Planning
KNOXVILLE | KNOX COUNTY

KNOXVILLE - KNOX COUNTY

SUBDIVISION REGULATIONS

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KNOXVILLE-KNOX COUNTY SUBDIVISION REGULATIONS

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ARTICLE 1

GENERAL PROVISIONS

1.01 GENERAL PURPOSE

The subdivision regulations are adopted in order to provide for the harmonious development of the City of Knoxville and Knox County, for the coordination of roads within the subdivided land, with other existing or planned roads, or with the state or regional plan, or with the plans of municipalities in or near the region; for adequate open spaces for traffic, light, air and recreation; for the conservation or production of adequate transportation, water, drainage and sanitary facilities; for the avoidance of population congestion; for the avoidance of such scattered or premature subdivision of land as would involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation or other public services, or would necessitate an excessive expenditure of public funds for the supply of such services; and, to control the manner in which roads shall be graded and improved, and water, sewer and other utility mains, piping, connections or other facilities shall be installed.

1.02 TITLES

A. Title of Regulations

Regulations governing the subdivision of land within the entire territory of Knox County, including the incorporated City of Knoxville, but excluding all land located within the corporate boundaries of the Town of Farragut, establishing procedures for the submission and review of subdivision plats, establishing standards for the design and installation of improvements to subdivisions, providing for the administration and enforcement of these regulations, and providing for penalties for their violation.

B. Short Title

The Knoxville-Knox County Subdivision Regulations

1.03 AUTHORITY

A. General Authority

Authority has been conferred by the Tennessee General Assembly by Title 13, Section 13-3-101 through Section 13-3-304 and Section 13-3-401 through Section 13-3-411 of the *Tennessee Code, Annotated*, as amended, and other pertinent statutes for the establishment of regulations governing the subdivision of land.

B. Final Plat Review Delegation

Pursuant to Section 13-3-402(c) of the *Tennessee Code, Annotated* as amended, the Knoxville-Knox County Planning Commission has delegated review authority of final plats to the Knoxville-Knox County Planning staff. This action was taken by a majority vote of the Planning Commission at their regular meeting of May 9, 2019. This delegation does not apply to final plats that include a request for a variance from the Subdivision Regulations which will still require review and approval by the Planning Commission.

C. Dedication of Real Property.

Pursuant to Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13; Title 29, Chapter 17; Title 29, Chapter 16; Title 62; Title 65 and Title 66, The planning commission shall not require an owner of private property to dedicate real property to the public or pay money to a public entity in an amount that is determined on an individual and discretionary basis, unless there is an essential nexus between the dedication or payment and a legitimate local governmental interest (see *Nollan v. California Coastal Commission*) and the dedication or payment is roughly proportional both in nature and extent to the impact of the proposed use or development of the property (see *Dolan v. City of Tigard*). An owner of private property required to make dedication or pay money in violation of this subdivision may seek relief through a common law writ of certiorari in chancery court.

1.04 AREA OF JURISDICTION

The Knoxville-Knox County Planning Commission, through these subdivision regulations, shall have jurisdiction and control over the subdivision of all land in Knox County, Tennessee, including the incorporated City of Knoxville which area shall also be considered as the planning area, but excluding all land located within the corporate boundaries of the Town of Farragut.

1.05 VARIANCES

These land subdivision regulations are adopted only as minimum requirements, and all developers should consider developing their subdivisions at higher standards. Thus, the developer is encouraged to go beyond the standards of these regulations and the Planning Commission may require standards above the minimum contained herein upon finding that the public health, safety, and welfare justify such standards.

The Planning Commission also may reduce or otherwise vary the requirements of these regulations whenever it encounters the situation described below. In granting such variances, the Planning Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the varied regulations. Any variance granted by the Planning Commission shall be noted in its official minutes along with the reasons which justified the granting of the variance.

A. Hardships

The Planning Commission may reduce or otherwise vary the requirements of these regulations when a definite hardship would occur as a result of strict enforcement of these regulations.

1. Conditions Required

Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, they may, after written application by the developer, grant variations to the regulations, subject to specified conditions, so that substantial justice may be done and the

public interest secured, provided that such variations shall not have the effect of nullifying the intent and purpose of these regulations or the comprehensive plan.

