

SUBDIVISION REGULATIONS

Sullivan County, Tennessee



Sullivan County Regional Planning Commission

January 1971

Amended June 19, 2001
Amended October 16, 2001
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Amended July 18, 2023
Amended August 15, 2023
Amended September 19, 2023

** The Sullivan County Regional Planning Commission was first organized on June 3, 1948. On March 6, 1951, the original set of Subdivision Regulations were adopted and effective. From time-to-time, the regulations are amended to allow for growth and changes in planning policy or conformance with State Law.*

January 1971 Regulations Prepared for:

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ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

1. *Are subdivision regulations fair to everyone?*

Yes, the written regulations provide the local Sullivan County Regional Planning Commission with uniform procedures, standards of design and construction by which to appraise equally and fairly all plats for land subdivision.

2. *Who is affected by the regulations?*

Every owner of land within the Sullivan County Planning Region who divides land into smaller parcels or changes the size or shape of existing lots is affected.

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

Yes, "subdivision" means the division of a tract or parcel of land into two or more lots, sites, or divisions for immediate or future sale or building development and includes resubdivision.

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

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

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

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

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

- (a) A state law has been broken (Section 13-3-410, Tennessee Code Annotated).
- (b) Some cloud would exist on the title of the lots.
- (c) Most lending agencies will not approve or guarantee loans.
- (d) State law requires that public bodies shall not extend sewers, water mains, lighting, or other utilities in unauthorized roads.
- (e) Where zoning is in effect a building permit to construct any building will be withheld.
- (f) Authorities may cause any building or structure erected to be vacated or removed.
- (g) The legislative body of a county or municipality may stop sales by injunction or other legal action.

7. *What improvements will I need to install in my subdivision?*

The developer will be responsible for grading and improving streets, installing curbs, monuments, sewers, and water mains in accordance with adopted specifications.

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

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

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

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

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

These subdivision regulations include the procedure for having a plat approved. The Sullivan County Regional Planning Commission meets at regular intervals and your preliminary plat is submitted in advance of the meeting at which it is to be considered. It is suggested that you consult the Sullivan County Regional Planning Commission early so as to become familiar with the official plans that might affect your area.

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

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

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**SUBDIVISION REGULATIONS
OF THE
SULLIVAN COUNTY REGIONAL PLANNING COMMISSION,
SULLIVAN COUNTY, TENNESSEE**

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 eventually becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is, therefore, in the interest of the public, the developer and the future owners that subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards.

The following subdivision regulations guiding the Sullivan County Regional Planning Commission are designed to provide for the harmonious development of the planning region; to secure a coordinated layout and adequate provision for light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under the authority granted by Sections 13-3-401 through 13-3-414 of the *Tennessee Code Annotated*. The Sullivan County Regional Planning Commission has fulfilled the requirements set forth in these acts as prerequisite to the adoption of such regulations. A certified copy of the *Sullivan County Major Thoroughfare Plan* was filed in the Office of the Registrar of Sullivan County, Tennessee in December 1970.

C. Jurisdiction

These regulations shall govern all subdivision of land within the planning region of Sullivan County as now or hereafter established, and within the Sullivan County Planning Region as established by resolution of the Tennessee State Local Planning Assistance Office. Within these regulations the term "subdivision" shall mean the division of a tract or parcel of land into two or more lots, sites, or divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided. Any owner of land within this area wishing to subdivide land shall submit to the Sullivan County Regional Planning Commission staff, a plat of the subdivision according to the procedures outlined in Article II, which plat shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV of these regulations.

ARTICLE II. PROCEDURES FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of three separate steps. The initial step is the early informal consultation with the Sullivan County Regional Planning Commission Planning Director and staff for advice and assistance. During this consultation period, the developer may submit a Concept Plan for consideration. The Concept Plan shall serve for planning purposes only and not in lieu of construction plans. The second step is the preparation and submission to the Sullivan County Regional Planning Commission of a comprehensive set of Construction Plans of the proposed subdivision, including a grading plan, civil/utility plan, erosion control plan, site layout, and stormwater management plan. The third step is the preparation and submission to the Sullivan County Regional Planning Commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the Office of the County Registrar when duly signed by the secretary of the Sullivan County Regional Planning Commission.

A. General

1. Any owner of land lying within the Sullivan County Planning Region wishing to divide such land into two or more lots, sites, or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to re-subdivide for this purpose, shall submit a plan of such proposed subdivision to the Sullivan County Regional Planning Commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following section of this Article. No plat of a subdivision of land within the Sullivan County Planning Region shall be filed or recorded by the Registrar of Sullivan County without the approval of the Sullivan County Regional Planning Commission as specified herein.
2. In order to secure review and approval of the Sullivan County Regional Planning Commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the Sullivan County Regional Planning Commission a comprehensive construction plan ~~plat~~ as provided in Section C below. On approval of said comprehensive plan, he may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C and the improvements set forth in Article IV.
3. A subdivider may omit the submission of a Concept Plan and Comprehensive Construction Plan, submitting only a final plat if the following conditions are met:
 - a. All public improvements as set forth in Article IV are already installed along an existing public right-of-way serving the proposed subdivision. Any construction, installation, or improvements of any public improvements shall require the submission of a Comprehensive Construction Plan as prescribed by Section C of Article II.
 - b. The subdivider has consulted informally with the Sullivan County Regional Planning Commission's Planning Director and/or technical staff for advice and assistance before the preparation of the final plat and its formal application for approval.

B. Informal Consultation:

The subdivider shall consult early and informally with the Sullivan County Regional Planning Commission Planning Director and/or technical staff for advice and assistance before the preparation of the Concept Plan and Comprehensive Construction Plan and its formal application for approval. This will enable the developer to become thoroughly familiar with these regulations, the Major Thoroughfare Plan and other official plans or public improvements, which might affect the area. Such informal review should prevent unnecessary and costly revisions.

C. Comprehensive Construction / Development Plan (previously referred to Preliminary Plan):

1. At least thirty (30) days prior to the meeting at which it is to be considered, the subdivider shall submit to the Planning Director of the Sullivan County Regional Planning Commission an electronic copy of the Comprehensive Construction Plans in the form of a portable digital file (pdf) and one complete hard copy set for preliminary review of the proposed subdivision in order to allow the county staff and utilities heads time to review and prepare recommendations to the Sullivan County Regional Planning Commission. The subdivision plan shall be drawn to a scale of not less than one-inch equals one hundred (100) feet. Upon final staff review and adherence to the regulations, the developer shall submit two (2) complete hard copy sets as well as updated electronic copy (pdf) of the Comprehensive Construction Plans to the Planning Director for consideration at the next scheduled Planning Commission, pursuant 13-3-404 of the Tennessee Code Annotated. The application submittal shall be deemed complete when all requirements of the proposed subdivision plan have been submitted to the Planning Director. *(Amended 03/15/2022)*

2. Comprehensive Construction Plan shall be presented to the Sullivan County Regional Planning Commission at its next meeting by the Planning Director of the Sullivan County Regional Planning Commission for the consideration for approval, disapproval, or approval subject to modification. Failure to present the plan by the secretary or the acting secretary shall not relieve the Sullivan County Regional Planning Commission of its responsibility to consider said plan per TCA 13-3-404 (a).
3. The plan which shall meet the minimum standards of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV shall give the following information insofar as possible:
 - a. The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plan (engineer and surveyor) who shall be licensed in Tennessee.
 - b. Date, approximate north point, and graphic scale.
 - c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drainpipes, water mains, and any public utility easements, the present zoning classification, ~~if any~~, both on the land to be subdivided and on the adjoining land, and the names of adjoining property owners or subdivisions.
 - d. A construction plan which shall include: (1) a complete drainage plan showing all improvements including all proposed streets, easements, storm sewers, swales, ditches, reserved areas and lot drainage; (2) a plan and profile of all streets showing typical cross sections of proposed roadways, swales and ditches as well as both existing and proposed finished grades of paved rights-of-way and special ditches, and details of all structures which are part of the physical improvements in the subdivision. All proposed drainage structures including utility access holes, catch basins, junction boxes, pipe storm drains, ditches, and other drainage facilities including headwalls shall be shown on the plan and profile.
 - e. The distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing streets or roads and to an original corner of the original survey of which it is a part--or a key map showing relation of the subdivision to well-known streets, railroads, and water courses in all directions to a distance of at least one-half mile. Suggested scale: one-inch equals 2,000 feet.
 - f. Plans of proposed utility layouts (sanitary and storm sewers, water for both domestic use and fire protection, and electricity) showing locations, types, sizes and/or capacities of the proposed utility installations and feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the Tennessee Department of Environment and Conservation.
 - g. The names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines and utilities.
 - h. Contours at vertical intervals of not more than five feet.
 - i. The acreage of the land to be subdivided.
 - j. Actual closure computations for the boundary traverses. Such boundary traverses shall close to an accuracy of at least one (1) part in ten thousand (10,000).
4. Within sixty (60) days after submission of the Comprehensive Construction Plan, the Sullivan County Regional Planning Commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plan is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications will be indicated.
5. The approval of the plan by the Sullivan County Regional Planning Commission will not constitute acceptance of the final plat and will not be indicated on such construction plan.
6. Failure of the Sullivan County Regional Planning Commission to act on the preliminary construction plans within sixty (60) days after being presented at a Sullivan County Regional Planning Commission meeting in accordance with subsections C.1 and C.2 of this Article will be deemed approval of this plat, and a certificate to that effect shall be issued by the commission on demand, provided, however, that the applicant may waive this requirement and consent to the extension of such period.
7. Any required changes to the plans shall be submitted in writing to the applicant/subdivider within a timely manner for consideration of resubmittal of revised plans.
8. The approval of the Comprehensive Construction Plan (Preliminary Development Plan) does not automatically expire as set forth by State law. Pursuant TCA 13-3-413, providing the developer vesting property rights assuming no changes to the plans have been requested the following vesting rights shall apply:

- (1) The vesting period applicable to a development plan shall be a period of three (3) years, beginning on the date of the local government's approval of the preliminary development plan; provided, that the applicant obtains local government approval of a final development plan, secures any necessary permits, and commences site preparation within the vesting period. If the applicant obtains local government approval of a final development plan, secures any necessary permits, and commences site preparation within the vesting period, then the vesting period shall be extended an additional two (2) years to commence construction from the date of the expiration of the three-year period. During the two-year period, the applicant shall commence construction and maintain any necessary permits to remain vested.
- (2) If construction commences during the vesting period, the development standards applicable during the vesting period shall remain in effect until the local government has certified final completion of the development or project; provided, that the total vesting period for the project shall not exceed ten (10) years from the date of the approval of the preliminary development plan unless the local government grants an extension pursuant to an ordinance or resolution; provided further, that the applicant maintains any necessary permits during the ten-year period.
- (3) In the case of developments which proceed in two (2) or more sections or phases as described in the development plan, there shall be a separate vesting period applicable to each section or phase. The development standards which are in effect on the date of approval of the preliminary development plan for the first section or phase of the development shall remain the development standards applicable to all subsequent sections or phases of the development; provided, that the total vesting period for all phases shall not exceed fifteen (15) years from the date of the approval of the preliminary development plan for the first section or phase unless the local government grants an extension pursuant to an ordinance or resolution; provided further, that the applicant maintains any necessary permits during the fifteen-year period. *(Amended 03/15/2022)*
9. If the subdivision is going to be developed and submitted as final plats in phases of the comprehensive construction plan (development plan) the portions must be designated in order of construction.
10. No subdivision shall use the name of an existing subdivision except as noted in Article II, subsection C.9.
11. **Comprehensive Construction/Development Plan Requirements Shall be Required for Lots Fronting along an Existing Public Road for one or more of these parameters:**
- (1) Six (6) or more lots along an existing public road; and/or
- (2) If the proposed plan may create a land disturbance of one-acre or more as determined by the Tennessee Department of Environment & Conservation (TDEC) and thus considered part of a larger development plan, a Civil Engineer shall develop the Stormwater Pollution Prevention Plan to ensure compliance with the Best Management Practices outlined in the NPDES – Stormwater Pollution Prevention Planning for both grading and post construction stormwater quality as adopted in Article VIII of the Zoning Resolution; and/or;
- (3) The original (parent-parcel) tract is ten (10) acres or greater; and/or
- (4) In the opinion of the Planning & Codes Department and concurrence with TDEC, the plan layout of less than six (6) lots may exceed one-acre or more of land disturbance based upon proposed lot configuration.
12. When a proposed subdivision plat is determined to require a Comprehensive Construction / Development Plan as outlined above, the plan shall adhere to the following:
- (1) All utility improvements to support water pressure service and installation of fire hydrants or stub outs for future water line upgrades as planned by the utility director shall be required. Variance from installation of fire hydrants may be waived per the discretion of the Utility Provider if water service and pressure do not allow; however, fire hydrant stub outs shall be required. If the area is located within a designated Rural Area and not within a Planned Growth or Urban Growth Boundary, and the property is outside of any utility service district, individual well water may be approved by the Planning Commission for lots two (2) acres or greater in buildable area, excluding required road frontage widths for proposed flag-lot/pipestem configured lots. Subdivision of property for lots less than two (2) acres shall be served by public water; and
- (2) TDEC shall approve the individual wells for each lot prior to final plat approval; and
- (3) Soil suitability for individual septic systems shall be determined by the local soil scientist prior to plan approval; and
- (4) A Stormwater Pollution Prevention Plan per Article VIII of the Zoning Resolution shall be developed and approved by TDEC prior to approval by the Planning Commission; and
- (5) All other applicable plan requirements, per Article III and IV shall be met prior approval by the Planning Commission. *(First reading July 18, 2023, second reading August 15, 2023. Final reading amended September 19, 2023)*

Illustration 1 Comprehensive Development/Construction Plan (formerly called Preliminary Plan)

THE PRELIMINARY PLAT SHALL SHOW: THE PRELIMINARY SKETCH WESTVIEW ADDITION SECTION "A" D. TENNACITY, TENN. G.O. WEST, OWNER

SHALL SHOW:

NAME, LOCATION, OWNER, AND DESIGNER.

DATE, NORTH POINT, AND GRAPHIC SCALE

LOCATION OF PROPERTY LINES, ROADS, EXISTING UTILITIES, ETC.

PRESENT ZONING CLASSIFICATION

NAMES OF ADJOINING PROPERTIES

PROPOSED UTILITY SYSTEM

NAMES OF NEW STREETS

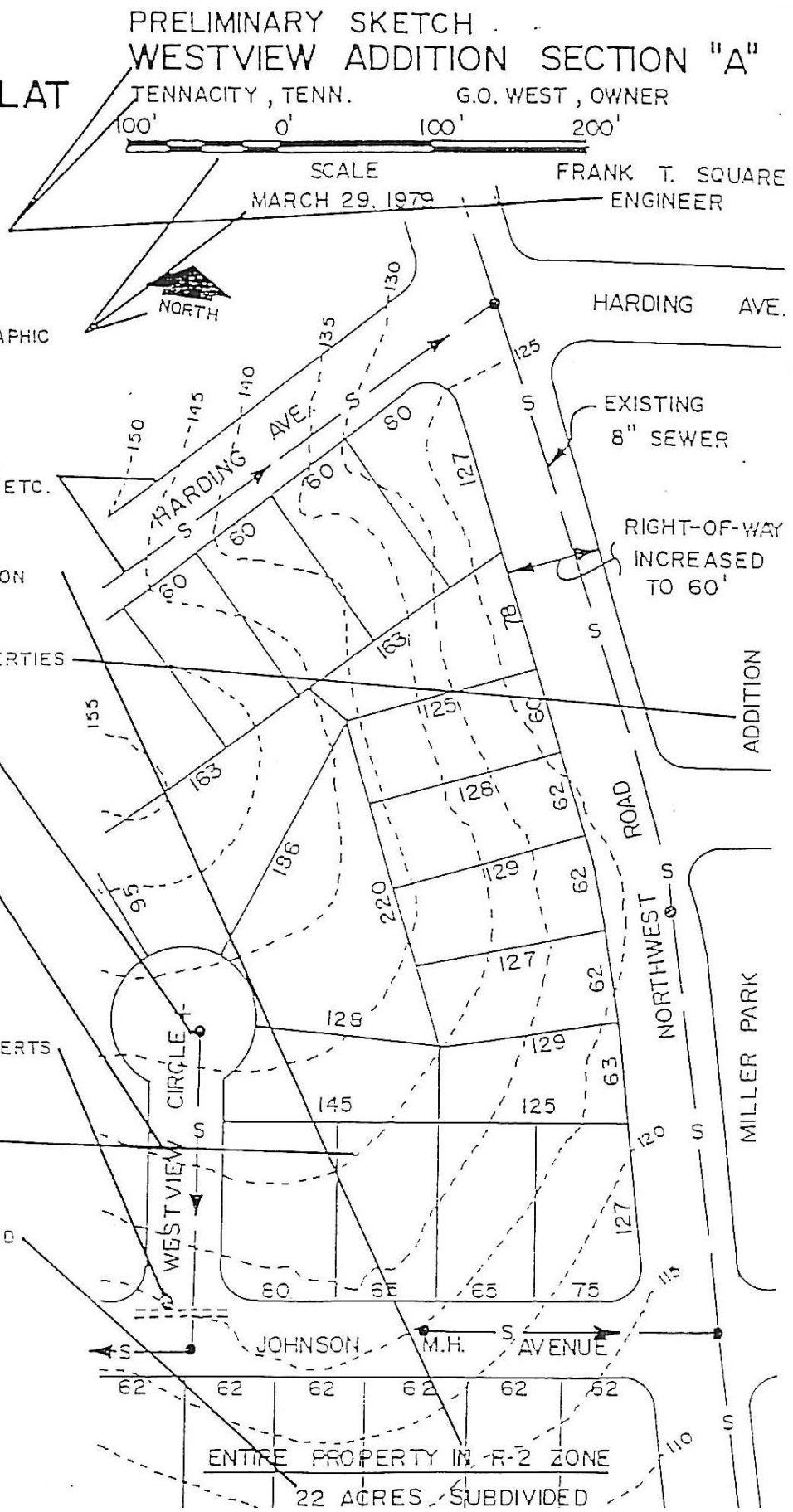
DIMENSIONS, LOT LINES, AND BUILDING SETBACKS

LOCATION OF PROPOSED CULVERTS

CONTOURS AT 5' INTERVALS

ACREAGE OF LAND SUBDIVIDED

LOCATION SKETCH MAP.



