Site Improvement. Banks which infringe on sight lines at intersections (see Section 6.2 3.c) shall be appropriately graded to correct the deficiency.

Wherever grading or filling occurs on lots within the subdivision, the subdivider shall first stockpile the topsoil from the affected areas. Immediately after grading and filling, areas disturbed, shall be redistributed with sufficient topsoil to support growth of lawn grass, and other vegetation; and shall immediately seed such areas with appropriate vegetative cover, as shown in the following table, to prevent erosion, silting of streams, and other damage. Vegetative cover shall be established in bare soil areas prior to final approval by the planning commission.

**Where land is platted or reserved for commercial or industrial use bordering and across minor streets from residential lots with an existing residential use, the planning commission may require the following additional provisions:**

- 1 A minimum twenty-five (25) foot open space easement be provided along all property lines and minor streets that border a residential zone with an existing residential use, as required in the zoning ordinance. The purpose of the open space is to effectively provide a visual and noise buffer as required in the zoning ordinance and approved by the planning commission during site plan review. (Resolution 00-01)**

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

<u>Grade</u>	<u>Treatment</u>
0% - 2%	Seeding
2% - 5%	Grass Sodding
5% 7%	Rip-rap over Erosion control matting
Above 7%	Concrete swales

Due regard shall be shown for such desirable trees existing on the site, and grading and filling should be planned to preserve as many as possible; however, no retained planting shall infringe on sight lines at intersections. If trees are planted by the subdivider, they shall be located five (5) feet inside or behind property lines where they are less subject to injury, decrease the chances for motor accidents and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed locations and species to be used must be submitted for the planning commission's approval since the public inherits the care and maintenance of such trees. The planning commission shall assist the subdivider in location of trees and species to use under varying conditions.

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

10. Guarantee in Lieu of Completed Improvements. No final subdivision plat shall be approved by the planning commission or accepted for recording by the County Register of Deeds until one of the following conditions has been met:
  - a. All required improvements have been constructed in a satisfactory manner and approved by the planning commission, or;
  - b. The planning commission has accepted an assurance for completion and maintenance of improvements as established in Section 3 of these regulations, whereby improvements may be made and utilities installed without cost to public bodies in the event of default of the subdivider. This also assures the prospective purchaser that improvements shall be installed as stated on the final plat.

TABLE II

<u>Seeding</u>	<u>Rates Per 1000 sq.ft.</u>	<u>Acre</u>	<u>Seeding Dates</u>	<u>Remarks</u>
Annual Ryegrass	1 lb.	45 lb.	2/15 - 4/15 8/1 - 11/1	Cover seed 1/4" deep*
Balboa Rye	3 lb.	130 lb.	8/1 - 12/1	Cover seed 1" to 1-1/2" deep
Browntop millet	1 lb.	40 lb.	5/1 - 8/1	Cover seed 1/4" deep*
Spring Oats	2-1/2 lb.	100 lb.	2/15 - 6/15	Cover seed 1" to 1-1/2" deep
Wheat	2-1/2 lb.	100 lb.	9/1 - 12/15	Cover seed 1" deep

\*Not necessary where mulch is applied.

## **SECTION 8. PROCEDURE AND STANDARDS FOR ROAD CONTRUCTION**

- 8.1. Clearing**
- 8.2. Construction**
- 8.3. Paving**
- 8.4. Curbing**
- 8.5. Backfilling**

### **8.1. Clearing**

1. The rights-of-way shall be cleared of all dead trees, stumps, brush, logs and other objectionable material. All trees stumps, roots, logs and other objectionable material within the area of construction and areas up to five (5) feet outside the limits of construction, shall be completely grubbed. Trees more than five (5) feet outside construction lines may be left undisturbed unless marked by the designated engineer for removal.

