

Subdivision Regulations Unicoi County, Tennessee

Adopted January 28, 1976

Amended through June 13th, 2022

Prepared for:

UNICOI COUNTY REGIONAL PLANNING COMMISSION

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Nashville, Tennessee 37219

615-741-2211

February 9, 1976

Howard T. Garland
County Chairman
Post Office Box 169
Erwin, Tennessee 37650

UETO - RECORDS
FILE No. UG(5)

Dear Chairman Garland:

Enclosed for your use are three copies of a resolution acted upon by the Local Government Planning Advisory Committee at its meeting on January 28, 1976.

If I may be of further assistance, please let me know.

Sincerely,

Donald G. Waller
Director of Local Planning

DGW:jj

cc: Official Action Files

LOCAL GOVERNMENT PLANNING ADVISORY COMMITTEE

RESOLUTION

Creation of Unicoi County
Regional Planning Commission

WHEREAS, at the October, 1975 meeting of the Unicoi County Quarterly Court, the Court voted in favor of the establishment of a Unicoi County Regional Planning Commission, and

WHEREAS, notice of this action was submitted to the Tennessee State Planning Office along with a list of nominees for appointment or designation by the Honorable Howard T. Garland, Chairman of the Unicoi County Court, in a letter dated November 10, 1975.

NOW THEREFORE BE IT RESOLVED by the Local Government Planning Advisory Committee, acting under authority of Sections 13-107 and 13-201, Tennessee Code Annotated, that there is hereby created a Unicoi County Planning Region to comprise the entire unincorporated territory of Unicoi County except that territory presently within the Erwin Planning Region, provided, however, that should the Erwin Planning Region be reduced in the future, the territory so relinquished shall automatically and immediately pass to the jurisdiction of the Unicoi County Planning Region, and

BE IT FURTHER RESOLVED that there is hereby created and established a Unicoi County Regional Planning Commission consisting

of eleven (11) members and that the initial membership thereof shall be as follows with terms expiring as indicated:

Robert Love appointed to a term ending January 30, 1977,
William L. Reece, appointed to a term ending January 30, 1978,
Thomas Seeley, Jr., appointed to a term ending January
30, 1979,

Bill M. Jones, appointed to a term ending January 30, 1980,
Carl W. Jones, appointed to a term ending January 30, 1980,
George Bell, appointed to a term ending January 30, 1980.

The following five (5) persons be designated to terms co-terminious with their current service on the Unicoi County Quarterly Court:

Wayne Scott, Walter Davis, Jr., Hubert Miller, Ralph
Edwards, and Fred Davis.

Adopted: *1/28/76 Tom McCaslin*

Tom McCaslin, Chairman
Local Government Planning Advisory Committee

Donald G. Waller
Donald G. Waller, Executive Director
Tennessee State Planning Office

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**SUBDIVISION STANDARDS
OF THE
UNICOI COUNTY, TENNESSEE PLANNING COMMISSION
(Hereafter referred to as the Planning Commission)**

ARTICLE I

PURPOSE, AUTHORITY AND JURISDICTION

A. Purpose

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

The Unicoi County Major Road Plan certified copy of which is on file in the office of the Unicoi County, Tennessee, Register of Deeds, and the following standards guiding the Unicoi County Regional Planning Commission are designed to provide for the harmonious development of the area:

1. Establish standards of subdivision design for harmonious development;
2. Prescribe the necessary standards for improvements which should be provided by the developer and should not be a charge on the citizens and taxpayers of existing communities;
3. Promote the adequate, efficient, and economic supply of utilities to new land development;
4. Specify standards for road development to prevent traffic hazards and to insure safe and convenient traffic circulation throughout the County; and
5. Identify those lands not suitable for development and to insure that such lands are protected from haphazard use.

B. Authority

These subdivision standards are adopted under the authority granted by Sections §13-3-401 through §13-3-413 of the Tennessee Code Annotated. The planning commission has fulfilled the requirements as set forth in these statutes as prerequisite to the adoption of such standards, having filed a revised certified copy of the Major Street and Roads Plans in the office of the Register of Unicoi County, Tennessee on September 10, 1987.

C. Jurisdiction

The subdivision regulations shall govern all subdivision of land within the boundary of the Unicoi County Planning Region. These regulations will apply to areas within the planning regional jurisdiction of the Unicoi County Regional Planning Commission.