ENTIRE PROPERTY IN R-2 ZONE
22 ACRES SUBDIVIDED

D. Final Plat

1. The final plat shall conform substantially to the construction plan (development plan) as approved, and, if desired by the subdivider, it may constitute only that portion of the approved plan which corresponds to a phased development plan provided, however, that such portion conforms to all requirements of these regulations. If a proposed subdivision fronts upon an existing public road, the Sullivan County Regional Planning Commission may waive the requirements for preliminary approval and permit the developer to submit only a final plat. If changes occurred during construction that varies from the original development plan, a revised plan shall be presented to the Planning Commission for approval and the subsequent final plat shall correspond to the revised plan.
2. In order to allow the Sullivan County Regional Planning Commission's Planning Director, technical staff, and utilities heads time to review and prepare recommendations to the Sullivan County Regional Planning Commission, the final plat shall be submitted to the Sullivan County Regional Planning Commission staff at least thirty (30) days prior to the meeting at which it is to be considered. The subdivider shall submit the original drawings in electronic format for initial review together with street profiles or other plans that may be required by the Sullivan County Regional Planning Commission. At the time of such submission the secretary of the Sullivan County Regional Planning Commission shall issue a receipt acknowledging said submission.
3. The Sullivan County Register shall not receive, file or record a plat of a subdivision, or an amendment, modification, or correction to a recorded plat of a subdivision, without the approval of the Sullivan County Regional Planning Commission, or the Planning Director of the commission if this responsibility has been delegated to the Planning Director pursuant to TCA 13-3-402(c), when and as required by this part.
 - a. The Sullivan County Mayor and Board of Commissioners has authorized the delegation of final plat approval to the Planning Director pursuant to 2022 Public Chapter 994; and
 - b. The Sullivan County Regional Planning Commission may delegate the responsibility for approval of a subdivision plat that includes no more than five (5) lots if the development did not require preliminary development plan approval through the Planning Commission; provided, that:
 - i. The subdivision complies with such regulations governing a subdivision of land as adopted by the Sullivan County Regional Planning Commission pursuant to TCA 13-3-403;
 - ii. No request for a variance from such regulations has been requested; and
 - iii. A division of land requiring new road or utility construction is not approved by the Planning Director under this subsection unless the plan received preliminary approval by the Sullivan County Regional Planning Commission and the subdivision has no outstanding performance bond guarantees or liens. (Amended 09.20.2022)
4. The plat shall be drawn to a scale of one inch equals one hundred (100) feet on sheets eighteen (18) by twenty-four (24) inches or of an approved size to correspond to local plat book dimension; provided that subdivisions containing no more than two (2) lots may be drawn at such scale as may be required by the planning staff on a sheet eight and one half (8.5) by fourteen (14) inches and registered as an attachment to the deeds of the property and placed in the deed books in the Registrar's Office of Sullivan County. 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.
5. When the final plat has been approved by the Sullivan County Regional Planning Commission one copy will be returned to the subdivider, with the approval of the Sullivan County Regional Planning Commission certified thereon, for filing with the County Registrar as the official plat of record.
6. The Sullivan County Regional Planning Commission shall approve or disapprove the final plat within sixty (60) days after its submission. Failure of the Planning Commission to act on this final plat within these sixty (60) days shall be deemed approval of it. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the Sullivan County Regional Planning Commission.
7. Approval of the final plat by the Sullivan County Regional Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
8. The final plat shall show:
 - a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight, and including north point. This shall

include the radius, central angle, and tangent distance for the center line 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 unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and north point.
 - g. Location sketch map showing site in relation to area.
 - h. All boundary traverses including lot and block traverses shall close to an accuracy of at least one (1) part in ten thousand (10,000).
 - i. Assignment of addressing for each existing and proposed lots or tracts, for 911 emergency purposes, as approved by the Sullivan County 911 Addressing Department; and (*amended June 19, 2001*)
 - j. Location of all catch basins, storm drains and other stormwater utilities and infrastructure within the development.
 - k. Any known natural water source, including an intermittent stream, creek, river, lake, and all designated floodplain zones as indicated on the adopted Flood Insurance Rate Map.
 - l. Existing zoning district designations for subdivision and surrounding properties.
 - m. Deed Book and Page references for the subdivision and surrounding properties.
9. The following certificates shall be presented with the final plat (see Appendix A):
- a. Certification showing that applicant is the landowner and dedicates streets, rights-of-way, permanent easements, and any sites for public or private use.
 - b. Certification by surveyor to accuracy of survey and plat and placement of monuments (*Amended on June 19, 2001*).
 - c. Certification by the city sewer director or the Tennessee Department of Environment and Conservation, Division of Ground Water Protection, local environmental specialist, when individual sewage disposal or water systems are to be installed (*Amended on June 19, 2001*).
 - d. Certification by the Sullivan County Commissioner of Highways that the subdivider has complied with one of the following alternatives:
 1. The streets have been installed in an acceptable manner and according to the specifications or,
 2. Adequate rights-of-way dedication upon an existing public road shall serve these lots as proposed, or
 3. Plat has been approved with a performance guarantee set by the Sullivan County Regional Planning Commission (*amended October 1, 2004*).
 - e. Certification of approval to be signed by the secretary of the Sullivan County Regional Planning Commission.
 - f. Certification of approval of addresses, to be signed by the director of (or his/her designee) the Sullivan County 911 Addressing Department (*Amended June 19, 2001*); and
 - g. Certification of the design professional of the subdivision (surveyor and/or engineer licensed in the State of Tennessee) the following:
 - i. He/she is either a fully licensed engineer or fully licensed surveyor in the State of Tennessee educated and skilled in the proper containment and drainage of surface water runoff, and
 - ii. Has reviewed the final subdivision plat and plans submitted to the Staff of the Sullivan County Regional Planning Commission on such date as indicated for the subdivision shown herein, and
 - iii. The surface water runoff and drainage plans set forth in such subdivision plat and plans are adequate to properly contain and control, according to current industry and legal standards, surface water runoff and drainage within and from said subdivision/property, and
 - iv. The surface water runoff and drainage plans, as set forth in such subdivision plat and plans identified above, and as properly amended according to Sullivan County Regional Planning Commission rules and regulation (if so be the case), have been properly implemented and complied with, and all facilities and improvements called for in such plans have been properly constructed, and such facilities and improvements will properly contain and control, according to current industry and legal standards, surface water runoff and drainage within and from said subdivision/property (*Amended July 18, 2006*).

ARTICLE III. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

A. Streets

1. Conformity to the Major Thoroughfare Plan

The location and width of all streets and roads shall conform to the official *Major Thoroughfare Plan*, which may include a *Major Street Plan* within the municipality and/or a *Major Road Plan* within the Sullivan County Planning Region, subject to the standards and exceptions as stated in ARTICLE III, Subsection A. #5.

2. Relation to Adjoining Street System

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

3. Access Streets to Subdivision Boundaries

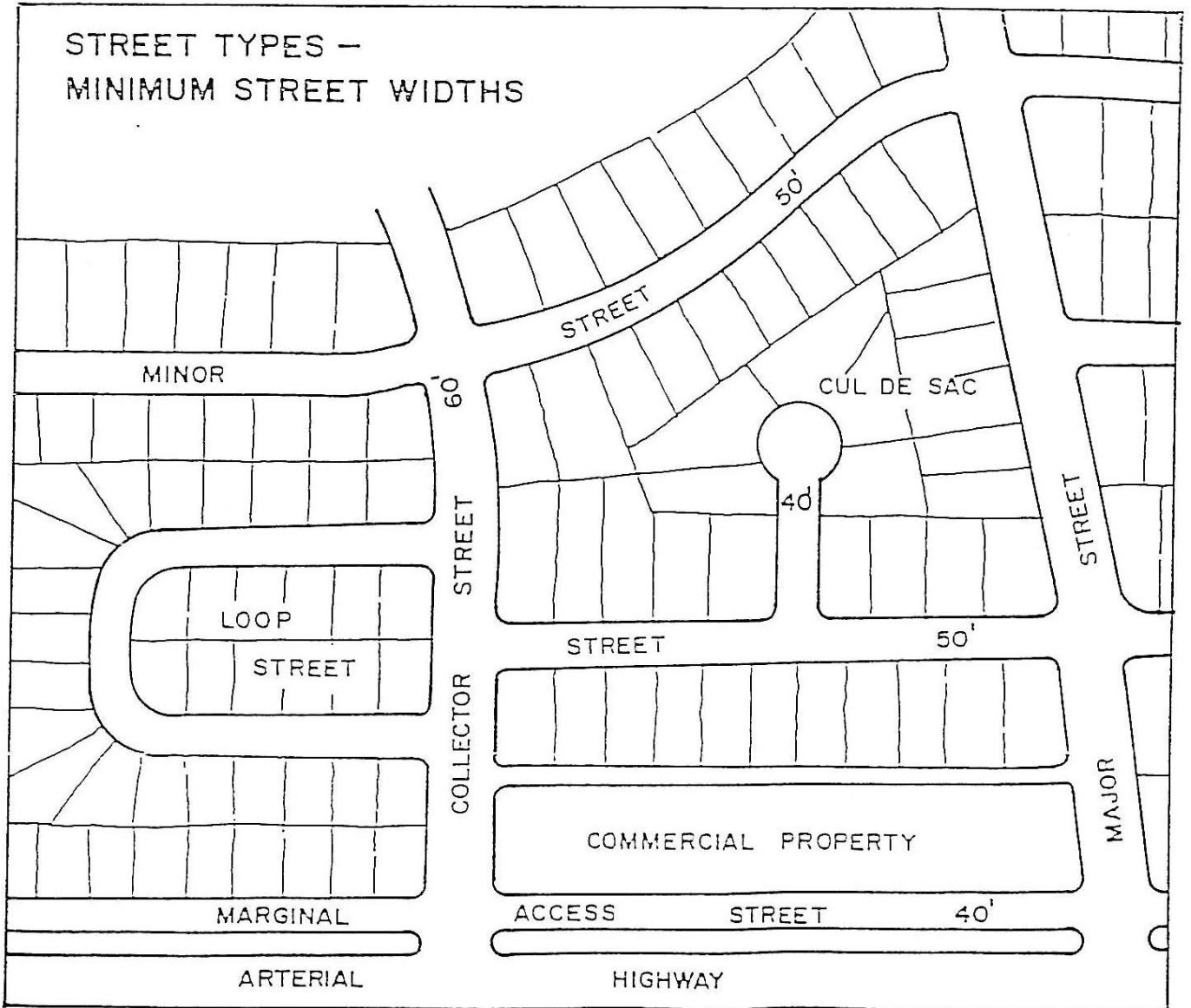
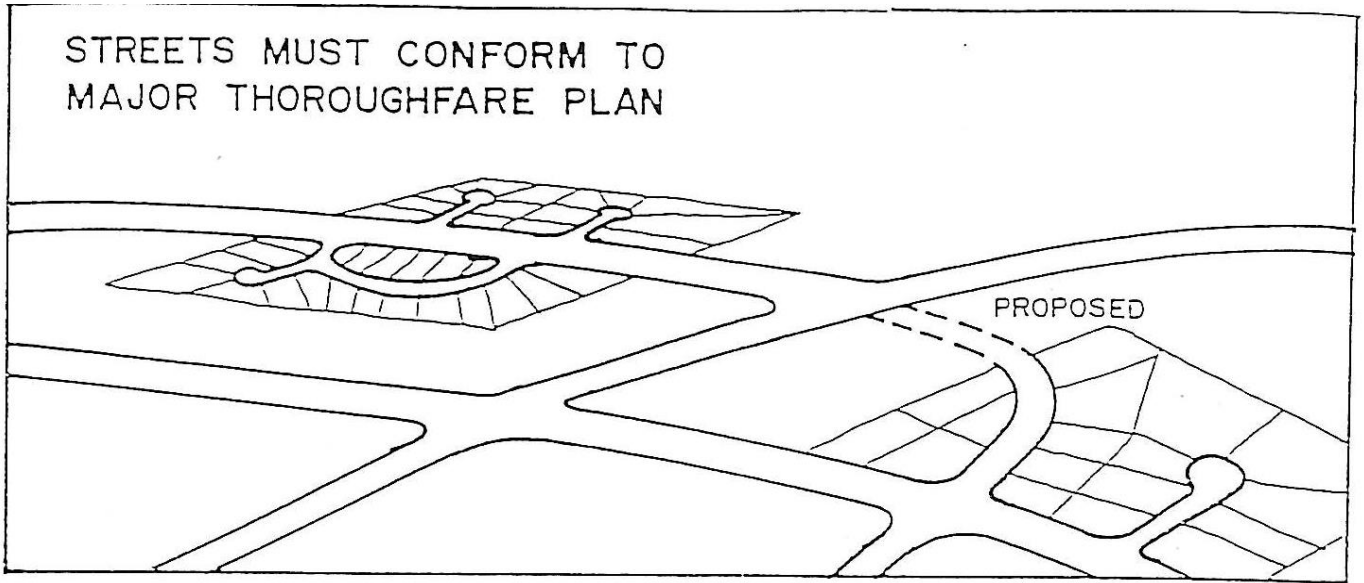
Sufficient access streets to adjoining properties shall be provided in subdivisions to permit harmonious development to the area.