### **8.2. Construction**

1. Soil
  - a. All topsoil shall be removed from area of roadbed and stockpiled along roadway. Stockpiles will be placed so that water will drain freely. Stockpiles will be placed outside areas of construction, including areas of cuts and fills.
  - b. Areas, containing soil unsatisfactory for road construction, as determined by the designated engineer, soil scientist or district conservationist from soil Samples or Soil Survey Blount County, Tennessee, will be undercut. The engineer may decrease or increase the area to be undercut during construction, since some areas in the field may differ from what is shown by the soil survey. Undercut areas will be backfilled with suitable material and compacted to subgrade.
2. Fill. All fill material used in roadbeds will be placed in layers of twelve (12) inches maximum depth and compacted to a minimum of 95% standard proctor by the use of a type compaction equipment that will produce the required result. The preferred equipment is a self propelled pneumatic-tire roller with a minimum wheel load of 4000 pounds or a sheep's foot filled with water and pulled by a tractor. All other equipment must be approved by engineer before being used for compaction. If deemed necessary by the designated engineer, compaction tests will be conducted by a private firm chosen by the developer or contractor and

approved by the engineer. The engineering department will not conduct compaction tests for developers.

3. Drainage. Roadbed will be built in such a manner that water will not accumulate at any time under the stone base or along side of the road. Roadbed shall be built to have crown in center, and slope from center to outsides will have a minimum one fourth (1/4) inch per foot fall. Roadbeds built on hillsides that run parallel with the hill will drain to the outside with a minimum of one eighth (1/8) inch per foot fall. Roadbeds built perpendicular with hills will be built so water will brake to one side of road at bottom of hill and drain to outside.
4. Stone Base. The roadbed will be clipped with motor grader and rolled, if required, before placing of the stone base. Stone for base may be pug mix spread with dozer mounted spreaderbox of motor grader.

Crusher run which contains no stones larger than two and one-half (2-1/2) inches may be used, but is not preferred. Stone will be compacted using a pneumatic-tire roller or steel roller. (Tandem trucks loaded with stone will not be used in place of a standard roller designed for this use.)

The thickness of the completed base shall be as follows:

<u>Classification</u>	<u>Thickness of Base (Inches)</u>
Minor Arterials	10
Collectors	8
Residential	8
Minor Commercial	8
Minor Industrial	10
Industrial Collector	10

### **8.3. Paving**

1. Prime Coat Application: A prime coat may be required at the discretion of the engineer based on the quality of the applied stone base. Liquid asphalt for the prime coat shall meet the specifications of RC-2 or AEP Emulsion (AASHO). The surface to receive the binder material shall be cleaned thoroughly with a mechanical sweeper, hand brooms or shovels. This surface shall be thoroughly dry before applying the prime coat. When the receiving surface has achieved the pre-application condition described above, the prime coat shall be applied to the surface at the rate of .3 gallons per square yard by a power distributor of approved type, having a pressure of not less than forty (40) pounds per square inch. Binder material shall not be applied to the primed base until the bitumen has

penetrated, dried and will not pick up under the paving machine and trucks.

2. Asphaltic Concrete Binder Course (Plant Mixed). The binder course shall be composed of a well graded mixture of broken stone, sand and bituminous cement mixed in central plant, (307-C), constructed on the prepared base in accordance with these specifications and in conformity with the lines, grades and typical cross sections as shown on the accepted drawings. The compacted thickness of the binder course shall not be less than three (3) inches for residential subdivisions and not less than four (4) inches for industrial and commercial roads.

a. Materials.

- (1) Liquid asphalt for the tack coat, where required, shall be grade of RC-2-AEP emulsion (American Association of state Highway Officials).
- (2) Asphalt cement to be used in the binder course shall meet specifications of AC-20 (AASH). No mineral matter other than that naturally contained in the asphalt shall be present.
- (3) Aggregate shall consist of fine gravel and sand, disintegrated granite, limestone, or similar granular materials.
- (4) The material shall produce a mixture conforming to the following composition limits, by weight:

Aggregate passing a 1-inch mesh sieve	100%
Aggregate retained on a 10-mesh sieve	60-80%
Aggregate passing a 10-mesh sieve	10-35%
Bitumen (soluble in 1-1 – Trichloroethane)	4-7%

b. Construction Methods.

- (1) Spreading and finishing will be the same as those listed below under 8.3 (2) (b) 2.

Asphaltic Concrete Wearing Surface.

- (2) Seasonal limits are the same as those listed below under 8.3 (2) (b) 3.