Within these regulations, the term “Subdivision” means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development and includes re-divisions and, when appropriate to the context, relates to the process of re-dividing or to the land or area subdivided.

Any owner of land within this area wishing to subdivide land shall submit to the Planning Commission a Plat of the Subdivision according to the procedures outlined in Article 2, which shall conform to the minimum requirements set forth in Article 3. Improvements shall be installed as required by Article 4 of these Standards.

Tennessee Code Annotated §13-3-402 gives the planning staff the authority to certify a plat for approval provided the plat contains no more than two (2) lots and there is no request for a variance from these regulations.

ARTICLE II

PROCEDURE FOR PLAT APPROVAL

A. General

1. All developers must follow the guidelines to subdivide property established by the Unicoi County Regional Planning Commission in the Unicoi County Subdivision Regulations. Upon the request of the developer, the subdivision may be a private-gated community.

The procedure for review and approval of a subdivision consists of two (2) separate steps. The initial step is the preparation and submission to the planning commission of a preliminary plat of the proposed subdivision. The second step is the preparation and submission to the planning commission of a final plat together with the required certificates. This final plat becomes the instrument to be recorded in the office of the Unicoi County Registrar of Deeds when duly signed by the Secretary of the planning commission.

The developer shall early and informally consult with the planning commission and its technical staff for advice and assistance before the preparation of the preliminary plat and its formal application for approval. Such informal review should prevent unnecessary and costly revisions.

Any owner of land lying within the area of jurisdiction of the planning commission who wishes to divide such land into two (2) or more lots, divisions, or sites under five (5) acres per lot, for the purpose, whether immediate or future of sale or building development, or who wishes to subdivide for this purpose, shall submit a plan of such proposed subdivision to the planning commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following sections of this article. No plat of a subdivision of land within the Unicoi County Planning Region shall be filed or recorded by the Unicoi County Registrar of Deeds without the approval of the Unicoi County Regional Planning Commission as specified herein.

2. In order to secure review and approval by the planning commission of a proposed subdivision, the prospective developer shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a preliminary plat as provided in Section B of this article. On

approval of said preliminary plat he may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C of this article and the improvements set forth in Article IV.

B. Preliminary Plat

1. At least ten (10) days prior to the meeting at which it is to be considered, the developer shall submit to the planning commission four (4) (black and white prints or blue line prints) of a preliminary plat of the proposed subdivision drawn to a scale of not less than one (1) inch equals 100 feet. A preliminary plat shall not be acceptable for submission unless it meets all the required standards of design and unless it contains all the required information or a written request for a variance from each specific deviation from the requirements with reasons therefore.
2. The preliminary plat which shall meet the minimum standards of design as set forth in Article III and shall give the following information insofar as possible:
 - a. The word preliminary shall be present on the plat.
 - b. The proposed subdivisions name and location, the name(s) and address(es) of the owner(s), and the name of the designer of the plat, who shall be a registered surveyor approved by the State of Tennessee.
 - c. Date, approximate north point, and graphic scale.
 - d. The location of existing and platted property lines, existing streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements or lines, the present flood zone classification, if any, on the land to be subdivided, and the names of adjoining property owners and subdivisions.
 - e. Plans of proposed utility layouts (sewers, water, gas, and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or subsurface sewage disposal system must be approved by the Tennessee Department of Environment and Conservation (TDEC).
 - f. The proposed street names, and the locations and dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building setback lines, and utilities.

- g. Contours at vertical intervals of two (2) feet except when specifically not required by the planning commission and such request must be made prior to the submission of the preliminary plat. *(TVA 20' contours can be used when approved by the Commission).*
 - h. The total number of lots and acreage of the land to be subdivided.
 - i. Tax Map and Parcel Number.
 - j. Location sketch map showing relationship of the subdivision site to the area.
 - k. If any portion of the land being subdivided is subject to flood, the area subject to flood shall be shown.
- 3. Within sixty (60) days after submission of the preliminary plat, the planning commission will review it and indicate approval, disapproval, or approval subject to modification. If a plat is disapproved, reasons for such disapproval shall be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated.
 - 4. One (1) copy of the preliminary plat will be retained in the planning commission's files; one (1) will be retained for the staff planner; and the remaining copies shall be returned to the developer with any notations at that time of any specific changes, if any, required.
 - 5. The approval of the preliminary plat by the planning commissions will not constitute acceptance of the final plat and will not be indicated on the preliminary plat.
 - 6. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within two (2) years from the date of such approval unless an extension of time is applied for and granted by the planning commission.
 - 7. A developer may omit the submission of a preliminary plat, provided the conditions for a final plat are met:

C. Final Plat

- 1. The final plat shall conform substantially to the preliminary plat as approved, and, if desired the developer, may constitute only that portion of the approved preliminary plat which he/she proposed to record and develop at the time, provided, that such portion conforms to all requirements of these standards or a

written request for a variance from each specific deviation from the requirements with reasons has been granted. (See Appendix III for the variance form)

2. At least ten (10) days prior to the meeting at which it is to be considered the developer shall submit four (4) copies (black and white prints or blue line prints), together with any street profiles or other plans that may be required by the planning commission.

The plat shall be drawn on sheets not larger than 24 by 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 same streets lettered in alphabetical order as a key.

3. The planning commission shall approve or disapprove this final plat within sixty (60) days after its submission. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the planning commission.
4. When the plat has been approved by the planning commission, one (1) copy will be returned to the developer with the approval of the planning commission certified thereon for filing with the Unicoi County Registrar of Deeds as the official plat of record. One (1) copy will be retained in the records of the planning commission; one (1) will be retained for the staff planner. Any additional copies will be returned unsigned to the developer.
5. Approval of the final plat by the planning commission shall not constitute the acceptance by any county or by the public of the dedication of any road or other grounds shown upon the plat.
6. The final plat shall show:
 - a. The lines of all streets and roads, alley lines, building setback lines, lots numbered in numerical order, reservations for easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every street line, lot line, boundary lines, block line, and building line, whether straight or curved, and including true north point. This shall include the radius, central angle, and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.

- c. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining property.
 - f. Date, title, name, and location of subdivision, graphic scale, and true north point, or magnetic north.
 - g. Tax Map and Parcel Number.
 - h. Location sketch map showing site in relation to area.
 - i. If any portion of the land being subdivided is located in a flood hazard area, it shall be shown.
 - j. Assignment of street names for 911 emergency purposes, as approved by the Unicoi County 911 Addressing Department.
7. The following certificates shall be presented with the final plat: (Certificates are shown in APPENDIX IV)
- a. Certification showing that applicant is the landowner and dedicates streets, rights-of-way, and any sites for public use. (Form 1)
 - b. Certification by registered surveyor or engineer to accuracy of survey, plat, and placement of monuments and iron pins. (Form 2)
 - c. Certification block (6"x6") for the use of the Tennessee Department of Environment and Conservation (TDEC) when subsurface sewage disposal systems are to be installed. Lots with existing septic systems may be noted as such on the plat and may not require additional approval. (Form 3). *Also see Article IV, Section B:9 and APPENDIX V*
 - d. Certification by the County Road Superintendent that the developer has constructed the streets in accordance with the requirements of the subdivision regulations or has made an acceptable security arrangement to assure such construction. (Form 4)

- e. Certification by the water utility that water lines have been installed in accordance with required standard or that an acceptable security arrangement has been made to assure their installation. (Form 5)
- f. Certification of approval to be signed by the secretary of the planning commission. (Form 6)
- g. Certification of approval of street names by the Unicoi County 911 Addressing Department. (Form 10)

ARTICLE III

GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

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

A. Streets

1. Conformity to the Major Road Plan

The location and width of all streets and roads shall conform to the official Unicoi County Major Road Plan.

2. Relation to Adjoining Street System

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

3. Street right-of-way Widths

The minimum width of the right-of-way, measure from lot line to lot line, shall be shown on the major road plan, or if not shown on such plan shall not be less than as follows:

- a. *Arterial Streets and Highways* per State requirements
Arterial streets and highways are those to be used primarily for fast or heavy traffic and are located on the Unicoi County Major Road Plan.
- b. *Major Collector Streets* 40 feet
Major collector streets are streets other than arterial streets or highways that provide service to small communities and link the locally important traffic generators with the local surrounding road system.
- c. *Minor Collector Streets* 40 feet
Minor collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets of large residential development and streets for major circulation within such development.
- d. *Minor Residential Streets* 40 feet

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

e. *Cul-de-sac Streets*..... 40 feet

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

f. *Dead-End Streets*..... 40 feet

Dead ends will be allowed when the developer can show that cul-de-sacs are unreasonable. Dead-end streets are similar to cul-de-sacs except that they provide no turnaround circle at their closed end. Stub streets planned for future continuation are not considered to be dead-end streets.

g. *Marginal Access Streets*..... 40 feet

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

4. Additional right-of-way Width on Existing Streets

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

b. When the subdivision is located on only one side of an existing street one-half (1/2) of the required right-of-way measured from the center line of the existing roadway, shall be provided.