4. Street Widths (Total width of right-of-way)

The **minimum** width of right-of-way, measured from lot line to lot line, shall be as shown on the *Major Thoroughfare Plan* and shall be not less than as follows (*amended November 21, 2006*):

- a. Arterial Streets and Highway.....80-150 feet, as may be required.
Arterial streets and highways are those to be used primarily for fast or heavy traffic and will be located on the Major Thoroughfare Plan.
- b. Collector Streets 60 feet
Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways.
- c. Local/Non-Residential Street.....55 feet
- d. Boulevard Street.....56 feet
- e. Minor Residential/Local Streets..... 50 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.
- f. Lane/Loop/Cul-de-sac Streets.....40 feet
- g. Alley Street.....15 feet
- h. Rural Street.....40 feet

Illustration 3 Minimum Standards of Design



5. Additional Width on Existing Streets

Subdivisions adjoining existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements based upon the policies adopted from the current Major Thoroughfare Plan (Major Road Plan) as required per T.C.A. 13-3-402. In addition, the dedication of additional r-o-w on substandard publicly maintained roads shall be in support of the adopted County Road Atlas.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the center line of the existing roadway, shall be provided. (*Section b. amended 10-16-01*).
- c. When no new lots are proposed through the process of a re-plat (de-subdivision or change in property line) the Planning Director shall consider a waiver of right-of-way dedication with the following criteria:
 - i. The properties are located within the planning region of Sullivan County and not within the planning regions of Bristol or Kingsport; and
 - ii. The properties are not located on an Arterial or Major Collector Route as designated on the official Major Thoroughfare Plan Map; and
 - iii. No new lots are created through the re-plat and all other bulk regulations of the Zoning Resolution are satisfied; and
 - iv. The right-of-way is a minimum of the width of the pavement surface plus an additional five (5) feet or the existing right-of-way, whichever is greater; and
 - v. The properties are considered lots-of-record or previously approved plats and not improperly subdivided; and
 - vi. No traffic hazards exist, in the opinion of the Sullivan County Highway Commissioner or the applicable Metropolitan Transportation Planning Organization (*section c. adopted 10-16-01, PC*).
- d. *Exceptions* – In the case of any subdivision plan request along an existing publicly maintained roadway, additional right-of-way dedication may be waived by the Planning Commission subject to the following satisfied conditions:
 - i. The minimum public right-of-way for two-way driving is dedicated or previously deeded to the public (*city, county, state, federal government*), subject to the pavement width standards of ARTICLE IV, Section A. #5, to ensure safety for on-coming traffic, emergency access, garbage collection, public access, utility service, and the like; and
 - ii. Adequate roadway shoulder widths are included within the rights-of-way for maintenance of the ditches, culverts, tiles, and other stormwater management systems; and
 - iii. The property requested for approval is not located within the planning regions of Bristol or Kingsport, but remain under the county's planning region; and
 - iv. The property requested for approval is located along an existing public road wherein substantial development has already occurred making it impractical for roadway widening and where no immediate plans are scheduled to widen the roadway; and
 - v. In the opinion of the Highway Commissioner and/or applicable Metropolitan Transportation Planning Organization, the proposed subdivision of property would not further burden the transportation system and/or there has not been evidence of a traffic hazard on that existing roadway (*Amended January 21, 2003*).
 - vi. The Planning Commission shall not require an owner of private property to dedicate real property to the public right-of-way unless there is an essential nexus between the dedication and a legitimate local governmental interest, e.g., to the adopted Major Road Plan, and the dedication is roughly proportional both in nature and extent to the impact, of the proposed use or development of the property. Such nexus and proportionality tests are based upon the guiding principles in the case law of *Nollan vs. California Coastal Commission* and *Dolan v City of Tigard* and the 2022 adoption of Public Chapter 1128. In addition, an owner of private property required to make dedication in violation of this subdivision, may seek relief through a common law writ of certiorari in chancery court. (Amended 09.20.2022)

6. Restriction of Access

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

7. Street Grades
Grades on major streets shall not exceed seven (7) percent. Grades on other streets may exceed seven (7) percent but shall not exceed fifteen (15) percent.
8. Horizontal Curves
Where a deflection angle of ten (10) degrees or more in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets sixty (60) feet or more in width, the center line radius of curvature shall not be less than three hundred (300) feet; on other streets, not less than one hundred (100) feet.
9. Vertical Curves
All changes in grade shall be connected by vertical curves of minimum length in feet equal to fifteen (15) times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one inch equal one hundred (100) feet horizontal, and one-inch equals ten (10) feet vertical, may be required by the Sullivan County Regional Planning Commission.
10. Intersections
Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

To permit the construction of a curb having a desirable radius, property line radii at all street intersections shall not be less than twenty (20) feet. Where the angle of the street intersection is less than ninety (90) degrees, the Sullivan County Regional Planning Commission may require a greater radius.
11. Tangents
A tangent of at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
12. Street Jogs
Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall not be allowed.
13. Dead-End Streets
 - a. Minor/Rural terminal streets or courts, designed to have one end permanently closed, shall be no more than six hundred (600) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the Sullivan County Regional Planning Commission may approve an alternate design such as the "P" offset turn-around shown on Illustration 7.
 - b. Where, in the opinion of the Sullivan County Regional Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property. Such dead-end streets shall be provided with a turn-around having a roadway diameter of at least eighty (80) feet.
14. Private Streets/Permanent Easements and Reserve Strips
Every subdivided property shall be served from a publicly dedicated street or a permanent easement (private street). Permanent easements shall be allowed provided they are a minimum of forty (40) feet in width and constructed to the same standards as public streets with such construction certified to on the final plat by an engineer licensed by the State of Tennessee. The permanent easement must have direct access to an existing open highway, street, or thoroughfare or to an open highway, street or thoroughfare located or accepted by the court/legislative body. A property owners' association and agreement to provide for maintenance of the permanent easement shall be organized by the developer of the property pursuant to the following requirements:
 - a. A property owners' agreement for maintenance of the permanent easement shall be drafted by a lawyer licensed to practice law in the State of Tennessee and recorded in the Register of Deed's Office.
 - b. The property owners' agreement shall explain that the county will not provide maintenance for the permanent easements and that the property owners are responsible for all maintenance of permanent easements in the subdivision.

- c. The property owners' agreement shall provide for a maintenance fund to be established and maintained by the property owners to provide the required maintenance of permanent easements in the subdivision.
- d. The permanent easement shall be maintained according to the same standards as public streets.
- e. The final subdivision plat shall show a reference to the agreement and where it is recorded in Sullivan County before the plat is signed by the Secretary of the Sullivan County Regional Planning Commission.
- f. There shall be no reserve strips controlling access to streets except where the control of such strips is definitively placed with the community under conditions approved by the Sullivan County Regional Planning Commission
(Amended 06/21/99 PC).

15. Drainage

All streets and roads must be so designed as to provide for the discharge of surface water from the right-of-way of all streets and roads by grading and drainage as shall be approved by the Sullivan County Regional Planning Commission. Where it is the opinion of the Sullivan County Regional Planning Commission that water cannot be adequately discharged by surface drainage, the Sullivan County Regional Planning Commission may require the installation of a storm sewer system. Pursuant to the National Pollutant Discharge and Elimination System, Phase II Policy and the **Sullivan County Illicit Discharge Detection and Elimination Resolution**, all proposed storm drains shall be required to be manufactured with the stamp reading "Drains to Creek, Do Not Dump Waste" and/or with the universal fish symbol on the grate to alert the public not to drain illicit discharges to the storm drain. (Amended September 18, 2007)

16. Street Name

Proposed streets, which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of suffix street, avenue, boulevard, driveway, place, or court. Through its index list of street names on file, the Sullivan County Regional Planning Commission can assist the subdivider in avoiding duplication.

17. Alleys

Alleys shall 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 Sullivan County Regional Planning Commission of the need for alleys.

B. Blocks

1. Length

Blocks shall not be less than four hundred (400) or more than twelve hundred (1,200) feet in length, except, as the Sullivan County Regional Planning Commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the Planning Commission may require one or more public cross walks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the Sullivan County Regional Planning Commission will approve a single tier of lots of minimum depth.

C. Lots

1. Arrangements

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.

2. Road Frontage Access Requirements

- a. With the exception of approved private "Gated Communities" where the Sullivan County Regional Planning Commission has approved the private road pursuant to ARTICLE III, Section A. 14., all other lots shall have a minimum width of public road frontage on an existing publicly maintained road with direct and accessible vehicular ingress and egress. The applicant shall provide to the Planning Commission written approval from the county highway department or state transportation department for access to any lot fronting along such road, prior to subdivision plat approval. The signature on the plat and/or access permit shall constitute valid written approval.

Furthermore, lots shall not be approved with existing and remaining permanent structures limiting immediate or future access, as required. *(Amended 02/20/01)*.

- b. In the case of pipestem or flag lot arrangement, the minimum road frontage access standard as herein required, shall be a continuous strip of land leading back to the buildable portion of the lot. Such continuous strip of land shall not be narrower than the width of the road frontage access standard. At no point shall the proposed lot be narrower at the building setback line than that required by the zoning district effective at the time of the subdivision approval *(amended 01/15/02)*.
- c. The minimum width of the lot at the public road shall be determined by the zoning resolution and corresponding zoning district, effective at the time of subdivision approval. *(Amended 02/20/01 PC)*.

3. Irregular Lots and Minimum Lot Size Standards

In order to ensure good design and buildable areas in any proposed lot, any portion of a lot contained within the pipestem (access or driveway area) or within any designated floodway areas, as identified by the best available data, shall not be applied to the minimum lot size standard, as required by the zoning district *(Amended 04/29/03)*. All proposed lots that create pipestem or flag-lot design for purposes of meeting the minimum public road frontage standard, shall be so designed to ensure free and clear accessibility to the public road, shall not change direction, and shall be designed as to accommodate individual utilities without burdening adjacent lots. Any proposed flag lot that does not meet these criteria will need to be first considered by the Sullivan County Regional Planning Commission for consideration of a variance to the above planning standard; however free and clear access to the public road should be ensured in all cases. *(Amended on 04/20/2010)* Any requests for flag lot configuration, also referred to as a pipe-stem lot, to satisfy the required road frontage standard, shall be discouraged except in cases of topographical constraints for large tracts that are otherwise conducive for creating additional lots. In no case shall a proposed flag lot be adjacent to another flag lot to prevent multiple driveway connections and utility extensions in close proximity to each other. *(First reading, 08/15/2023, final reading amended 09/19/2023)*

4. Minimum Size

The size, shape, and orientation of lots shall be such, as the Sullivan County Regional Planning Commission deems appropriate for the type of development and use contemplated. Where a public sanitary sewer is reasonably accessible, the subdivider shall connect with such sewer and provide a connection to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used, when meeting all applicable State environmental regulations *(amended 01/21/03)*.

- a. The size of the lot proposed shall conform to the county zoning resolution effective at the time of said proposed subdivision request.
- b. Greater area may be required for private sewage disposal if, in the opinion of the state environmental specialist, there are factors of drainage, soil condition or other conditions to cause potential health problems. The Sullivan County Regional Planning Commission may require that data from percolation tests be submitted as a basis for passing upon subdivisions dependent upon septic tanks as a means of sewage disposal.
- c. The minimum size of residential lots to be served by a private source of water supply shall be determined by the state environmental specialist after investigations of soil conditions, proposed sewerage system and depth of ground water.
- d. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- e. The size and widths of lots shall in no case be less than the minimum requirements of the current Zoning Resolution in effect, with the exception of lots created for common open space areas managed by a registered Homeowners Association, lots created for private cemeteries or for public utilities as expressly illustrated on a survey plat. *(Amended 03/15/2022)*

Illustration 4

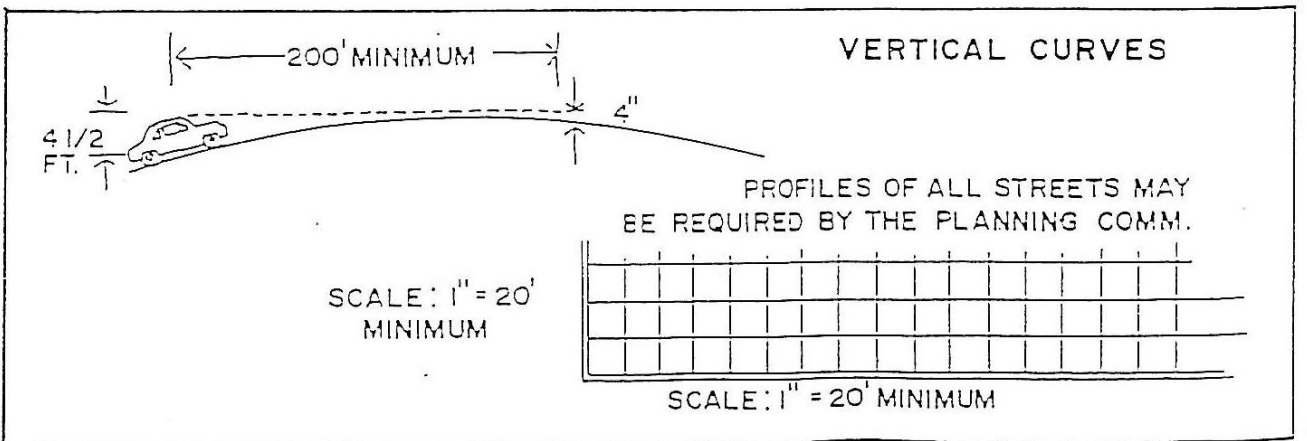
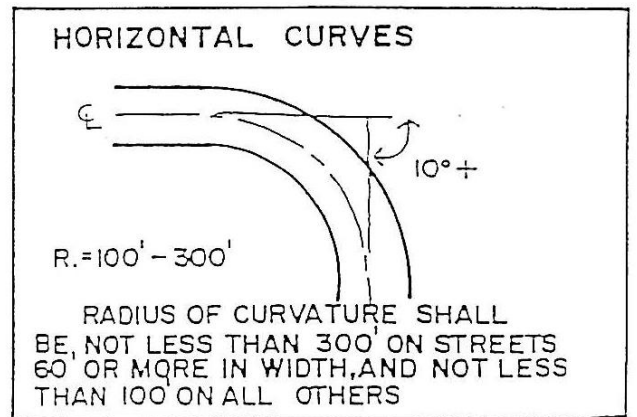
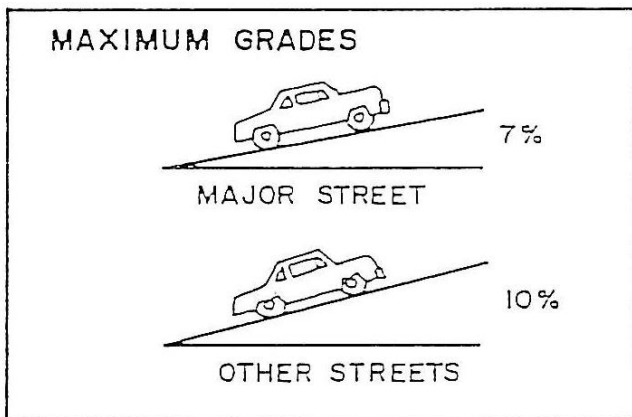
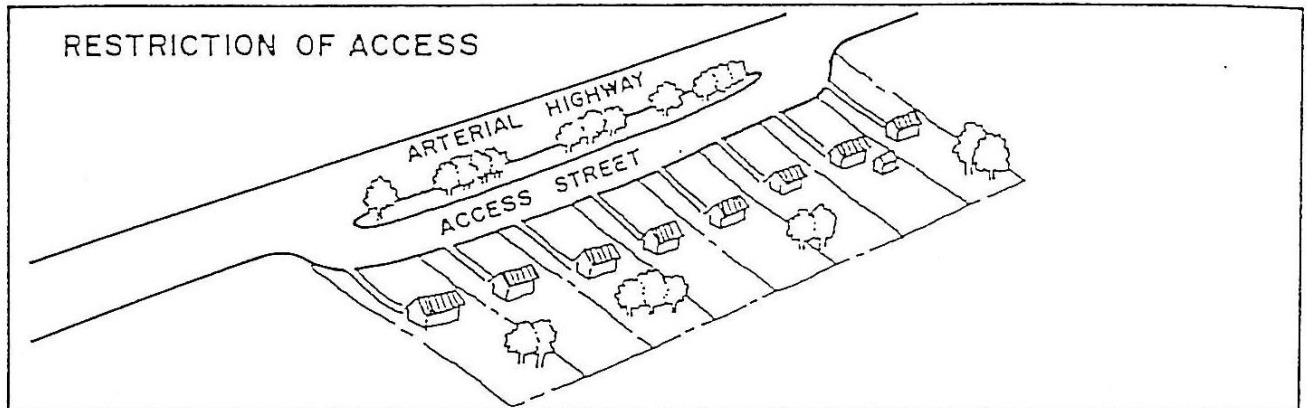
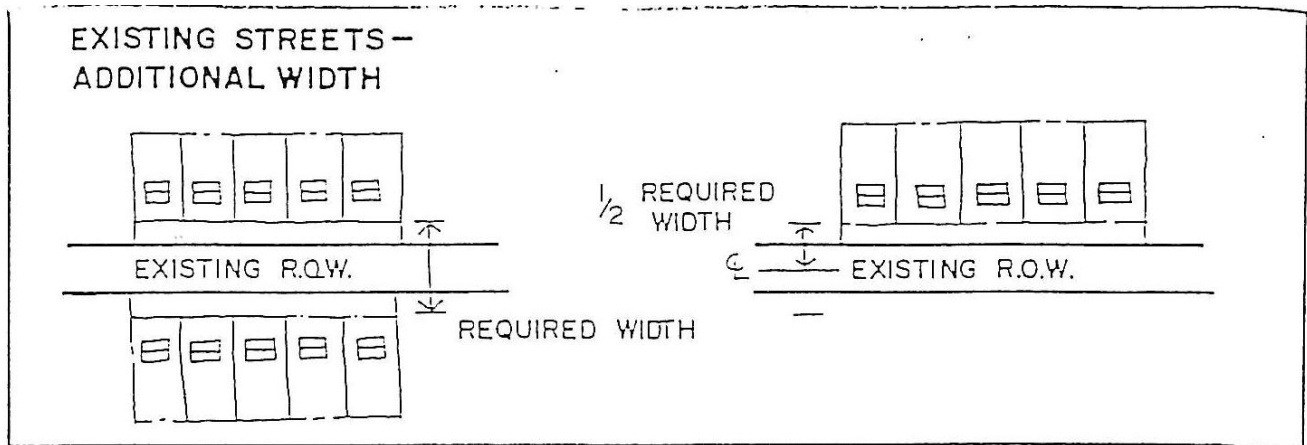