3. Asphaltic Concrete Wearing Surface (Plant Mixed). This wearing surface shall consist of aggregate and bituminous material mixed in a central plant, constructed on the prepared base in accordance with these specifications and in conformity with the lines, grades, and typical cross

sections as shown on the accepted drawing. The compacted thickness of the wearing surface shall be not less than one and one quarter (1-1/4) inches.

a. Materials.

- (1) Liquid asphalt for the tack coat, where required, shall be grade RC-2 or AEP Emulsion.
- (2) Asphalt cement to be used in the asphaltic concrete shall conform to specifications of AC-20 (AASHTO). No mineral matter other than that naturally contained in the asphalt shall be present.
- (3) Aggregate shall consist of fine gravel and sand, disintegrated granite, limestone or other similar granular materials.
- (4) The materials shall be graded and proportioned as follows:

<u>Sieve Designation</u>	<u>Percent by Height</u>
<u>Passing Square Mesh Sieve</u>	
1 inch	100
3/4 inch	85-100
No. 4	60-95
No. 10	45-80
No. 200	5-15
Asphalt by weight	4-8

b. Construction Methods.

1. Applying Tack Coat. A tack coat may be required at the discretion of the engineer based on the quality of the applied binder course. Immediately before placing the bituminous mixture, the existing surface shall be cleaned of loose or deleterious material by sweeping with a power broom or hand broom. The surface shall be thoroughly dry before applying the tack coat. Apply to the existing surface at a rate of 0.05 gallons per square yard by a power distributor of approved type, having a pressure of not less than forty (40) pounds per square inch. The bituminous mixture shall be spread and finished immediately after the tack coat has been applied.
2. Spreading and Finishing. The bituminous mixture shall be delivered on the job at a temperature of not less than 250

degrees Fahrenheit. The mixture will be spread by means of an approved mechanical self-powered paver, capable of spreading the mixture true to the line and grade and crown as shown on the accepted plans and cross section. Placing of the mixture shall be continuous as possible and the roller shall pass over the unprotected edge of the freshly laid mixture only when the laying of the course is to be discontinued for such length of time as to permit the mixture to become chilled. Longitudinal and transverse joints shall be well bonded and sealed. If necessary to obtain this result, the joints shall be cut back to the full depth of the previously laid course, painted with hot asphalt and heated. Before placing the mixture against them, all contact surfaces of curbs, gutters, headers, manholes, etc., shall be painted with a thin uniform coating of hot asphalt cement or asphalt cement dissolved in naphtha. After spreading, the mixture shall be thoroughly compacted by a three-wheel or tandem power-drive roller, weighing not less than ten (10) tons, as after being spread as it will bear the roller without undue displacement. Rolling shall start longitudinally at the sides and proceed toward the center approximately one-half the width of the rear wheel. The pavement shall then be rolled diagonally in two directions with a tandem roller weighing not less than ten (10) tons; the second diagonal rolling shall cross the lines of the first. Along curbs, headers, manholes and similar structures and at all contacts of this character the joints between these structures and the surface mixture must be effectively sealed.

3. Seasonal Limits. No asphalt material shall be laid when the temperature of the air forty (40) degrees Fahrenheit and falling or during unfavorable weather conditions. Unfavorable weather conditions are those which cause a receiving surface to be wet.

#### **8.4. Curbing**

The designated engineer, in consultation with the developer, shall make determinations regarding the placement of curbs and/or shoulders along streets. Where curbing is required, extruded concrete curb will be placed on binder course before application of surface materials. Curing will have a minimum base of eight (8) inches wide and minimum height of six (6) inches above the wearing surface. Concrete will be mixed so curb will be smooth. Holes or pits will be filled and troweled. Suitable score joints will be provided at fifteen (15) foot intervals. In cases where curbing is not required, shoulders at least three (3) feet wide shall be

constructed on each side of the paved surface. Shoulders shall be constructed (of compacted gravel at least six (6) inches in depth).

**8.5. Backfilling.**

Backfilling of curbs will be completed as soon as possible, as weather permits. Backfill will be on a 4:1 maximum slope up or down, depending on terrain, a minimum of four (4) feet from back of curb. At this point the maximum slope will be 2:1 up or down. Slopes steeper than 2:1 will not be accepted.