5. Cul-de-sac Streets

Cul-de-sacs shall have a right-of-way of not less than fifty (50) feet and a transition curve radius of not less than seventy-five (75) feet for connecting the turn around with the end of the street. The outside radius of the turnaround shall be not less than forty (40) feet. When unusual topographic conditions exist, the length of the cul-de-sac and the planning commission may vary the design of the turnaround.

6. Private Streets and Reserve

All streets shall be platted in all subdivisions. Private streets shall be clearly marked on the plat and within the deeds.

The developer requesting the approval of private roads shall provide the information listed below.

- a. Proof of a homeowners association that has been registered with the state;
 - b. Bylaws in accordance with state law and road maintenance agreement of the association;
 - c. The agreement shall provide for collection of dues and/or assessments from members of the development for maintenance of private roads.
 - d. The plat or other plans shall provide information as to width of roadway and plan of construction or roadways in the development so as to enable the planning commission to determine if said private streets are sufficient regarding the contour of land and dimension of lots within the development.
7. Street Names
Proposed streets which are in alignment with existing and named streets shall bear the name(s) of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, way, place, or court. The planning commission can assist the developer in avoiding duplication.
8. Surface Drainage
Proper permits shall be obtained for the Tennessee Department of Environment and Conservation (TDEC).

B. Blocks

1. Length
Blocks shall not be less than four hundred (400) feet nor more than twelve hundred (1,200) feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern.
2. Width
Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets and roads is provided or where prevented by topographical conditions or size of the property, in which case the planning commissions may approve a single row of lots of minimum depth.

C. Lots

1. Arrangement
Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front for a minimum of forty (40) feet

upon a public street or road except in special instances such as cul-de-sacs and lots with sewer.

- a. In the case of flag lot arrangement, the minimum road frontage access standard as herein required shall be a continuous strip of land leading to the buildable portion of the lot. Such continuous strip of land shall not be narrower than forty (40) feet at any point between the existing public and/or private road and the buildable portion of the lot. At no point shall the proposed lot be narrower at the building setback line than that is required. There shall be no more than two contiguous flag lots adjacent to the road and flag lots shall be of a single layer.

2. Minimum Size

The size, shape, and orientation of lots shall be such as TDEC deems appropriate for the type of development and use contemplated. Where public water and sanitary sewer systems are reasonably accessible the developer shall connect with such systems and provide a connection or connections to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used, if it meets all applicable public health regulations. Existing non-conforming lots may be combined with property already being served either by a public utility or a TDEC approved septic system. Where a public water supply is not accessible, a water well or other source may be used upon approval by the planning commission subject to the lot size requirements where water is not available.

3. Corner Lots

Corner lots shall have seven and one-half (7 ½) extra width for additional side yard area.

D. Public Use and Service Areas

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

1. Easements for Utilities

Utility easements of seven and one-half (7.5) feet in width situated along boundary or lot lines shall be required to be dedicated for each lot in a subdivision to the public and/or to appropriate utilities agencies. This required easement shall be fifteen (15) feet in width along all rear lot lines where the adjoining lot or property is not subject to a similar easement at least seven and one-half (7.5) feet in width. Such dedication shall be required to be noted on the final plat of a subdivision.

2. Easements for Drainage

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

3. Community Assets

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

E. Large Tracts or Parcels

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further resubdivision, the lot width to length ratio shall not exceed one to five.

F. Planned Unit Developments

Planned Unit Developments (PUD) are large tracts of land that will include more than one housing unit, such as condominiums, townhouses, mobile home parks, tiny home communities, or gated communities. Each PUD is intended to have a Homeowner's Association or other form of written regulations regarding the governance and maintenance of required installations. PUDs typically include open space and recreation areas, walking trails, community gardens, and/or other facilities for the use by the community. The following must be met and approved by the Planning Commission:

1. Submission of site plan to the planning commission for review no later than 10 days prior to the next meeting. The site plan must include all provisions listed under Article II. Section B. Preliminary Plat Subsection 2, especially any existing and/or proposed streets, buildings, water mains, railroads, sewers, bridges, culverts, drain pipes, water courses, utility layouts, drainage, erosion, and topography of the land.
2. All streets, roads, right-of-ways, private streets, drive ways and other utilities must be designed and installed according to the provisions laid out in Article III and Article IV. A Guarantee of Lieu of Completed Improvements may be required by the Planning Commission prior to final approval.