Illustration 5

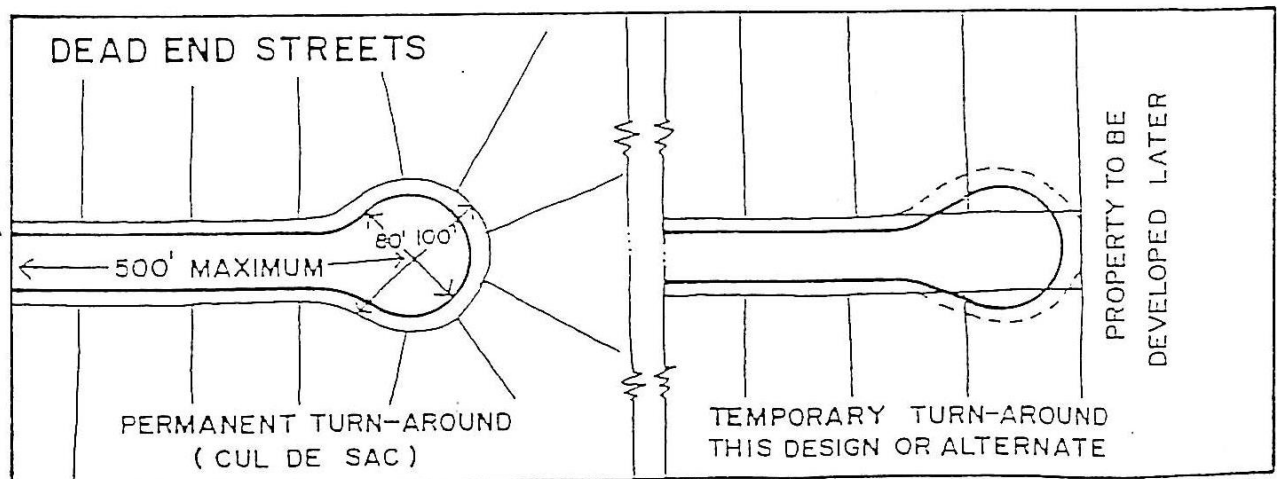
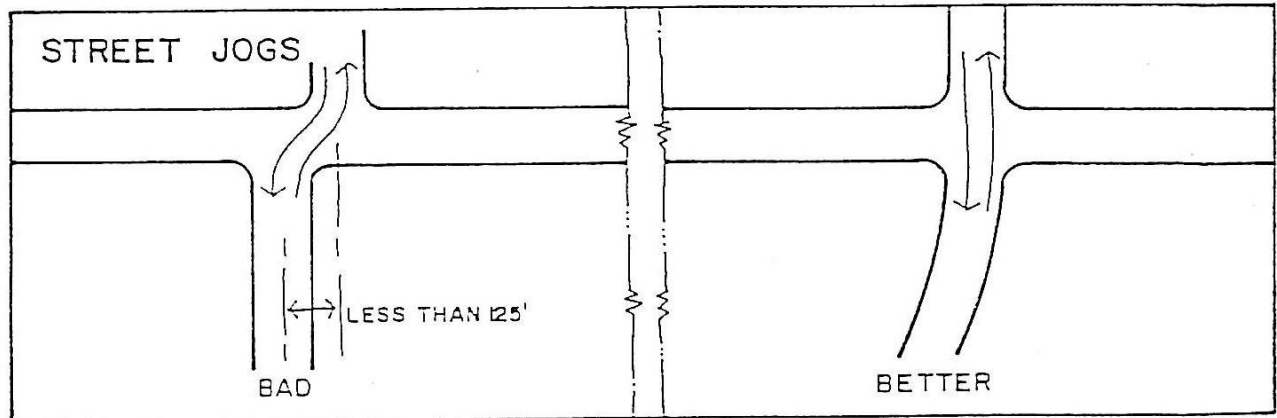
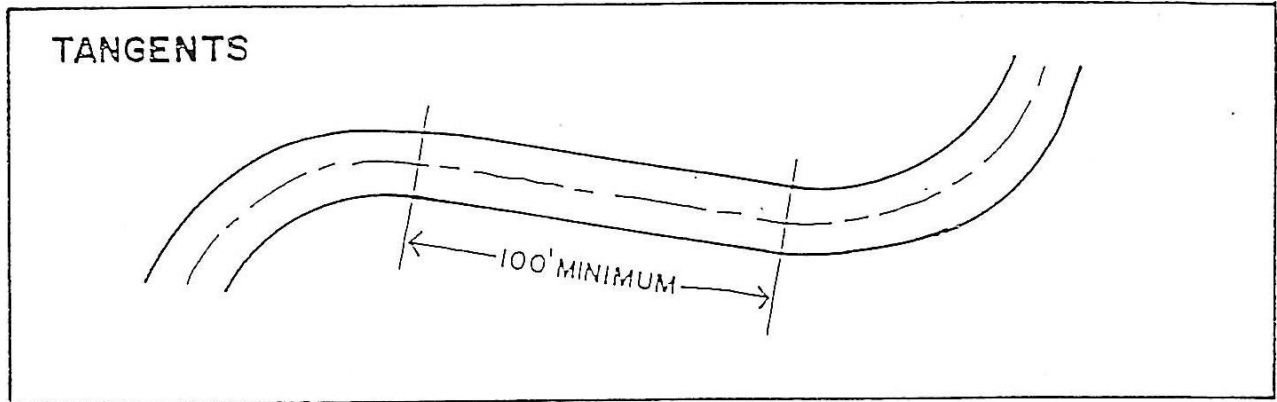
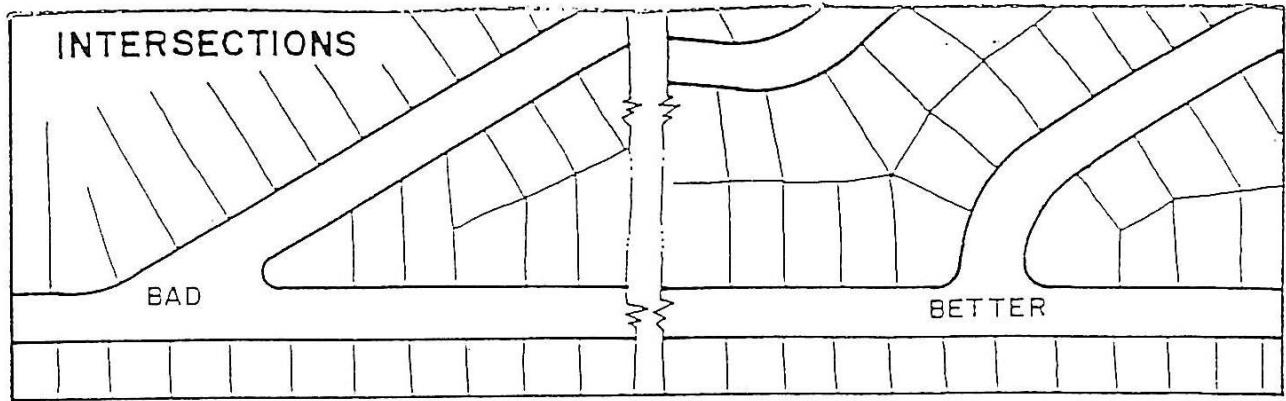


Illustration 6

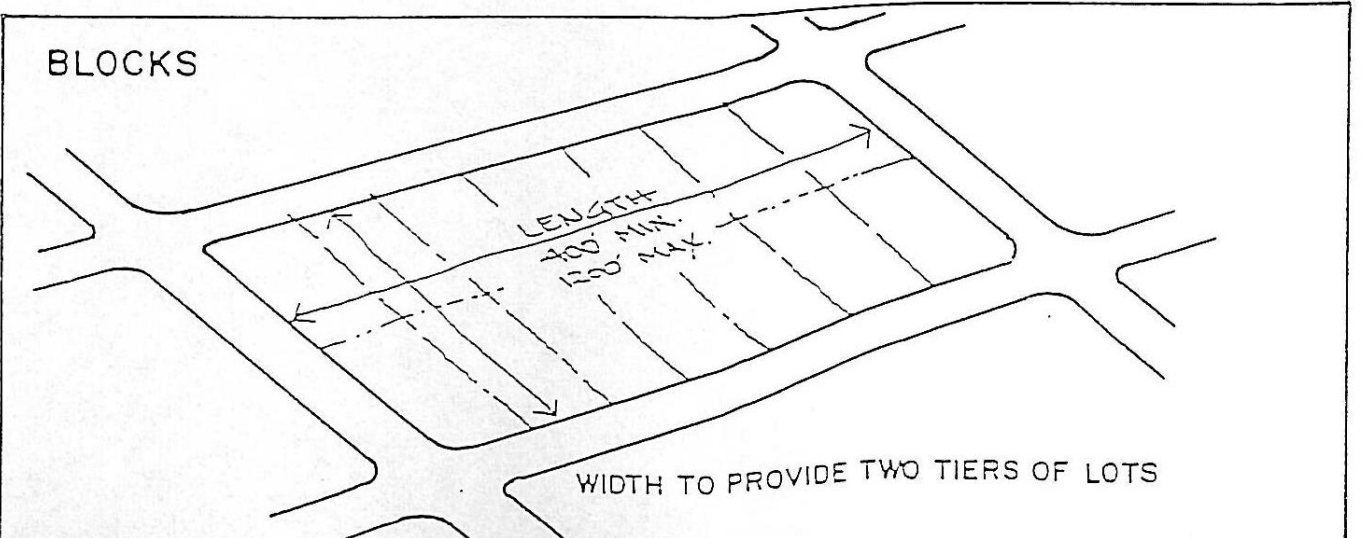
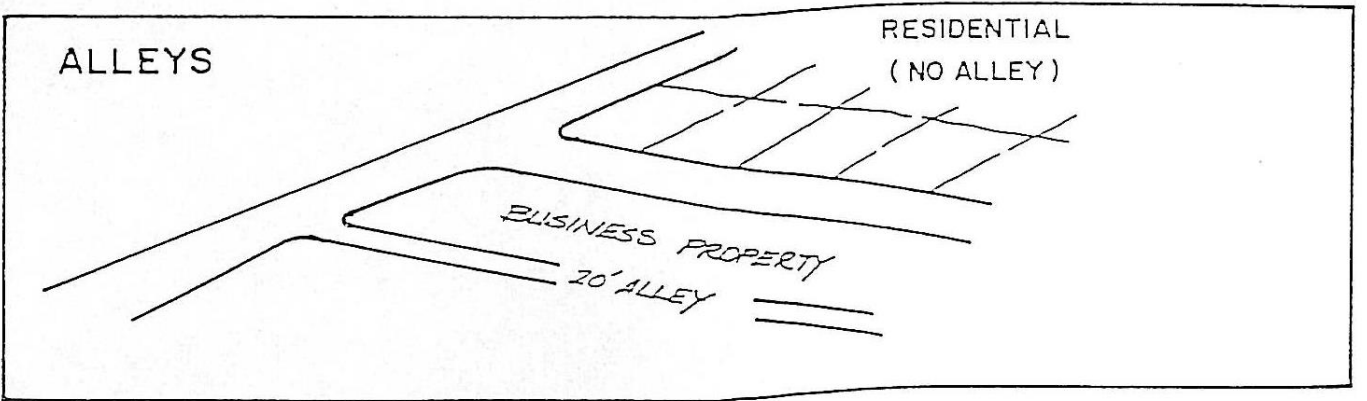
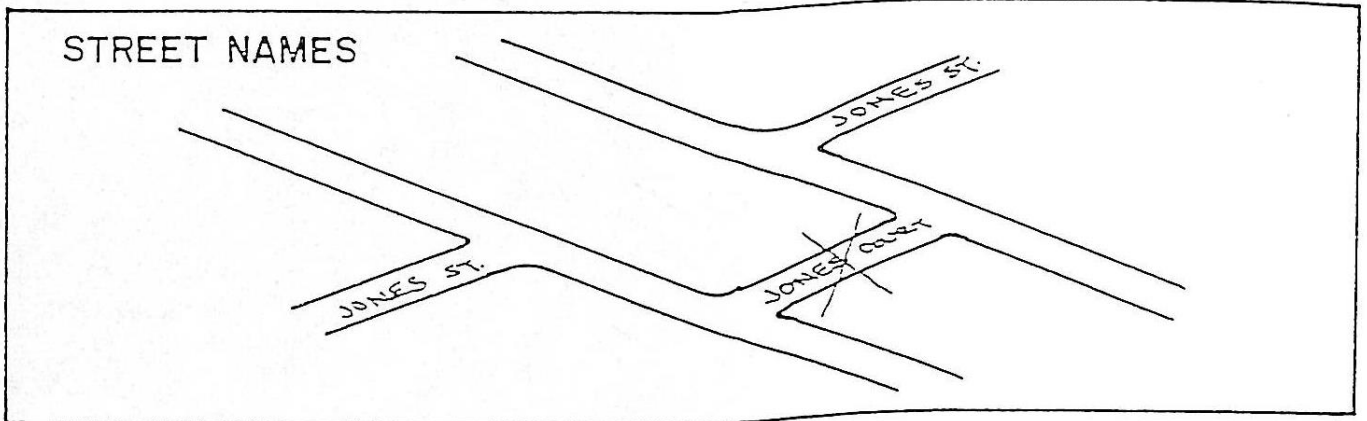
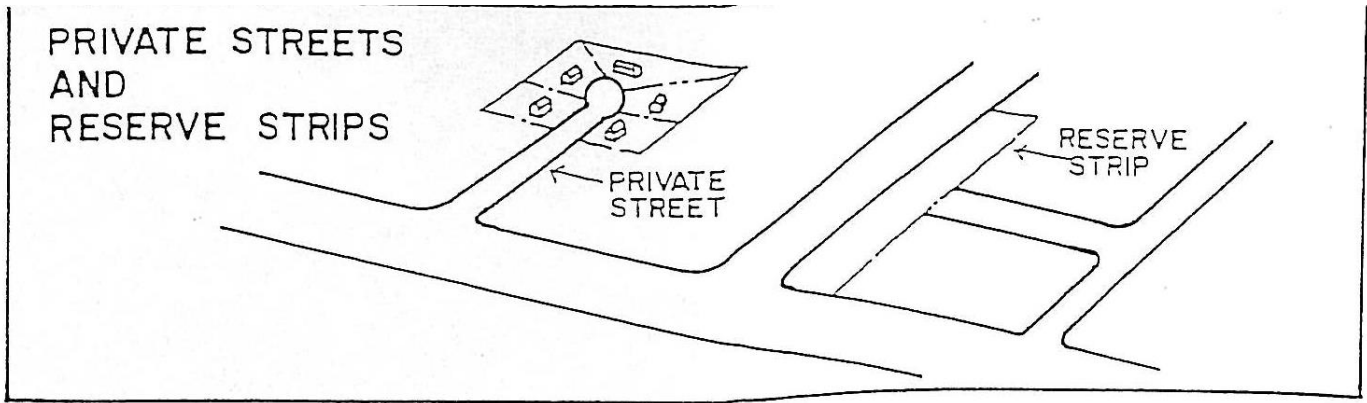
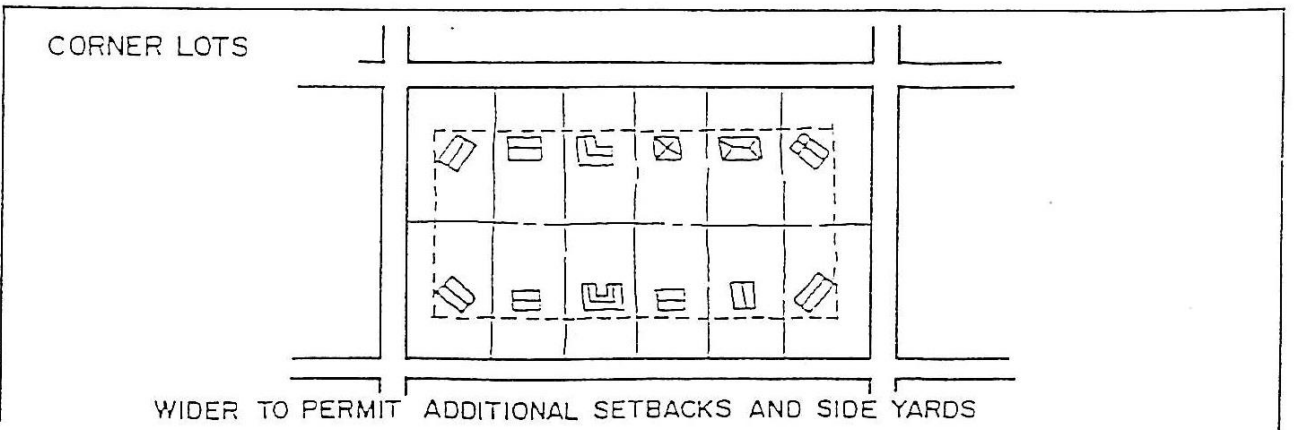
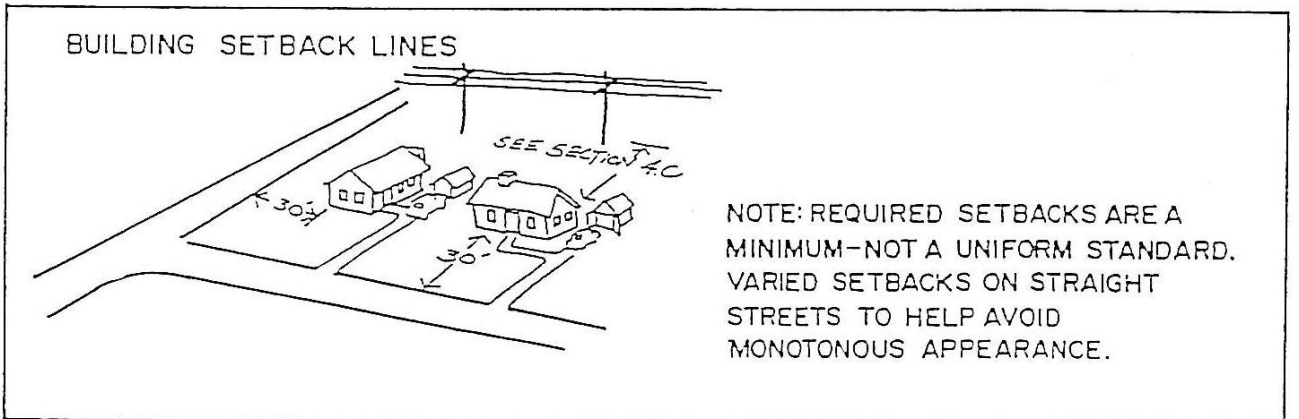
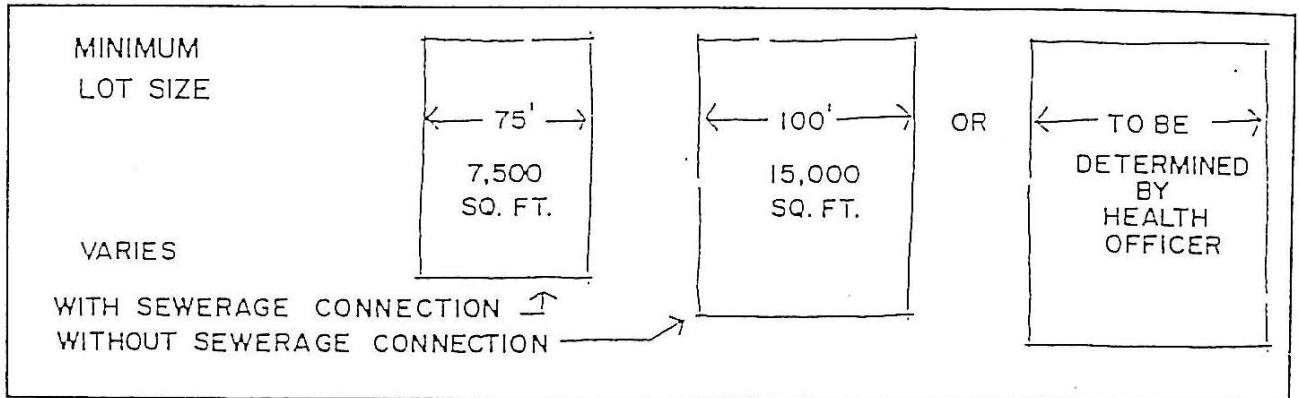
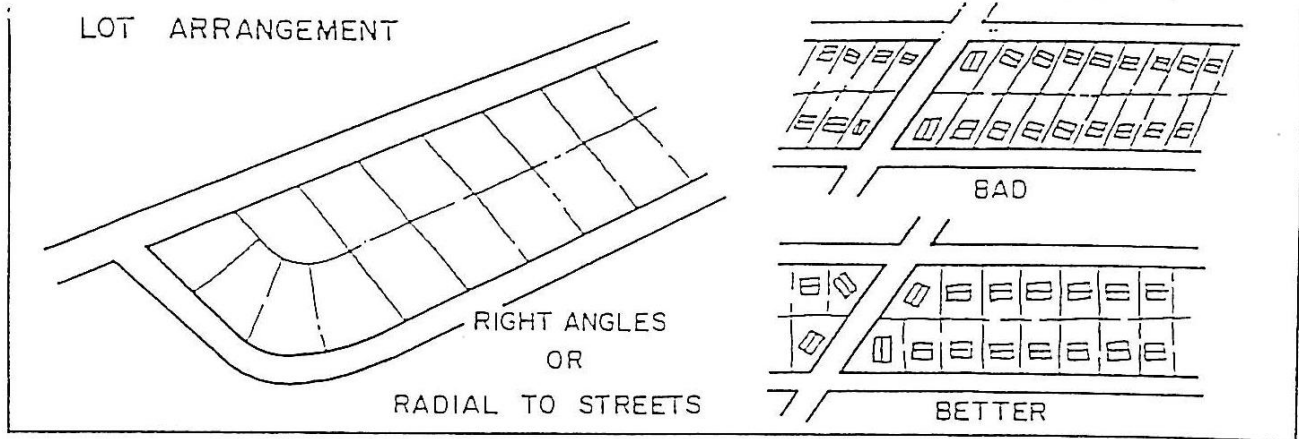