**APPENDIX I**

**SPECIAL DEVELOPMENT STANDARDS**

**CAMPGROUND SUBDIVISIONS**

**I.1 Design Standards for Campground Subdivisions**

- (1) Minimum Size of Campground Subdivisions. Each parcel of land to be used for a campground shall have a minimum of four and one-half (4.5) acres.
- (2) Density. There shall be no more than fifteen (15) campground lots per acre of land within the campground subdivision. This shall also apply to any tent camping area.
- (3) Width of Streets. Streets in a campground subdivision shall be private and shall have a minimum paved width of:
  - (a) One-way
    - with no on-street parking .....12 ft.
    - with parallel parking on one side only .....20ft.
    - with parallel parking on both sides .....28 ft.
  - (b) Two-way – Refer to Section 6.2 (3b)
- (4) Street Surfacing
  - (a) All streets shall be paved.
  - (b) Streets paving specifications shall be submitted by the developer for approval by the planning commission.
- (5) Open Space Requirements.
  - (a) A minimum of ten (10) percent of the total land area of a campground subdivision shall be devoted to common open space and may be used for common recreational activities.
  - (b) For every lot within a campground subdivision there shall be allocated an additional one hundred (100) square feet of land reserved for open space. However, this requirement is not necessary when the proposed development has a density of less than ten (10) lots per acre.

- (c) Such recreational areas shall be exclusive of campground lots, buffer strips, street rights-of-way, and storage areas; however, the periphery of such recreational areas may contain utility sites and other non-recreational service buildings, the area of which will be subtracted from the computer “recreational areas.” Recreational areas shall be easily accessible to all lot owners and management. Although the required space for recreational usage may be met through more than one recreational site, the minimum size of any such area shall be twenty-thousand (20,000) square feet. Provisions for all common open space and the construction of recreational facilities which are shown on the site plan shall proceed at an equivalent or greater rate as the construction of individual campground lots.

**I.2. Design Requirements for Campground Lots.**

- (1) Minimum Size.
  - a. All lots shall have a minimum area of 1500 square feet with a minimum width of 30 feet and a minimum length of 50 feet.
  - b. Each lot shall be designed so that any two camping units will have a minimum distance of twenty (20) feet between them.
- (2) Access. Each campground lot shall abut at least one street within the boundaries of the campground subdivision and access to the site shall be only from such an internal street.
- (3) Setback Requirements. No part of a travel trailer placed on a campground lot shall be closer than five (5) feet to any white line and ten (10) feet to any street line within the development.

**I.3. Sewage Disposal.**

All campground subdivisions shall be served by a public sewer system, if available, or by a system approved by the Tennessee State Health Department and the Blount County Health Department. At least one (1) sanitary dumping station shall be provided in every campground subdivisions.

**I.4. Sanitary Facilities.**

All sanitary facilities shall be installed in accordance with the Tennessee Camp Sanitation Act.

**I.5. Water Facilities.**

- (1) There shall be at least one (1) water faucet for every five (5) campground lots. Community hydrants shall be no closer than 25 feet nor further than 200 feet from any lot.
- (2) All faucets shall have a drain or a sump.
- (3) All water facilities must be approved by the Blount County Health Department and Tennessee State Health Department.

**I.6. Procedure for Preliminary and Final Plat Approval.**

The procedural aspects of the plat approval process shall be the same as for any other subdivision under the jurisdiction of the Louisville Planning Commission.

In addition to the information required of all subdivisions for preliminary plat approval (Section 5.2), the following information will be required before the commission will act upon requests for preliminary plat approval in the cases of campground subdivisions:

- (1) Location, plans, and specifications of all proposed service buildings, restrooms, and recreational areas.
- (2) Agreement, provisions or covenants which govern use, maintenance and operation of the campground subdivision.
- (3) Any other exhibits that may be required by the planning commission the health department.

## APPENDIX II

### SPECIAL DEVELOPMENT STANDARDS

#### MOBILE HOME SUBDIVISIONS

##### **II.1. Design Standards for Mobile Home Subdivisions.**

- (1) Open Space Requirements. There shall be provided a usable park and recreational area having a minimum of one hundred and fifty (150) square feet for each mobile home lot. Areas shall be consolidated into usable areas with minimum dimensions of not less than thirty (30) feet. This requirement shall be waived if individual lots within the subdivision are at least 20,000 square feet in area.