3. Minor changes or variances may be approved by the planning commission if the request is in line with the character of surrounding properties and does not destroy the intent of this ordinance.

G. Variances

Variances may be granted under the following conditions:

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

H. General

1. A developer and/or builder must follow the current Federal Emergency Management Agency (FEMA) flood guidelines if building in a flood zone. A development permit is required if land is disturbed in a flood zone.

ARTICLE IV

DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A. Purpose

A perfectly prepared and recorded subdivision or plat means little to a prospective buyer until he can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements by the developer spare the community a potential tax liability. The following tangible improvements or provisions for their estimated cost are required before final plat approval in order to assure the physical reality of a subdivision which approval and filing will establish legally.

B. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, install monuments, and may be required to provide sewer storm water inlets and water mains in accordance with these regulations and any specifications established by Unicoi County and the planning commission. The Highway Department will provide an on-site inspector before, during, and after the road construction process.

1. Monuments

Iron pins three-fourths (3/4) inch in diameter and at least thirty (30) inches long shall be placed at all lot corners, at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street, and at all other points on the subdivision boundary lines where there is a change of direction and at all lot corners.

2. Street and Road Improvements

a. *Grading*

The developer shall grade all streets, roads, and alleys so that pavement can be constructed to the required cross section. Deviation from the above due to special topographical conditions will be allowed only with special approval of the planning commission.

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

Cuts: All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the subgrade. If rock is encountered, it shall be excavated to a depth of twelve (12) inches below the subgrade.

Fill: All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials; soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted by a sheep's foot roller.

b. *Base*

The sub grade must be proof rolled to check for soft spots and approved by the Unicoi County highway Department before any stone is spread. The compacted stone base will be six (6) inches thick after compaction. The stone will be TDOT Standard 303, Type A, Grade D, Pug Mill Mix. The stone will be spread and rolled while it is wet.

c. *Binder*

After the stone base has been compacted and dried, an asphalt binder TDOT Standard 307, Type B will be spread and compacted to two (2) inches thick.

d. *Asphalt Wearing Coat*

Asphalt Wearing Coat; The topcoat of wearing asphalt will be TDOT 411, Type E and will be one and one-half (1.5) inches thick after compaction.

The contractor will supply a copy of all stone and asphalt tickets to the Unicoi County Highway Department for quantity verification. The finished road bed will be core drilled to verify the depth of each layer of asphalt. The Unicoi County Highway Department will then approve or disapprove the construction of the road. Any corrections required by the Unicoi County Highway Department must be completed and approved before the Unicoi County Planning Commission will consider final approval.

3. Minimum Pavement Width

Minimum pavement widths shall be as follows according to the provisions under Article IV and when and if the planning commission chooses to vary specific pavement width requirements due to unusual topographical conditions. In no case will the planning commission vary any needed requirements for improvements in order to allow or encourage subdivision development.

- a. *Arterial Streets and Highways*not paved by developer
- b. *Major & Minor Collector Streets* 22 feet
- c. *Minor Residential Streets* 22 feet
- d. *Cul-de-sacs* 22 feet

4. Curbs

Curbs are not required, but if constructed, the developer shall provide a permanent concrete curb as provided for in the Appendix II of these regulations. Maintenance of concrete curbs shall be the responsibility of the developer.

5. 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 the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than fifteen (15) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide right joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the roadbed.

If curbs are not provided, ditches 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 and at least fourteen (14) inches below the elevation of the edge of the road surface. The slopes of the ditch shall normally be in a ratio of at least 3:1 (horizontally to vertically) but in no case shall they exceed a ratio of 2:1.

6. Sidewalks

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

7. Installation of Utilities

After grading is completed and approved and before any base is applied, all of the underground work such as water mains, sewer mains, etc., shall be installed completely and approved. All utility lines must be located along side of the roadbed. All trenches within four (4) feet of the roadbed shall be backfilled with #57 crushed stone.