Illustration 7



5. Building Setback Lines

The minimum depth of building setback lines from the street right-of-way line shall not be less than that required by the county zoning resolution in effect at the time of said proposed subdivision (*amended 01 21 03*).

6. Corner Lots

Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning resolution in building setback lines as outlined above.

D. Public Use and Service Areas

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

1. Public Open Spaces

Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the Sullivan County Regional Planning Commission, is located in part in the applicant's subdivision, the Planning Commission may require the dedication or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area of the plat, for water frontage school or recreation purposes.

2. Easements for Stormwater Drainage and Public Utilities

a. Easements

A minimum seven and one-half (7-1/2) foot drainage and utility easement shall be provided on the front, side, and rear property lines of each individual lot. Where deemed necessary, the Sullivan County Regional Planning Commission may require a drainage and utility easement greater than the width outlined above. The developer or owners shall be responsible for taking care of drainage and maintaining easements off the public right-of-way. The easement shall be designed to adequately provide utilities and drainage for all lots in the proposed subdivision. Where drainage is proposed to cross any lot at any point other than the side or corner of the lot, the plat shall indicate the size of the pipe necessary to carry the proposed runoff. Each cul-de-sac shall have the provision for a fifteen (15) foot utility easement extending there from to prevent dead-end water mains. Easements of the same or greater width may be required along the lines of or across lots where necessary for the extension of existing or planned utilities.

A corresponding note on all final plats shall read as follows:

There is hereby established an easement area a minimum of 7 ½' wide along the interior side of all lot lines for the installation and maintenance of utilities and the conveyance of stormwater runoff from improvements on each lot. Such standard easement area is in addition to any other structural or non-structural stormwater easements as may be delineated by the licensed surveyor and/or civil engineer or that which may be required by the Sullivan County Regional Planning Commission. (Amended on November 18, 2008)

b. Storm Sewers

Where, in the opinion of the Sullivan County Regional Planning Commission, the flow of water cannot be accommodated with surface drainage, storm sewers may be required. The Sullivan County Regional Planning Commission shall determine, because of the watershed and the probable runoff, the size of storm sewers. In ascertaining the size of the storm sewers, the Planning Commission may call upon its technical staff or any public or private agency to assist it in its determinations.

3. Water Supply and Sewerage Connections

Where a public water supply or public sewerage system is reasonably accessible, the subdivider shall indicate a connection with such water supply or sewerage system and a water or sewerage connection for each lot with such material and to such size and length as shall be approved by the Sullivan County Regional Planning Commission. Where a public water supply or public sewerage system is not reasonably accessible or not planned for in the future, an alternate method of water supply or sewage disposal may be indicated and shall be approved in writing by the State environmental specialist.

4. Community Assets

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

E. Suitability of the Land

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

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

Fill may not be used to raise land in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights (*pursuant to the adopted Flood Damage Prevention Resolution on file*).

F. Large Tracts or Parcels

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

G. Group Housing Developments

A comprehensive group housing development, including the large-scale construction of housing units together with necessary drives and ways of access may be approved by the Sullivan County Regional 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.

H. Variances to Subdivision Regulations - Variances may be granted under the following conditions:

1. Where the subdivider can show that a provision of these standards could cause unnecessary hardship if strictly adhered to, or
2. Where the Sullivan County Regional Planning Commission decides that there are topographical or other conditions peculiar to the site, and a departure may be made without destroying the intent of such provisions. Any variance thus authorized is to be stated in writing in the minutes of the Planning Commission, with the reasoning upon which such departure was justified set forth.

I. Zoning or Other Regulations

No final plat of land within the force and effect of an existing zoning resolution will be approved unless it conforms to such resolution. Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standard shall apply.

ARTICLE IV. DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

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

A. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install curbs, monuments, sewers, storm water inlets and water mains, in accordance with specifications established by the Sullivan County Regional Planning Commission. If other specifications have not been adopted by local authorities, the Planning Commission will accept specifications equal to those of the F.H.A. Land Planning Bulletin No. 3, *Neighborhood Standards for Tennessee*, provided that these specifications do not conflict with the standards set forth in these subdivision regulations. Where specifications adopted by local authorities, conflict with standards as set forth in these subdivision regulations, the higher set of standards, as determined by the Sullivan County Regional Planning Commission, shall govern.

1. Monuments

- a. Concrete monuments four (4) inches in diameter or square, three (3) feet long, with a flat top, shall be set at all street corners, at all points where the street lines intersect, and exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the monuments shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other corners and points shall be marked with iron pipe or solid steel rod not less than one-half (1/2) inches in diameter and eighteen (18) inches long and driven to be flush with the finished grade.

2. Grading

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

- a. Preparation. Before grading is started the entire right-of-way area shall be cleared of all trees, stumps, roots, brush, and other objectionable materials.
- b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the sub grade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below sub grade.
- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a sheep's foot roller. Unless another method of preparation of the sub grade is approved by Sullivan County Regional Planning Commission, the sub grade shall be constructed as specified in Section 23, *Standard Specifications for Road and Bridge Construction, Tennessee* -Department of Highways and Public Works - July 1, 1951, and latest revision thereto. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, and where water is used to assist compaction, the water content shall not exceed the optimum of moisture.

3. Storm Drainage

An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all the 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 eighteen (18) inches in diameter. Cross drains shall be built on straight line at a grade to allow gravity flow but not exceeding 0.6 percent grade, shall be laid on a firm base but not on rock. Pipes shall be laid with spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact as specified by design engineer, but in no case shall the top of the pipe be less than one foot below the subgrade, for pipes less than forty-eight (48) inches in diameter.

Within the public rights-of-way, all proposed structural drainage improvements shall be made using a choice of T-2 Aluminized metal pipe, High-Density Polyethylene (HDPE) or reinforced concrete pipes, subject to pre-approval by the Sullivan County Highway Commissioner and approved by the Sullivan County Regional Planning Commission upon

Construction Plan/Sketch Plat application. Construction Plans for HDPE pipe shall incorporate bedding details as provided for in the State of Tennessee, DOT, Standard Details for Flexible Pipe Installation, Dwg. Number D-PB-2 latest revision. Outside of any public rights-of-way, the subdivider may choose either: T-2 Aluminized, corrugated metal pipe, reinforced concrete pipe, or HDPE. HDPE pipe used in any application shall comply with AASHTO Designation M-294 (virgin resin) and shall be clearly marked as such by stamping or molding of each section of pipe. (Amended on August 16, 2016)

The subdivider shall submit to the Sullivan County Highway Commissioner's Office a certification made by the supplier that all drainage materials meet the standards set by the Tennessee Department of Transportation. (Amended on November 18, 2008)