##### **II.2 Design Standards for Mobile Home Lots.**

- (1) Minimum Size of Lot. There shall be not less than 3,500 square feet of area for each lot where public water and sewer service can be provided as approved by the Blount County Health Department. For double-wide or expandable units the minimum lot size shall be 5,000 square feet. In areas where an approved sewer or water system cannot be provided, the minimum lot area shall be determined based on investigations by the planning commission and health department, but in no case shall it be less than 20,000 square feet.
- (2) Minimum Width of Lot. Each lot shall be at least 35 feet wide except that double-wide and expandable units shall be on lots at least fifty (50) feet wide; greater width may be required where septic tanks are utilized.

##### **II.3. Design Standards for Streets in Mobile Home Subdivisions.**

- (1) Minimum Width and Paving Specifications. Streets within a mobile home subdivision shall be paved to the width specified in Section 6.2 (3b). Said streets shall be built to the construction standards set forth in the subdivision regulations.

##### **II.4. Procedure for Preliminary and Final Plat Approval.**

The procedural aspects of the plat approval process shall be the same as for any other subdivision under the jurisdiction of the Louisville Planning Commission.

## **APPENDIX III**

### **SPECIAL DEVELOPMENT STANDARDS**

#### **PLANNED UNIT DEVELOPMENT**

##### **III.1 Procedure for Preliminary and Final Master Plan Approval.**

In accordance with TCA, all master plans for planned unit development shall be reviewed and granted final approval by the planning commission prior to recordation.

##### **III.2 Design Standards for Planned Unit Development.**

1. Common Open Space.
  - a. The location, shape, size, and character of the common open space shall be reviewed in detail.
  - b. Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned development considering its size, density, expected population, topography, and the number and type of dwelling to be provided.
  - c. Common open space must be suitably improved for its intended use but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved conditions.
  - d. The use and improvements of common open space must be planned in relation to any existing or proposed public or semi-public open space which adjoins or which is within close proximity to the perimeter of the planned development.
  - e. All land shown on the final master plan as common open space must be conveyed under on the following options:
    - (1) It may be conveyed to a public agency which will agree to maintain the common open space and any building, structures, or improvements which have been placed on it.

- (2) It may be conveyed to a trustee(s) provided in a deed of record which establishes an association or similar organization for the maintenance of the planned development. The common open space may be conveyed to the trustees subject to the approval of the planning commission which will result in the restriction of the common open space to the uses specified on the final plan, and which will provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purpose.
  - f. No common open space may be put to any use not specified on the final master plan unless the final master plan has been amended to permit that use.
2. **Minimum Size.** The minimum size of a planned unit development shall be four and one-half (4.5) acres.

### **III.3 Additional Required Information for Preliminary Master Plan Approval.**

- (1) Existing and proposed land uses and the approximate density of the proposed dwellings.
- (2) The approximate location of any road shown on the major thoroughfare plan.
- (3) Public uses, including schools, parks, play areas, and other open spaces, both existing and proposed.

**APPENDIX IV**

**CERTIFICATION FORMS FOR  
PRELIMINARY AND FINAL APPROVAL**

**PRELIMINARY**

**FORM 1**

**CERTIFICATION OF PRELIMINARY PLANS OF STREETS**

I certify that the plans for streets and other related improvements required meet the Town of Louisville Specifications for preliminary approval

\_\_\_\_\_  
Date

\_\_\_\_\_  
Designated Engineer for Louisville

**FORM 2**

**CERTIFICATION OF PRELIMINARY APPROVAL BY COUNTY HEALTH  
DEPARTMENT**

I hereby certify that the plans and related information required meet the specifications for preliminary approval by the Blount County Health Department.