8. Water Supply System

Water mains properly connected with the community water supply system or with an alternate supply approved by the county health office, shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection.

The size of the water mains, the location and type of valves and hydrants, the amount of soil cover over the lines and other features of the installation shall be approved by the participating utility district and shall conform to accepted standards of good practice for the utility district.

9. Sanitary Sewers

When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to adequately serve all lots with connection that meets the requirements of the utility district.

Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of a Subsurface Sewage Disposal System (SSDS) approved in writing by the Tennessee Department of Environment and Conservation (TDEC).

Where lots already contain an existing subsurface sewage disposal system (SSDS), one of the following options must be submitted as part of the subdivision approval process (See Appendix V. Approval of Lots With Existing Subsurface Sewage Disposal Systems.)

10. Street Name Signs

The developer shall provide and install street signs at all intersections. The Unicoi County Superintendent of Roads will approve street signs as well as their placement.

C. Guarantee of Improvements

1. Completion of Improvements

No final subdivision plat shall be approved by the planning commission or accepted for recording by the Unicoi County Registrar of Deeds until all required improvements have been constructed in a satisfactory manner and approved by the planning commission and other appropriate agencies.

2. Guarantee in Lieu of completed Improvements

In lieu of completed improvements, the planning commission may accept a security bond in the full amount plus 20% of the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city or county in the event of default by the developer.

The following methods of bonding will be acceptable:

- a. A surety bond from the developer to the planning commission for the county in the full amount plus 20% of the estimated cost of installing the improvements required under the subdivision regulations.
- b. An escrow account to the planning commission in the full amount plus 20% of the estimated cost of installing required improvements.

ARTICLE V

ENFORCEMENT AND PENALTIES FOR VIOLATIONS

A. General

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

B. Enforcement

1. No plat or plan of a subdivision of land into two or more lots located within the Unicoi County Planning Region shall be admitted to the land records of Unicoi County or recorded by the County Registrar of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section §13-3-402, Tennessee Code Annotated.
2. No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any street located within the Unicoi County Planning region unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the planning commission, or on a street plan made and adopted by the commission as provided in Section §13-3-406, Tennessee Code Annotated.

C. Penalties

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

ARTICLE VI

ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision regulations, a public hearing as required by Section §13-3-403, Tennessee Code Annotated, was afforded any interested person or persons and was held on April 8th, 2019. Notice of such hearing was announced in the Erwin Record, being of general circulation within the area of planning jurisdiction, on March 6th, 2019 and stating the time and place for the hearing.
- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adoption: April 8th, 2019

Effective: April 8th, 2019

Loren Thomas
Chairman

James McClellen
Secretary

APPENDIX I

ROAD SURFACE SPECIFICATION

The smallest lot within a subdivision shall determine the specifications of all roads between that lot and existing public roads. No road specifications will change in the middle of blocks or cul-de-sacs.

A. Base, Binder and Asphalt Wearing Coat Requirements

1. All subdivision roads are required to have six (6) inches of compacted base stone, two (2) inches of binder and one & one-half (1.5) inches of Topping Mix. Base stone must be at least twenty –four (24) feet in width with twenty-two (22) feet of asphalt top surface.

APPENDIX II

ROAD ACCEPTANCE

All developers who construct roads in Unicoi County are required to enter into an agreement, approved by the County Attorney, with the Unicoi County Regional Planning Commission prior to construction of the road(s) if title thereto is to be conveyed to Unicoi County.

- A. Such agreement shall specifically state that the developer of the road(s) shall be responsible for the maintenance of the road(s) and right-of way for a period of one (1) year.
- B. The one (1) year maintenance requirement shall begin on the date the County Commission formally accepts title to the road(s).
- C. If the road(s) are completed to the specification contained herein and maintained to the satisfaction of the Planning Commission, a recommend will be made to County Commission that the road(s) be accepted.
- D. All conveyances of title by deed or otherwise, to Unicoi County for any road(s) and right-of-way not formally accepted by Unicoi County shall be null and void.
- E. The property owner or other individual transferring the road(s) and right-of-way to the County shall be responsible for all costs, including recording costs, of the instrument conveying title.

VARIANCE FORM

IN THE SPACE PROVIDED BELOW, PLEASE LIST THE VARIANCE YOU ARE REQUESTING AND THE SPECIFIC REASONS FOR THE VARIANCE.