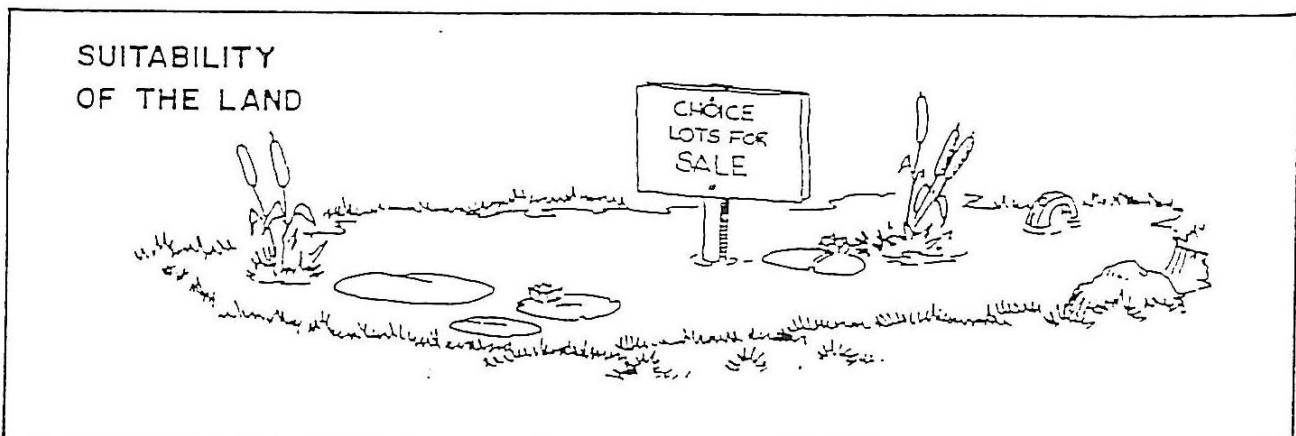
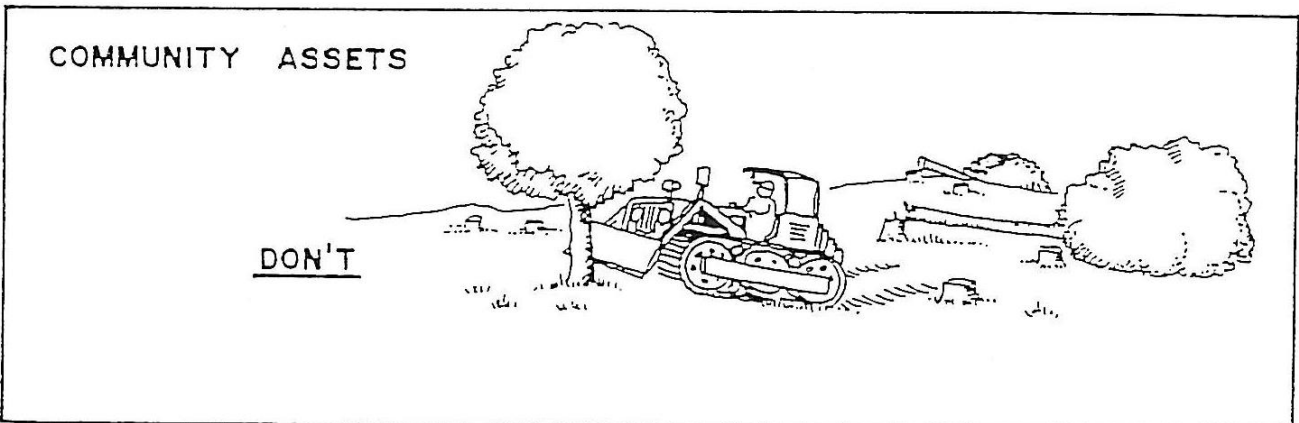
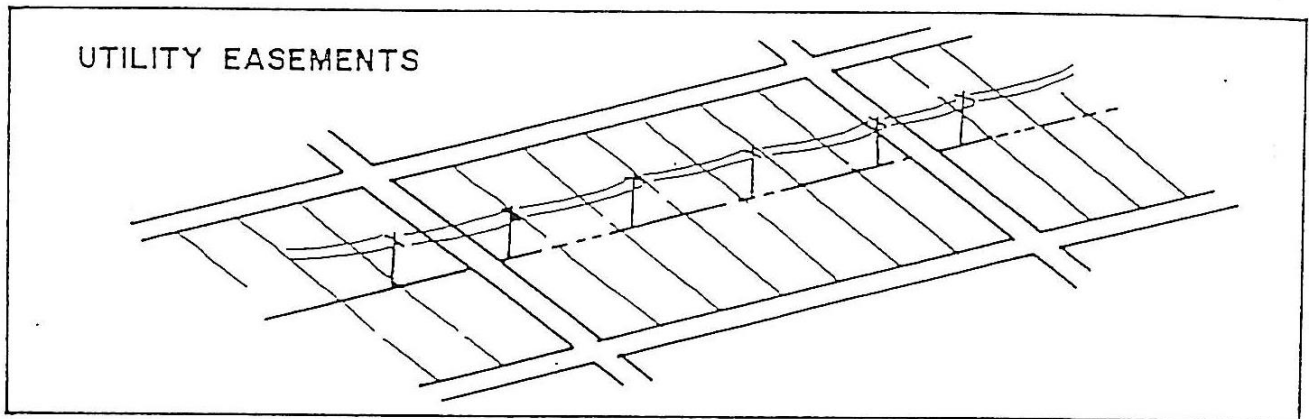
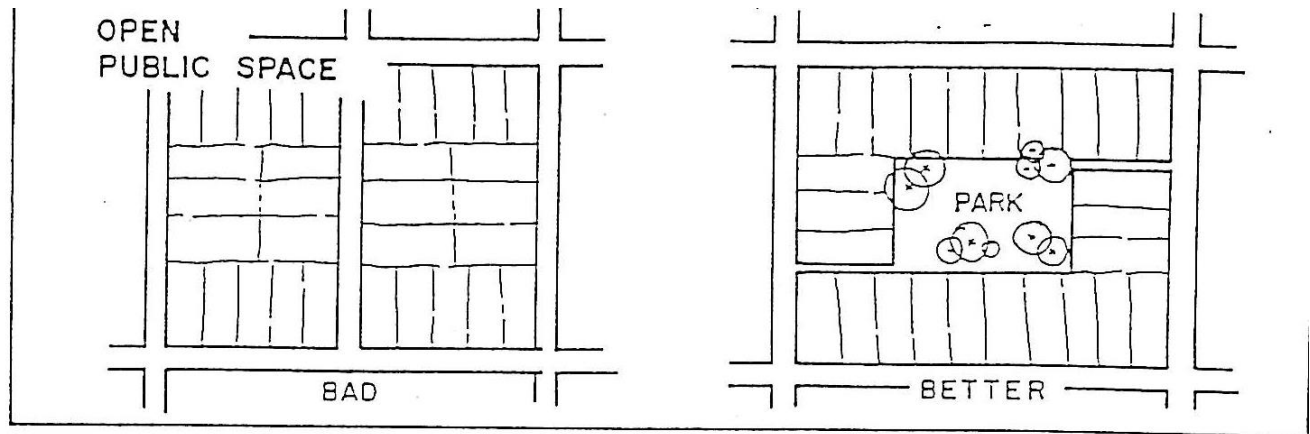
4. Roadway Improvements

- a. Base. A compacted base course six (6) inches deep and three (3) feet wider than the width of the pavement on each side of the street shall be installed on all streets, including cul-de-sacs, temporary turnarounds, and access streets to adjoining properties, according to the method specified in Section 33, *Standard Specifications for Roads and Bridge Construction*, Tennessee Department of Highways and Public Works - July 1, 1951, and latest revisions thereto. Wetting of the stone before compaction may be done at a point of origin or on the job site at the option of the contractor. In all cases the centerline of a roadway shall coincide with the centerline of the right-of-way dedicated for such road or street.
- b. Curbs and Gutters. Except on rural streets as defined above, the subdivider shall provide concrete curbs and integral gutters on both sides of all new streets as indicated on the subdivision plat. Where access streets to adjoining properties are provided, curbs and gutters shall be extended to the property line. In all cases the curbs and integral gutters shall be not less than twenty-four (24) inches wide at the base, thirteen (13) inches high, six (6) inches across the top of the curb, six (6) inches on the face of the curb, and a seven (7) inch thick gutter (See Illustration 10). Backfill shall be towards the curb and be higher than the curb to insure drainage of surface water into the drainage system. One-half (1/2) inch to three fourth (3/4) inch expansion and contraction joints for the curbs and gutters shall be placed at intervals not exceeding forty (40) feet.

Where rolled gutters (Miami curbing) are planned and installed, all future driveway connections shall be so designed to ensure a smooth transition of pavement so that no alteration or cutting of the curbing shall be necessary. Where extruded curbs are planned and installed, all necessary individual driveway connections shall be installed during the development process to ensure no damage occurs to the curbing during the cut and transition. (Amended 03/15/2022)

- c. Prime Coat: After a thoroughly compacted base has been established, a prime coat shall be applied as specified in Section 49, *Standard Specifications for Road and Bridge Construction*, Tennessee Department of Highways and Public Works - July 1, 1951, and latest revision thereto.
- d. Binder. After a thoroughly compacted base has been established, an asphalt binder course shall be constructed in one layer not less than two (2) inches thick as specified under Section 307, Bituminous Plant Base (hot mix) Type B, *Standard Specifications for Road and Bridge Construction*, Tennessee Department of Highways, and latest revisions thereto.
- e. Wearing Surface: The wearing surface shall consist of a surface course constructed with asphalt concrete, prepared with mineral aggregate, laid hot as specified under Section 104, *Standard Specifications for Road and Bridge Construction*, Tennessee Department of Highways and Public Works - July 1, 1951, and latest revision thereto. It shall be constructed in one layer not less than one (1) inch thick to conform to the lines, grades and cross sections indicated on a plan approved by the inspecting engineer.

Illustration 8



5. Minimum Pavement Width

Due to the diversity of development in the Sullivan County Planning Region ranging from sparsely populated agricultural areas to the densely populated urban areas, required widths for the surface treatment of roadways (by the developer) will necessarily vary with the character of building development and the amount of traffic encountered. Minimum widths for surface treatment of roads and streets shall be those indicated below. The average daily traffic trips shall be calculated based upon the proposed land use for each lot using the current industry's standard as adopted by the Tennessee Department of Transportation (*amended November 21, 2006*).

- a. Arterial Street: A through street which may contain between 4 and 6 travel lanes, typically not paved by a developer and can have rights-of-way from 80 feet to as wide as 150 feet. Arterial streets are typically monumented by the State or Federal Highway Departments. Pavement widths on arterial streets shall be a minimum of 32 feet wide and can have wide shoulders, sidewalks and/or bike lanes depending on whether it is a rural or urban classification.
- b. Collector Street: A through street limited to 4 travel lanes, shall have a minimum right-of-way of 60 feet with pavement widths from 27 to 37 feet wide depending on design speed, bike lanes or multi-purpose lanes at the discretion of the developer.
- c. Local/Non-Residential Street: A street providing transportation for primarily commercial, institutional, and other uses besides residential, shall have a minimum right-of-way of 55 feet and minimum pavement width of 27 feet. Such streets may also accommodate pedestrian mobility, bike lane or multi-purpose lane depending on urban or rural classification and at the discretion of the subdivider/developer.
- d. Boulevard Street: An optional street configuration, which can be a local or feeder street, with the travel lanes separated by a landscaped median. Boulevard streets shall have a minimum right-of-way width of 56 feet and minimum pavement width of two 13' to 16' lanes and 6 foot minimum median with mountable curbing. Boulevard streets should be encouraged in developments where only one entrance into the development can be achieved due to topography, limited road frontage along existing public road, and/or existing surrounding development preventing street connectivity. Sidewalks and/or bike lanes within the right-of-way are also an option but not a requirement.
- e. Minor Residential/Local Street: A street designed to carry between 240 and 1,500 vehicles per day based upon current industry standard as adopted by the Tennessee Department of Transportation and ITE manual. The street width may vary from 24 feet to 28 feet at the discretion of the subdivider/developer. A local residential street shall have a minimum right-of-way width of 50 feet and a minimum pavement width from 24 to 28 feet of asphalt. Sidewalks or other pedestrian ways within the right-of-way are also an option but not a requirement.
- f. Lane/Minor Loop/Cul-De-Sac Street: A street designed to carry up to 250 vehicles per day and no more than 25 lots, which may be configured as a through street, a minor loop street, or a cul-de-sac street. Such street should have a minimum right-of-way of 40 feet with a minimum paving width of 24 feet. All turn-around cul-de-sacs shall have a 50-foot radius right-of-way with 40-foot radius of paving. The maximum length of such type of street shall be limited to 1500 feet unless a variance is granted based upon topography. Sidewalks or other pedestrian ways within the right-of-way are also an option but not a requirement.
- g. Alley Street: A street set aside primarily for vehicular access to the side or rear of properties in planned or traditional neighborhood developments. The minimum right-of-way shall be 15 feet with a minimum pavement width of 11 feet. Pedestrian access should be limited and avoided.
- h. Rural Street: An optional street with no curb and gutter shall be permitted only under the following conditions: (1) minimum lot size is one acre; (2) minimum street frontage is 150 feet for each lot; (3) resubdivision of lots shall not be permitted as noted on the final plat; (4) minimum right-of-way width shall be 40 feet; (6) with 15 maximum number of lots per development; (7) minimum pavement width is 20 to 24 feet; (8) and limited to 600 feet in length.

Summary Street Design Table:

Street Type	Minimum Width of R-O-W	Minimum Width of Pavement (not including curbs)	Other design parameters	Minimum Width of Median if Allowed
Arterial (Highway) and Major Collector	80 to 150 feet wide	4 to 6 travel lanes/varies		13 feet minimum
(Minor) Collector Street	60 feet wide	27 to 37 feet of total travel lane		N/A
Local/Non-Residential	55 feet wide	27 feet of total travel lane		N/A
Boulevard	56 feet wide	13 to 16 feet each of travel lane – separated by median	Median maintained by Homeowners Association	6 feet minimum
Minor Residential/Local	50 feet wide	24 to 28 feet of total travel lane	Limited to 1500 vehicle trips per day	N/A
Lane/Loop/Cul-de-sac	40 feet wide with 50 feet wide r-o-w at turn around/100 feet in diameter	24 feet of total travel lane and 40 feet wide radius at the turn around/ 80 ft of asphalt in diameter in the cul-de-sac	Limited to 25 lots, 1500 feet in length, and 250 vehicle trips per day	
Alley (utility/service road)	15 feet wide	11 feet of total travel lane – one-way only	Lots must front along higher standard road	
Rural Street	40 feet wide with 50 feet wide r-o-w at turn around/100 feet in diameter	20 to 24 feet total travel lane and 40 feet wide radius at turn around/80 feet of asphalt in diameter in the cul-de-sac	Limited to 15 lots, 1 acre minimum each, 150-foot lot width, open ditches, and 600 feet in length	

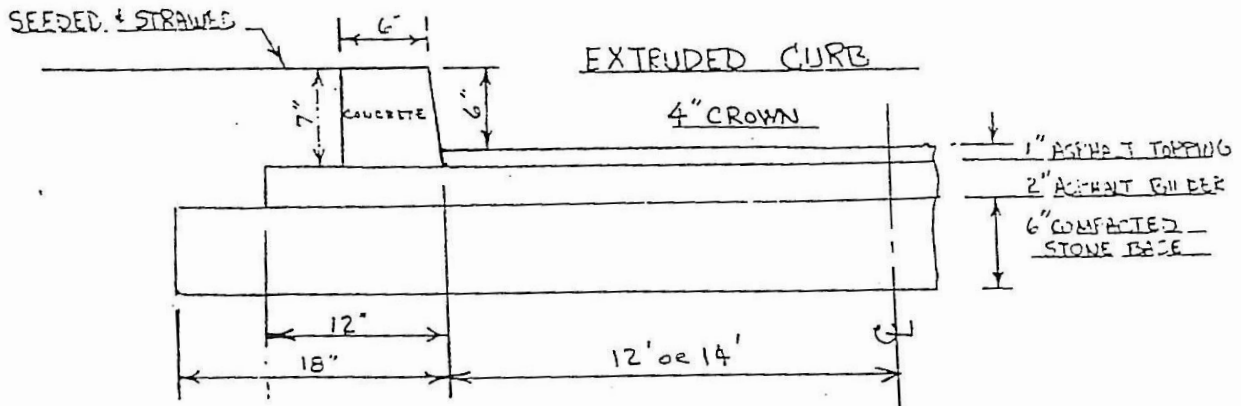
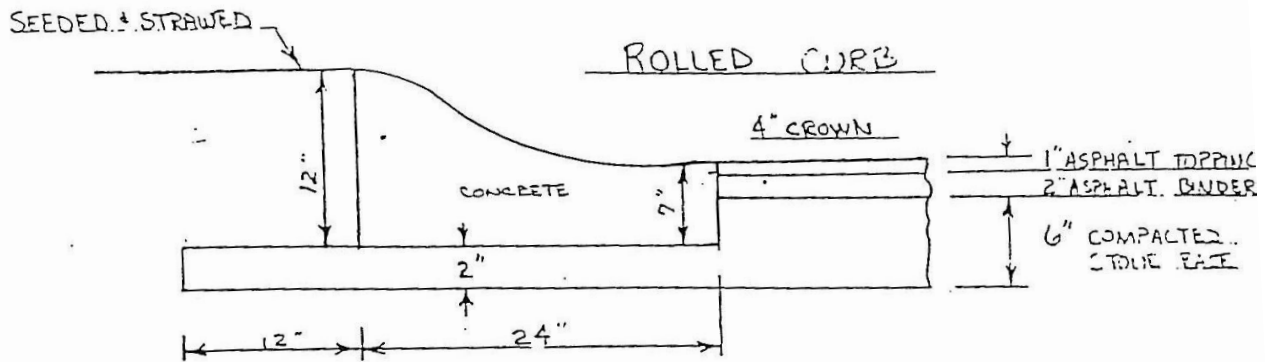
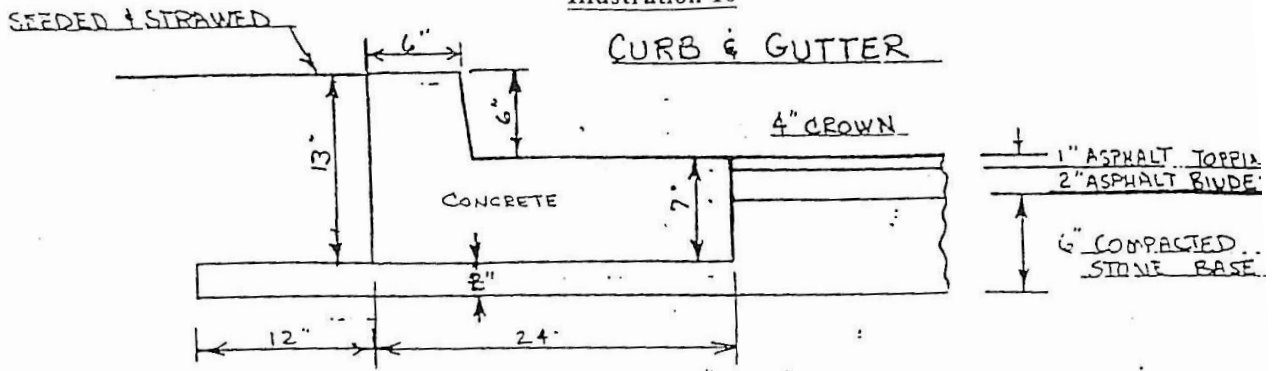
6. **Backfill**

All unpaved portions of rights-of-way of new streets shall be backfilled with suitable soil material and shall be seeded and strawed by hydro-seeding or other manner if prescribed by the Sullivan County Highway Department.