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Health Authority or  
Authorized Representative

**FINAL**

**FORM 1**

**CERTIFICATION OF OWNERSHIP AND DEDICATION**

I (we) certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all rights-of-way, streets, alleys, walks, easements, parks or other open spaces to public or private use as noted.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

**FORM 2**

**CERTIFICATION OF PRIVATE STREETS**

Certain streets within this subdivision are designated as “private”. Although we, the owners, hereby make an offer of dedication of these rights-of-way to Louisville, we acknowledge that said roads must be privately maintained unless and until these dedicated rights-of-way are formally accepted by Louisville. It is further acknowledged that acceptance of these rights-of-way will occur only if (1) Louisville deems that it is clearly in the general public interest for these roads to become public roads, or (2) current or future owners, improve these roads to meet, in all respects, the standards of the Louisville Planning Commission for publicly dedicated roads.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

**FORM 3**

**CERTIFICATE OF ACCURACY**

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

\_\_\_\_\_  
Date

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

**FORM 4**

**CERTIFICATION OF REMAINING ACREAGE**

I hereby certify that the remaining land acreage is greater than five acres and that said remaining acreage meets the road frontage requirements per the Louisville Zoning Ordinance and per the Louisville Subdivision Regulations.

\_\_\_\_\_  
Date

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

**FORM 5**

**CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
DESIGNATED ENGINEER FOR LOUISVILLE

OR

The subdivision lies along an existing public road. The improvements related to streets or other public improvements have been installed according to Louisville Planning commission's Subdivision Regulations or specifications, when Town of Louisville is acting as the County's Designee.

\_\_\_\_\_  
Date

\_\_\_\_\_  
DESIGNATED ENGINEER FOR LOUISVILLE

**FORM 6**

**CERTIFICATION OF GENERAL APPROVAL FOR INSTALLATION OF  
SUBSURFACE SEWAGE DISPOSAL SYSTEMS**

Subdivision is approved for subsurface sewage disposal. Owner/developer shall obtain from the commission/health authority or representative a permit for each lot prior to any construction on the property. The permit shall establish the maximum size dwelling and the specific location of the primary and the secondary disposal areas. Owner/developer shall not do any construction or mutilation (cutting or filling) of the so designated primary and secondary disposal areas without the prior approval of the Blount County Environmental Health Department.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Blount County Department of Environmental Health

**FORM 7**

**CERTIFICATION OF THE APPROVAL OF UTILITIES - WATER**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
POSITION

**FORM 8**

**CERTIFICATION OF THE APPROVAL OF UTILITIES - SEWER**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
POSITION

**FORM 9**

**CERTIFICATION OF THE APPROVAL OF UTILITIES - ELECTRICAL**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
POSITION

**FORM 10**

CERTIFICATE OF APPROVAL OF ROAD NAMES AND PROPERTY NUMBERS (E-911)

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
E-911 AUTHORITY

**FORM 11**

CERTIFICATE FOR LOUISVILLE DESIGN REVIEW BOARD APPROVAL

I hereby certify that any multifamily residential, industrial, or commercial land use must be approved by the Louisville Design Review Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
SECRETARY, PLANNING COMMISSION

**FORM 12**

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown here has been found to comply with the Subdivision Regulations for Louisville, Tennessee, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the Office of the County Registrar.

\_\_\_\_\_  
Date

\_\_\_\_\_  
SECRETARY, PLANNING COMMISSION

## APPENDIX V

### SPECIAL DEVELOPMENT STANDARDS

#### CONDOMINIUM PROJECT DEVELOPMENTS

##### **V.1. Definitions.**

The following definitions are taken from T.C.A. 64-2702:

“Condominium” means the ownership of single units in a multiple unit structure or structures with common elements.

“Condominium project” means a real estate condominium project; a plan or project whereby three (3) or more apartments, rooms, office spaces, or other units in existing or proposed building(s) or structure(s) are offered or proposed to be offered for sale.

##### **V.2 Classification or Condominium Developments.**

Major Condominium Development. All condominium developments not classified as minor condominium developments, including but not limited to condominium developments requiring any new street or extension of the local governmental facilities, or the creation of any public improvements. The minimum size of a major condominium development shall be five (5) acres.

Minor Condominium Development. Any condominium development not involving any new street or road, or the extensions of local government facilities, or the creation of any public improvement, and not adversely affecting the remainder of the property or adjoining property. The size of a minor condominium development shall be less than five (5) acres.