[illegible]

APPENDIX IV

FORMS FOR FINAL PLAT CERTIFICATIONS

Form #1

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, dedicate all streets, alleys, walks, parks and other open space to public or private use as noted.
_____, 20_____
Date

Owner

Owner

Form #2

CERTIFICATE OF ACCURACY
I hereby certify that the survey shown and described hereon is a accurate and precise survey to the accuracy required by the Unicoi County Regional Planning Commission and that the monuments have been placed as shown hereon, to the specifications of the subdivision regulations.
_____, 20_____
Date

Tennessee Registered Land Surveyor

Form #3

TENNESSEE DEPARTMENT OF
ENVIRONMENT AND CONSERVATION
DIVISION OF GROUNDWATER PROTECTION

6"x6"
Blank Box

Or

Form #8

CERTIFICATION OF THE APPROVAL OF SEWERAGE SYSTEMS	
I hereby certify that the public sewerage disposal system(s); (1) is available to the property; (2) as shown on the accompanying plans has been installed in an acceptable manner and according to Town specifications; or (3) that a security bond in the amount of \$ _____ has been posted to insure completion of all required improvements in case of default.	
_____	, 20_____
Date	

Sewer Department Director or Authorized Representative	

Form #4

CERTIFICATION OF THE APPROVAL OF STREETS

I hereby certify: (1) adequate rights-of-way dedication upon an existing public road shall serve these lots as proposed, (2) that streets have been installed in any acceptable manner and according to the specifications or, (3) that a security bond in the amount of \$ _____ has been posted to insure completion of all required improvements in case of default.

_____, 20_____
Date

County Road Superintendent or Authorized Representative

Form #5

CERTIFICATION OF THE APPROVAL OF WATER SYSTEMS

I hereby certify that the public water system(s); (1) is available to the property; (2) as shown on the accompanying plans has been installed in an acceptable manner and according to County specifications; or (3) that a security bond in the amount of \$ _____ has been posted to insure completion of all required improvements in case of default.

_____, 20_____
Date

Water Department Director or Authorized Representative

Form #6

CERTIFICATE OF APPROVAL FOR RECORDING

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

_____, 20_____
Date

Unicoi County Regional Planning Commission Secretary

Form #7

CERTIFICATE OF APPROVAL OF ELECTRICAL SERVICE

The signature below certifies that, subject to existing utility line extension policies, electric service can be provided to the development described on this plat. Note that utility line extension policies may require that payments be made to public utilities before electric service will be extended to this site.

_____, 20 ____

Public Utilities Authorized Representative

Form #9

REGISTER OF DEEDS

3"x3"
Blank Box

Form #10

CERTIFICATION OF THE APPROVAL FOR 911-STREET ASSIGNMENT

I hereby certify that the street name(s), as noted on the final plat, is (are) approved as assigned.

_____, 20 ____

Date

Unicoi County 911 Addressing Department

APPENDIX V.

Approval of Subdivisions With Existing Subsurface Sewage Disposal Systems.

For the purpose of approving lots with existing subsurface sewage disposal systems the following three (3) options are acceptable to the Unicoi County Regional Planning Commission.

Option 1

TDEC can evaluate the lot(s) by reviewing a soil map prepared by a licensed soil consultant indicating there is an adequate duplication area, the plat must show the location of the existing subsurface sewage disposal system, and an inspection letter must be applied for, an inspection performed and the results attached to the plat.

Option 2

TDEC can evaluate a different area on the lot(s) not associated with the existing subsurface sewage disposal system by reviewing a soil map prepared by a licensed soil consultant that indicates there are enough suitable soil area to support a new subsurface sewage disposal system including an initial and duplicate soil areas.

Option 3

This option requires approval by the Unicoi County Regional Planning Commission.

Form #11

CERTIFICATE FOR VERIFICATION OF EXISTING SUBSURFACE SEWAGE DISPOSAL SYSTEM(S)

I (we) hereby certify that lot(s) _____ each contain a separate working subsurface sewage disposal system, and that all field lines and duplication areas associated with each system are contained entirely within each lot as described as part of this platted subdivision. I (we) further certify that the Certificate of Completion of Subsurface Sewage Disposal System (SSDS) for the Tennessee Department of Environment and Conservation is for the aforementioned lot(s) and system(s).

_____, 20____

Owner

Owner