7. **Installation of Utilities**

After grading is completed and approved and before any base is applied, all 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. All driveways for houses to be built by the developer shall be cut and drained.

Illustration 10



CUL DE SAC

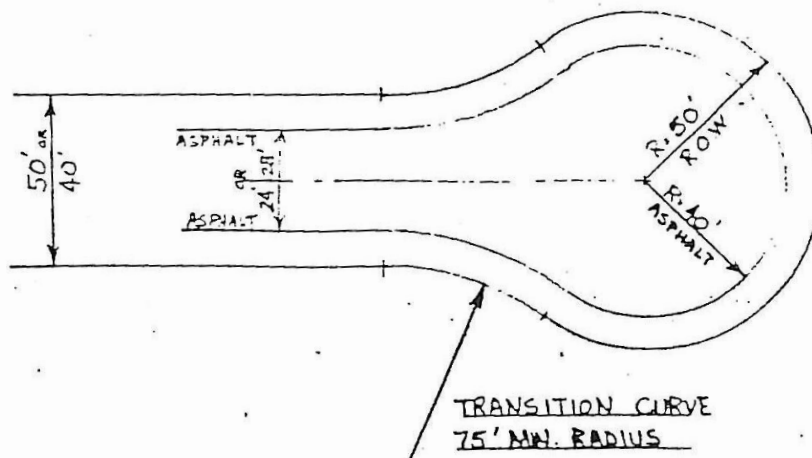
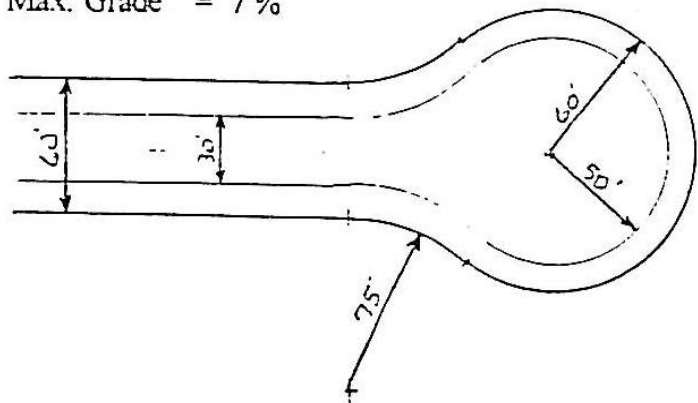


Illustration 11

COMMERCIAL & INDUSTRIAL / NON-RESIDENTIAL STREET

Consult Sullivan County Subdivision Regulations for Additional Information

R. O. W.	Min. 60'
Pavement	Min. 30' (Inside of Curb)
Grade	Max. 10 % Min .5 %
Property Line Radii at Intersections	Min. 30'
Horizontal Curve Centerline Radius	Min. 300'
Base - Compacted Stone	Min. 8"
Binder - Asphalt	Min 3"
Topping - Asphalt	Min. 2"
Pipe Storm Drain	Min. 18" (Concrete or Metal)
Cul-De-Sac	Min. Radius = 60' R.O.W. Min. Radius = 50' Asphalt Min. Radius = 75' Transition Max. Grade = 7 %



8. Water Supply System

Water mains properly connected with the community water system or with an alternate supply approved by the Tennessee Department of Environment & Conservation 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 water mains, the location and type of valves and hydrants, the amount of soil covering the pipes and other features of the installation corresponding to plans of the proposed utility layouts that are required to be shown on the preliminary plat pursuant to Article II, Section C, Subsection 3(f) shall be approved by the Sullivan County Regional Planning Commission upon the recommendation of the superintendent of public utilities, and shall conform with accepted standards of good practice for municipal water supply.

New subdivisions in Sullivan County will be required to have six-inch diameter water lines with hydrants serving a 500-foot radius if the available flow is 500 gallons per minute with a 20 pounds per square inch residual in the system. If that flow is not available, six-inch lines will still be required, with tees left for future hydrants.

9. Sanitary Sewers

Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the State environmental specialist.

10. Street Name Signs

Appropriate street signs also add sales value to land subdivisions and enable strangers, delivery concerns and even potential lot buyers to find their way around. Street names should appear at all intersections. The Sullivan County Highway Department is responsible for setting all street name signs as approved by the E-911 Addressing Department per the adopted development plan.

B. Guarantee in Lieu of Completed Improvements/Completion Bond Policy and Procedures (Amended 02/21/2012 and 03/15/2022)

Pursuant TCA 13-3-403, no subdivision plat shall be approved by the Sullivan County Regional Planning Commission (Planning Commission) until all required improvements have been constructed in a satisfactory manner and approved by the Planning Commission with such approval endorsed in writing on the plat by the secretary of the Planning Commission. The county register shall not receive, file, or record a plat of a subdivision without the prior approval of the Planning Commission with such approval endorsed on the plat. In lieu of requiring the construction and completion of all improvements prior to final plat approval, the Planning Commission may at its sole discretion enter in a contract with the subdivider whereby the subdivider agrees to complete all improvements required by the subdivision regulations and the Planning Commission. The required improvements shall be set forth in the contract or in absence thereof shall be as set forth in the construction plans as relied upon by the Planning Commission and/or its staff. In lieu of the completion of the infrastructure improvements before the final approval of a subdivision plat, the regional planning commission may grant final plat approval subject to the submittal and acceptance of a bond, letter of credit, or other method of assurance, in form, in amount, and with conditions and surety satisfactory to the regional planning commission. The bond, letter of credit, or other method of assurance shall provide for and secure to the public and the local government the actual construction and installation of the infrastructure improvements within a period specified by the regional planning commission and expressed in the bond, letter of credit, or other method of assurance. The attorney for the county shall enforce any bond, letter of credit, or other method of assurance by all appropriate legal and equitable remedies, and moneys collected on the bond, letter of credit, or other method of assurance shall be paid into the county's treasury. Upon the order of the regional planning commission, the moneys shall be applied to the construction and installation of the infrastructure improvements.

The contract shall also contain a time period within which all improvements shall be completed. The Planning Commission may accept in form and amount, and with conditions, surety, and security, satisfactory to it, one of the following forms of performance guarantees providing for and securing to it and the public the actual construction and installation, in a manner satisfactory to the Planning Commission, of such improvements by subdivider within the time period specified by the Planning Commission. The Completion Bond amount shall be based upon current cost estimates provided by the contractor with final recommendation amount provided by the Sullivan County Highway Commissioner. Such completion cost estimates for the bond amount shall also factor in any known inflation rates on materials.

1. Performance Bond Guarantee

The subdivider shall obtain and deposit with the Planning Commission a surety bond and agreement from a surety bonding company authorized to do business in the State of Tennessee. The bond shall be payable to the Sullivan County Regional Planning Commission and shall be in an amount set at the sole discretion of the Planning Commission sufficient to cover the entire cost of the remaining improvements per the approved construction plans. The bond shall have no termination date and may be terminated or released only by the Planning Commission upon full and satisfactory completion of all required improvements. The bond shall secure to the Planning Commission the actual construction and installation of all required improvements by subdivider within the period specified by the Planning Commission. Upon failure of the

subdivider to complete the required improvements within the required time period, the surety bonding company shall pay over the bond proceeds to the Planning Commission for use in completing said improvements.

2. Cash on Deposit in Escrow Account

The subdivider shall deposit cash in escrow with the Planning Commission or with an FDIC insured financial institution. If the deposit is made with the Planning Commission, no interest will be paid by the Planning Commission on the deposit. The deposit shall be in an amount set at the sole discretion of the Planning Commission sufficient to cover the entire cost of the improvements. The deposit shall have no termination date and may be terminated or released only by the Planning Commission upon full and satisfactory completion of all required improvements. The subdivider or, in the case of a deposit in escrow with a financial institution, the subdivider and the financial institution shall sign and deliver to the Planning Commission an agreement guaranteeing the following:

- (a) That the funds of said escrow shall be held in trust until released by the Planning Commission and may not be used or pledged by the subdivider as security in any other matter during such period; and
- (b) That upon the failure of the subdivider to complete said improvements within the required time period, the Planning Commission, or the financial institution, whichever is applicable, shall immediately release the funds of said escrow account to the Planning Commission for use in the completion of such improvements.

3. Irrevocable Letter of Credit

The subdivider shall provide from a FDIC insured financial institution (Creditor), an irrevocable letter of credit pledging the availability of funds which may be drawn upon by the Planning Commission only. This letter of credit shall be deposited with the Planning Commission and shall be in an amount set at the sole discretion of the Planning Commission sufficient to cover the entire cost of the improvements. The subdivider and the financial institution shall sign and deliver to the Planning Commission an agreement guaranteeing the following:

- (a) That the Creditor does guarantee funds to the Planning Commission in the amount set by the Planning Commission.
- (b) That upon the failure of the subdivider to complete the required improvements within the required time period, the Planning Commission may withdraw upon demand and the Creditor shall pay upon demand said funds for use in completing said improvements at no cost or obligation to Planning Commission, Sullivan County, or the State of Tennessee.
- (c) The letter of credit shall have no termination date and may be terminated or released only by the Planning Commission upon full and satisfactory completion of all required improvements.

Time Limits

Prior to granting final plat approval, the subdivider and the Planning Commission shall agree upon a deadline for completion of all required improvements. The deadline shall be set forth in the contract. The deadline may be extended at the sole discretion of the Planning Commission for good cause shown. Any extension so granted shall be evidenced in writing by the developer with recommendation from the Sullivan County Highway Commissioner and Planning Director.

Forfeiture of Guarantee

If any portion of the required improvements shall fail to be accepted by the Planning Commission for dedication within the allocated time period, for reasons of incompletion, substandard construction, or for any other reason, the Planning Commission shall draw funds from the performance guarantee provided by the subdivider for completion of the subdivision and the improvements thereto.

Reduction of Guarantee

In cases where required improvements have been partially completed, the amount of the performance guarantee may be reduced at the discretion of the County Highway Commissioner and the Planning Commission, and upon dedication of the partially completed improvement. The amount of the reduction is at the sole discretion of the Planning Commission but shall not exceed the percentage the completed improvements bear to the whole of the required improvements. In no case, however, shall the Planning Commission reduce the performance guaranteed to less than fifteen percent (15%) of the original amount until all work is complete.

Completion Bond – Maintenance Period Post Construction

To ensure proper construction methods and maintenance were implemented during the construction period, the Planning Commission shall require a post-construction maintenance bond for all developments that require the extension of roads, stormwater infrastructure and utility infrastructure. Upon completion of all required infrastructure as illustrated on the approved construction plans, there shall hereby be set forth a minimum of a one (1) year maintenance bond on the infrastructure and development improvements. Such bond may be extended by the Planning Commission upon documentation provided by the Highway Commissioner, Planning Director or Stormwater Coordinator of needed repairs that may have occurred during construction/build-out or other unforeseen damages and issues. Where the subdivision has

been approved for a multi-phased development, the maintenance period shall begin when all phases are completed. Where a multi-phase development has more than one entrance off an existing public road, each completed phase of construction may be released of such maintenance bond after a year of completion within that phase of construction so long as it is not affected by construction equipment of the other phases under construction, as evidenced on site. Such maintenance bond can be established by the reduction of the original Completion Bond (Surety Bond, Irrevocable Letter of Credit or Deposit). If no original Completion Bond was requested prior to final plat approval, a new performance guarantee shall be required upon final plat approval for the purposes stated herein. *(Amended 03/15/2022)*

Release of Guarantee

The Planning Commission shall formally release the performance guarantee (completion bond) once all required improvements are installed, all signature blocks on the subdivision plat have been signed off on, and all improvements have been approved by the County Highway Commissioner and the Planning Commission subject to the required one-year maintenance performance bond.

PERFORMANCE BOND AGREEMENT

WHEREAS, _____, Principal herein, is the owner and developer of the _____ Subdivision located in Sullivan County, Tennessee, and _____, is a surety company authorized to do business in the State of Tennessee (hereinafter "Surety"), and

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

WHEREAS the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, utilities, and all other improvements in the said subdivision in accordance with such plans and specifications and as required by Sullivan County Planning Commission regulations.

NOW, THEREFORE, _____, as Principal, and _____, as Surety, do hereby firmly bind ourselves, our heirs, executors, administrators and successors unto the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee in the sum of _____ Dollars (\$ _____) to secure the performance by the Principal of its undertaking herein and the completion of said _____ subdivision and the construction of all streets, sidewalks, roads, curbs, utilities, and all other improvements therein called for by such plans, specifications and regulations, the same to be completed on or before the _____ day of _____, _____, and upon the timely completion thereof this obligation shall be null and void, otherwise to remain in full force and effect.

In order to secure this obligation, Principal has obtained a surety bond, attached hereto, issued by Surety in the amount set forth above made payable to the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee. Principal and Surety unconditionally agree that in any event of Principal's failure or refusal to complete the construction of said subdivision and all improvements thereto in accordance with such plans, specifications and regulations, within the time herein specified, considering any approved extensions of time, the obligation of the Principal and Surety in the sum set forth above shall be immediately due and payable, and Surety, hereby waiving any requirement that Principal first be pursued, shall upon demand by the Sullivan County Regional Planning commission pay over without defense the bond proceeds to the Sullivan County Regional Planning Commission for use in completing said construction and improvements at no cost to the Sullivan County Regional Planning Commission, Sullivan County, Tennessee or the State of Tennessee. Wherein this agreement shall differ with the attached surety bond, this agreement shall control.

The Sullivan County Regional Planning Commission may at its sole discretion for good cause shown extend the time period set forth above; however, said extension shall be evidenced in writing and certified by the Sullivan County Regional Planning Commission. The parties do further agree that in no event shall this Bond or Agreement expire, nor shall it be revoked except by the written consent of the Sullivan County Regional Planning Commission, by and through its duly elected Chair.

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

PRINCIPAL	SURETY
BY _____	BY _____
Title: _____	Title: _____
WITNESS: _____	WITNESS: _____

I, _____, do hereby certify that _____
(Agent of the Surety Company) (Name of Surety Company)
is authorized to do business in the State of Tennessee as of the date hereinabove set out. _____
(Agent of the Surety Company)

IRREVOCABLE LETTER OF CREDIT

WHEREAS, _____, Principal herein, is the owner and developer of the _____ Subdivision located in Sullivan County, Tennessee, and _____ is a FDIC insured financial institution (hereinafter "Financial Institution"), and

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

WHEREAS the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, utilities, and all other improvements in the said subdivision in accordance with such plans and specifications and as required by Sullivan County Planning Commission regulations.

NOW, THEREFORE, _____, as Principal, does hereby firmly bind itself, its heirs, executors, administrators and successors unto the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee in the sum of _____ Dollars (\$ _____) to secure the performance by the Principal of its undertaking herein and the completion of said _____ subdivision and the construction of all streets, sidewalks, roads, curbs, utilities, and all other improvements therein called for by such plans, specifications and regulations, the same to be completed on or before the _____ day of _____, _____, and upon the timely completion thereof this obligation shall be null and void, otherwise to remain in full force and effect.

In order to secure this obligation, Principal has obtained an Irrevocable Letter of Credit, attached hereto, issued by Financial Institution obligating Financial Institution to upon demand by the Sullivan County Regional Planning Commission honor and pay funds in the amount set forth above to the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee as sole beneficiaries. Principal and Financial Institution unconditionally agree that in any event of Principal's failure or refusal to complete the construction of said subdivision and all improvements thereto in accordance with such plans, specifications and regulations, within the time herein specified, considering any approved extensions of time, the obligation of the Principal in the sum set forth above shall be immediately due and payable, and the Sullivan County Regional Planning Commission by and through its duly elected Chairman may without pursuing Principal withdraw upon demand and Financial Institution shall honor such demand and pay without defense said funds for use in completing said construction and improvements at no cost or obligation to itself, Sullivan County or the State of Tennessee. Wherein this agreement shall differ with the attached Letter of Credit, this agreement shall control.

The Sullivan County Regional Planning Commission may at its sole discretion for good cause shown extend the time period set forth above; however, said extension shall be evidenced in writing and certified by the Secretary of the Sullivan County Regional Planning Commission. The parties do further agree that in no event shall this agreement or Letter of Credit expire, nor shall it be revoked except by the written consent of the Sullivan County Regional Planning Commission, by and through its duly elected Chair.