##### **V.3. Procedure for Preliminary and Final Approval.**

In accordance with T.C.A. 64-2721, all plans for condominium developments shall be reviewed and granted final approval by the planning commission prior to recordation.

##### **V.4. Standards for Condominium Development.**

- (1) Common Open Space – Major and Minor Developments
  - a. The location, shape, size, and character of the common open space shall be reviewed in detail.

- b. All land shown on the final plat as common open space must be conveyed under one of the following options:
  - 1. It may be conveyed to a public agency which will agree to maintain the common open space and any building, structures, or improvements which have been placed on it.
  - 2. It may be conveyed to a trustee(s) provided in a deed or record which establishes an association or similar organization for the maintenance of the planned development. The common open space may be conveyed to the trustees subject to the approval of the planning commission which will result in the restriction of the common open space to the uses specified on the final plat, and which will provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purposes.
- c. No common open space may be put to any use not specified on the final plat unless the final plat has been amended to permit that use.

Major Developments Only

- d. Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned development considering its size, density, expected population, topography, and the number and type of dwellings to be provided.
- e. Common open space must be suitably improved for its intended use but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.
- f. The use and improvements of common open space must be planned in relation to any existing or proposed public or semi-public open space which adjoins or which is within close proximity to the perimeter of the planned development.

(2) Parking – Major and Minor Developments

- a. There will be a minimum of two (2) off-street parking spaces per residential unit. A parking space shall have a minimum of 200 square feet.
- b. Off-street parking facilities shall have a reasonable slope and be accessible, safe, and properly drained.

(3) Water Supply – Major and Minor Developments

Every unit shall have available a public water supply

(4) Sewer Systems – Major and Minor Developments

Sewer systems shall be provided in accordance with the following standards:

- a. **Public Sewer Systems.** In that portion of Blount County, where public sanitary sewer systems are reasonably available, a condominium development shall be so designed to be served by this sanitary sewer system.
- b. **Community Sewer System.** Wherever a developer can provide conclusive evidence to the planning commission that public sewer systems are not reasonably available and, further, whenever acceptable to the State Department of Public Health, Division of Water Quality Control, the developer may design the condominium development to be served by a community sewer system.

Minor Development Only:

- c. **Individual Subsurface Septic Fields.** If public sewer and community sewer systems are not available, then each condominium unit must have 20,000 square feet of open space set aside for a subsurface septic field. Greater area may be required for private sewage disposal if, in the opinion of the planning commission, there are factors of drainage, soil conditions, or other condition to cause potential health problems. All subsurface septic fields must be approved by the Blount County Health Department.

- (5) Storm Drainage Plan – Major Developments Only
  - a. A storm drainage plan shall be provided by the developer which includes accurate existing and proposed water courses; the system of open channels, pipes, culverts, drains, inlets, catch basins, and similar facilities designed to handle storm water in times of rainstorms. The calculations used in the design of such systems and plans shall clearly indicate the easements require in the construction and maintenance of the drainage system. Said easements shall be shown on the preliminary and final master plan.
  - b. Property containing sink holes and other low places may be utilized in a major condominium development; however, the development shall be designed in such a way that buildings and sewage disposal facilities shall be free of the danger of flooding.
- (6) Streets – Major Developments Only
  - a. The width of streets in a major condominium development shall be at the discretion of the developer but must be approved by the planning commission.
  - b. The construction of streets in a major condominium development shall conform to Section 8 of these regulations.
  - c. Curbs or swale ditches shall be constructed along roads in a major condominium development in accordance with the developers drainage plan.
- (7) Emergency Vehicle Access – Major Developments Only. Any building or structure shall be reasonably accessible for fire, police, emergency and service vehicles. When deemed necessary to access, emergency vehicle easements shall be provided. The access for fire, police and emergency vehicles shall be unobstructed at all times.
- (8) Fire Safety – Major and Minor Developments. All units shall conform to the Southern Standard Building Code requirements for fire walls and fire floors. The developer must provide certification that these standards have been met.

**V.5. Additional Required Information for Preliminary Master Plan Approval. Major Development Only.**

- (1) Existing and proposed land uses and the approximate density of the proposed dwellings.

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