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

PRINCIPAL _____ FINANCIAL INSTITUTION
BY _____ BY _____
Title: _____ Title: _____

WITNESS: _____ WITNESS: _____

I, _____, do hereby certify that _____
(Agent of the Financial Institution) (Name of the Financial Institution)

is a FDIC insured financial institution _____ (Agent of the Financial Institution)

CASH ON DEPOSIT IN ESCROW ACCOUNT WITH SULLIVAN COUNTY

WHEREAS _____, Principal herein, is the owner and developer of the _____ Subdivision located in Sullivan County, Tennessee, and

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

WHEREAS the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, utilities, and all other improvements in the said subdivision in accordance with such plans and specifications and as required by Sullivan County Planning Commission regulations.

NOW, THEREFORE, _____, as Principal, does hereby firmly bind itself, its heirs, executors, administrators and successors unto the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee in the sum of _____ Dollars (\$_____) to secure the performance by the Principal of its undertaking herein and the completion of said _____ subdivision and the construction of all streets, sidewalks, roads, curbs, utilities, and all other improvements therein called for by such plans, specifications and regulations, the same to be completed on or before the _____ day of _____, _____, and upon the timely completion thereof this obligation shall be null and void, otherwise to remain in full force and effect.

In order to secure this obligation, Principal has currently on deposit with Sullivan County Regional Planning Commission in a separate and identifiable fund the above amount, which Principal hereby pledges, in lieu of performance bond or other security, to secure its obligations hereunder. Sullivan County Regional Planning Commission agrees to maintain said deposit as a separate account naming the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee as sole beneficiaries. Principal agrees that such deposit shall not be subject to removal, encumbrance or pledge by Principal or anyone, and that said funds shall be subject to removal solely and exclusively upon demand by the Sullivan County Regional Planning Commission. No interest shall be paid on such deposit. Principal unconditionally agrees that in any event of Principal's failure or refusal to complete the construction of said subdivision and all improvements thereto in accordance with such plans, specifications and regulations, within the time herein specified, considering any approved extensions of time, the obligation of the Principal in the sum set forth above shall be immediately due and payable, and the Sullivan County Regional Planning Commission by and through its duly elected Chairman may without pursuing Principal withdraw upon demand said funds from said deposit for use in completing said construction and improvements at no cost to itself, Sullivan County or the State of Tennessee.

The Sullivan County Regional Planning Commission may at its sole discretion for good cause shown extend the time period set forth above; however, said extension shall be evidenced in writing and certified by the Secretary of the Sullivan County Regional Planning Commission. The parties do further agree that in no event shall this agreement expire, nor shall it be revoked except by the written consent of the Sullivan County Regional Planning Commission, by and through its duly elected Chair.

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

PRINCIPAL
BY _____
Title: _____

SULLIVAN COUNTY REGIONAL PLANNING COMM.
BY _____
Title: _____

WITNESS: _____

WITNESS: _____

CASH ON DEPOSIT IN ESCROW ACCOUNT WITH FINANCIAL INSTITUTION

WHEREAS, _____, Principal herein, is the owner and developer of the _____ Subdivision located in Sullivan County, Tennessee, and _____ is a FDIC insured financial institution (hereinafter "Financial Institution"), and

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

WHEREAS the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, utilities, and all other improvements in the said subdivision in accordance with such plans and specifications and as required by Sullivan County Planning Commission regulations.

NOW, THEREFORE, _____, as Principal, does hereby firmly bind itself, its heirs, executors, administrators and successors unto the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee in the sum of _____ Dollars (\$ _____) to secure the performance by the Principal of its undertaking herein and the completion of said _____ subdivision and the construction of all streets, sidewalks, roads, curbs, utilities, and all other improvements therein called for by such plans, specifications and regulations, the same to be completed on or before the _____ day of _____, _____, and upon the timely completion thereof this obligation shall be null and void, otherwise to remain in full force and effect.

In order to secure this obligation, Principal has currently on deposit at Financial Institution in a separate and identifiable fund the above amount, which Principal hereby pledges, in lieu of performance bond or other security, to secure its obligations hereunder. Financial Institution agrees to maintain said deposit as a separate account naming the Sullivan County Regional Planning Commission and the State of Tennessee for and on behalf of Sullivan County, Tennessee as sole beneficiaries. Principal and Financial Institution agree that such deposit shall not be subject to removal, encumbrance or pledge by Principal or anyone, and that said funds shall be subject to removal solely and exclusively upon demand by the Sullivan County Regional Planning Commission. Principal and Financial Institution unconditionally agree that in any event of Principal's failure or refusal to complete the construction of said subdivision and all improvements thereto in accordance with such plans, specifications and regulations, within the time herein specified, considering any approved extensions of time, the obligation of the Principal in the sum set forth above shall be immediately due and payable, and the Sullivan County Regional Planning Commission by and through its duly elected Chairman may without pursuing Principal withdraw upon demand and Financial Institution shall pay without defense said funds from said account for use in completing said construction and improvements at no cost to itself, Sullivan County or the State of Tennessee.

The Sullivan County Regional Planning Commission may at its sole discretion for good cause shown extend the time period set forth above; however, said extension shall be evidenced in writing and certified by the Secretary of the Sullivan County Regional Planning Commission. The parties do further agree that in no event shall this agreement expire, nor shall it be revoked except by the written consent of the Sullivan County Regional Planning Commission, by and through its duly elected Chair.

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

_____	_____
PRINCIPAL	FINANCIAL INSTITUTION
BY _____	BY _____
Title: _____	Title: _____
WITNESS: _____	WITNESS: _____

I, _____, do hereby certify that _____
(Agent of the Financial Institution) (Name of the Financial Institution)

is a FDIC Insured Financial Institution. _____ (Agent of the Financial Institution)

ARTICLE V. ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

A. Enforcement

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

B. Penalties

1. No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the Sullivan County Regional Planning Commission as required in Section 13-3-402, *Tennessee Code Annotated*, and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. Sections 13-3-410 and 13-3-406, *Tennessee Code Annotated*, provides that "Whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the Sullivan County Regional Planning Commission and obtained its approval as required by this Act and before such plat be recorded in the office of the county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties." In the case of the regional Sullivan County Regional Planning Commission, Section 13-310 provides that the county through its county attorney, or other official designated by the quarterly county court may enjoin such transfer or sale or agreement by action or injunction.
3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the building commissioner and/or the county attorney or other official designated by the Board of County Commissioners may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-3-411, *Tennessee Code Annotated*.

ARTICLE VI. ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the Sullivan County Regional Planning Commission; thirty (30) days' notice of the time and place of which shall be given by one publication in a newspaper of general circulation in each county lying wholly or partly in the planning region.
- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adopted January 5, 1971 (major revision to entire code)

Effective January 6, 1971

Signed Craig M. Rockett
Secretary, Sullivan County Regional Planning Commission

From time to time, these rules and regulations may be amended by the Sullivan County Regional Planning Commission with the most recent date noted on the front cover reflecting the date of the official public hearing.

APPENDIX A
FORMS FOR FINAL PLAT CERTIFICATIONS

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, and dedicate all streets, alleys, walks, parks, and other open space to public or private use as noted.

_____, 20 ____

Date

Owner

Owner

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 Sullivan County Regional Planning Commission and that the monuments have been placed as shown here on to the specifications of the subdivision regulations.

_____, 20 ____

Date

Tennessee Registered Land Surveyor

CERTIFICATION OF THE APPROVAL OF WATER SYSTEMS

I hereby certify that the public water utility system or systems installed, or proposed for installation, fully meet the requirements of the local utility district, and are hereby approved as shown.

_____, 20 ____

Date

Local Utility District Provider or Authorized Representative

CERTIFICATION OF THE APPROVAL OF STREETS

I hereby certify (circle one):

- (1) that streets have been installed in an acceptable manner and according to the specifications or,
- (2) adequate rights-of-way dedication upon an existing public road shall serve these lots as proposed. Or
- (3) Plat has been approved with a performance guarantee set by the Sullivan County Regional Planning Commission

_____, 20 ____

Date

City Engineer or Sullivan County Commissioner of Highways or Representative

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown here has been found to comply with the *Subdivision Regulations* for Sullivan County, Tennessee, with the exception of such variances, if any, as are noted in the minutes of the Sullivan County Regional Planning Commission and that it has been approved for recording in the Office of the County Registrar. If required, a surety bond in the amount of \$_____ has been posted with the Sullivan County Regional Planning Commission to assure completion of all required improvements in case of default.

Confirmed by Sullivan County Planning Director

Date

Secretary of the Sullivan County Regional Planning Commission

Date

CERTIFICATE OF THE APPROVAL OF SEWERAGE SYSTEMS

I hereby certify that the private or public sewerage disposal system or systems installed, or proposed for installation, fully meet the requirements of the Tennessee Department of Environment and Conservation, Division of Ground Water Protection or the local municipal sewer department and are hereby approved as shown.

_____, 20_____
Date

City Sewer Director or the State Environmental Specialist

CERTIFICATION OF THE APPROVAL FOR 911-ADDRESSING ASSIGNMENT

I hereby certify that the addresses, as noted on the final plat, are approved as assigned.

_____, 20_____
Date

Sullivan County Director of 911 Addressing or authorized representative

CERTIFICATE OF LICENSED ENGINEER OR SURVEYOR REGARDING SURFACE WATER RUNOFF

I HEREBY CERTIFY TO SULLIVAN COUNTY AND SULLIVAN COUNTY REGIONAL PLANNING COMMISSION (SCRPC), FOR THEIR BEHALF AS WELL AS FOR AND ON BEHALF OF ALL PURCHASERS OF LOTS WITHIN THE SUBDIVISION SHOWN HERE AND ALL NEIGHBORING PROPERTY OWNERS, THAT:

- (1) I AM EITHER A FULLY LICENSED ENGINEER OR FULLY LICENSED SURVEYOR, AS INDICATED BELOW, IN THE STATE OF TENNESSEE, EDUCATED AND SKILLED IN THE PROPER CONTAINMENT AND DRAINAGE OF SURFACE WATER RUNOFF.
- I HAVE REVIEWED THE FINAL SUBDIVISION PLAT AND PLANS SUBMITTED FOR APPROVAL TO SCRPC ON _____ (DATE) FOR THE SUBDIVISION SHOWN HERE; AND
- (3) THE SURFACE WATER RUNOFF AND DRAINAGE PLANS SET FORTH IN SUCH SUBDIVISION PLAT AND PLANS ARE ADEQUATE TO PROPERLY CONTAIN AND CONTROL, ACCORDING TO CURRENT INDUSTRY AND LEGAL STANDARDS, SURFACE WATER RUNOFF AND DRAINAGE WITHIN AND FROM SAID SUBDIVISION/PROPERTY.

_____ OR _____
 DATE LICENSED ENGINEER LICENSED SURVEYOR
 (TO BE SIGNED UPON SUBMISSION OF PLAT AND PLANS FOR APPROVAL)

- (4) THE SURFACE WATER RUNOFF AND DRAINAGE PLANS SET FORTH IN SUBDIVISION PLAT AND PLANS IDENTIFIED ABOVE, AS PROPERLY AMENDED ACCORDING TO SCRPC RULES AND REGULATIONS (IF SO BE THE CASE), HAVE BEEN PROPERLY IMPLEMENTED AND COMPLIED WITH, AND ALL FACILITIES AND IMPROVEMENTS CALLED FOR IN SUCH PLANS HAVE BEEN PROPERLY CONSTRUCTED; AND SUCH FACILITIES AND IMPROVEMENTS WILL PROPERLY CONTAIN AND CONTROL, ACCORDING TO CURRENT INDUSTRY AND LEGAL STANDARDS, SURFACE WATER RUNOFF AND DRAINAGE WITHIN AND FROM SAID SUBDIVISION/PROPERTY.

_____ OR _____
 DATE LICENSED ENGINEER LICENSED SURVEYOR
 (TO BE SIGNED UPON COMPLETION OF SURFACE WATER RUNOFF FACILITIES AND IMPROVEMENTS)

SEPTIC CERTIFICATION FOR EXISTING SYSTEMS WITH NO TDEC RECORD:

ATTENTION: LOT # _____ has an existing dwelling/structure utilizing an existing septic system. No evaluation, testing, or verification of the functionality of the septic system or adequate area for duplication has been completed by the Division of Groundwater Protection of the Tennessee Department of Environment and Conservation. The Sullivan County Regional Planning Commission makes no certification or guarantee to the viability of the septic system. Any purchase of this lot should verify to their satisfaction the viability of sewage disposal for the property prior to purchase.

CERTIFICATE OF EXISTING SEPTIC SYSTEM

I hereby verify and acknowledge that there has been no history to my knowledge or evidence of failure with the septic system and that the septic tank & field lines with each system are located entirely within each lot.

DATE: _____

OWNER SIGNATURE: _____

PRINT NAME: _____

First reading, June 20, 2023. Final Hearing August 15, 2023

**SULLIVAN COUNTY REGIONAL PLANNING COMMISSION
MAJOR THOROUGHFARE PLAN - ROADWAY CLASSIFICATION**

*ALL OTHER ROADS THAT ARE NOT LISTED ARE CONSIDERED MINOR RESIDENTIAL ROADS WITH A 50' MINIMUM WIDTH
**PLEASE CONTACT THE SULLIVAN COUNTY HIGHWAY COMMISSIONER FOR INFORMATION AND R-O-W APPROVALS

COLLECTOR ROADS = 60 FEET MINIMUM RIGHT-OF-WAY WIDTH

ALLISON ROAD	FALL CREEK ROAD	POPLAR GROVE ROAD - SR 347
AUSTIN SPRINGS ROAD	FORDTOWN ROAD	RESERVOIR ROAD
BEAVER CREEK ROAD	GLENN ALPINE ROAD	ROCK CITY ROAD
BLOOMINGDALE ROAD	GRAVELY ROAD	ROCK HOLD ROAD - SR44
BLOUNTVILLE BOULEVARD	HARRTOWN ROAD	ROCK LANE - PART
BLOUNTVILLE BY-PASS	HICKORY TREE ROAD - SR 44	ROCK SPRINGS DRIVE
BRISTOL CAVERNS HWY - SR 435	INDUSTRIAL PARK ROAD	ROCK SPRINGS ROAD
BROWDER LANE	ISLAND ROAD	ROCKY BRANCH ROAD
BUFFALO ROAD	KENDRICKS CREEK ROAD	ROCKY SPRINGS ROAD
BUNKER HILL ROAD	LONESTAR ROAD - SR 347	SHIPLEY FERRY ROAD
BUTTERMILK ROAD	MEADOWVIEW ROAD	SHIPP SPRINGS ROAD
CARDEN HOLLOW ROAD	MILL CREEK ROAD	SILVER GROVE ROAD
CENTRAL HEIGHTS ROAD	MORELAND DRIVE	SNAPPS FERRY ROAD
CHILDRESS FERRY ROAD	MOUNTAIN VIEW DRIVE	SUGAR HOLLOW ROAD
CHINQUAPIN GROVE ROAD	MUDDY CREEK ROAD	V.I. RANCH ROAD
COLDS SPRINGS CHURCH ROAD	NEW BEASON WELL ROAD	VANCE TANK ROAD
COLONIAL HEIGHTS ROAD	NORTH HOLSTON RIVER DRIVE	WALNUT HILL ROAD
COOKS VALLEY ROAD	OLD JONESBORO ROAD	WARREN ROAD
COX HOLLOW ROAD, PART	OLD MILL ROAD	WEAVER BRANCH ROAD
DEVAULT BRIDGE ROAD	OREBANK ROAD	WEAVER PIKE ROAD - SR 358
DRY BRANCH ROAD - SR44	PACKINGHOUSE ROAD	WEST CARTER'S VALLEY - SR 346
EAST CARTER'S VALLEY ROAD	PAPERVILLE ROAD	WEST VALLEY DRIVE
EMMETT ROAD	PEARL LANE	WHITE TOP ROAD
EMORY CHURCH ROAD	PICKENS BRIDGE ROAD	
ENTERPISE ROAD	PINEY FLATS ROAD	

ARTERIAL ROADS = 80 TO 150 FEET MINIMUM RIGHT-OF-WAY WIDTH

STATE ROUTE 126 (BLOUNTVILLE HIGHWAY AND MEMORIAL BLVD)	US 11-E
STATE ROUTE 357 (AIRPORT PARKWAY)	US 11-W
STATE ROUTE 36 (OLD KINGSPORT HWY AND FORT HENRY DRIVE)	US 421
STATE ROUTE 394	US 19-E
STATE ROUTE 44 (FROM US HWY 421 TO VA STATE LINE)	INTERSTATE 81
STATE ROUTE 75	INTERSTATE 181
STATE ROUTE 93	