2. Evidence of Hardship Required

The Planning Commission shall not grant variations to these regulations unless they make findings based upon the evidence presented to them in each specific case that:

a. Because of the particular surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were adhered to.

b. The conditions upon which the request for a variation is based is unique to the property for which the variation is sought and is not applicable, generally, to other property, and has not been created by any person having an interest in the property.

c. The purpose of the variation is not based exclusively upon a desire for financial gain.

d. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

1.06 APPEALS

A. Appeal of Actions by the Planning Staff

1. An appeal of an action of denial rendered by the Planning staff pursuant to these regulations shall be made to the Planning Commission for their review and final action. An appeal must be filled within fifteen (15) calendar days of the action taken by staff. The appeal must be filed with the Planning Commission subject to their requirements as outlined in their Administrative Rules and Procedures.
2. An appeal of an action of approval rendered by the Planning staff pursuant to these regulations shall be to any Court of competent jurisdiction.

B. Appeal of any Action by the Planning Commission

An appeal of any action rendered by the Planning Commission pursuant to these regulations shall be to any Court of competent jurisdiction.

1.07 AMENDMENTS

The Planning Commission may from time to time revise or modify or amend these regulations by appropriate action taken at a regularly scheduled meeting after the required notice and holding of a public hearing. A thirty (30) day public notice of the date, time and location of the public hearing shall be published in a daily newspaper of general circulation in Knox County, Tennessee.

An amendment becomes effective when the Planning Commission approves it. The amendment is forwarded to the City of Knoxville and Knox County as a matter of practice and pursuant to *Tennessee Code, Annotated*, as amended.

The Executive Director of Knoxville-Knox County Planning is empowered and authorized by the Planning Commission to correct and amend these regulations as to the following non-substantive matters, without public notice or public hearing: spelling; change in case and punctuation; references to sections of the *Tennessee Code, Annotated* to conform with amendments thereto; the enumeration of these regulations so as to provide consistency and clarity; names and titles of organizations and individuals referenced in these regulations, to conform with incumbent names and titles.

1.08 ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

A. Enforcement

The following procedures are provided in the *Tennessee Code, Annotated* for the enforcement of subdivision regulations.

1. Recording

No plat or plan of a subdivision of land into two (2) or more lots, tracts or parcels, any of which are less than five (5) acres in size, located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the Knox County Register of Deeds until said plat or plan has received final approval in writing by the Planning Commission as provided in Section 13-3-402 of the Tennessee Code, Annotated.

2. Acceptance of Streets and Utilities in the Unincorporated Areas of Knox County

By virtue of the Planning Commission having prepared and adopted the *Major Road Plan for the City of Knoxville and Knox County* as provided for in Section 13-3-402 of the *Tennessee Code, Annotated*, and under the requirements of Section 13-3-406 of the *Tennessee Code, Annotated*, the following procedures shall apply to the acceptance of and improvements of unapproved streets in the unincorporated areas of Knox County.

a. No court or board or officer thereof or any other public officer or authority shall accept, lay out, open, improve, grade, pave or light any street or lay or authorize water mains or sewers or connections or other facilities or utilities to be laid in any street located within the unincorporated areas of Knox County and outside of the municipal boundary of the City of Knoxville, unless such street had been accepted or opened or had otherwise received the legal status of a public street prior to the establishment of the Planning Commission, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Planning Commission or on a street plat or plan made and adopted by the Planning Commission; provided, that the Knox County Commission may accept or lay out any other street or adopt any other street location; provided further, that the resolution or other measure for such acceptance, laying out or adoption is first submitted to the Planning Commission for its approval and, if disapproved by the Planning Commission, receives the favorable vote of not less than a majority of the entire membership of the Knox County Commission; and a street approved by the Planning Commission upon

such submission, or accepted, laid out, or adopted by the Planning Commission, shall have the status of an approved street location as fully as though it had been originally shown on a subdivision plat approved by the Planning Commission or on a plat made and adopted by the Planning Commission.

b. In the case, however, of any state highway constructed or to be constructed in the region by the State of Tennessee with state funds as a part of the state highway system, the submission to the Planning Commission shall be by the commissioner of transportation, who shall have the power to overrule the disapproval of the Planning Commission.

B. Penalties

For violation of these regulations, the following penalties are provided by the *Tennessee Code, Annotated*:

1. Recording

No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the Planning Commission as required in Section 13-3-402 of the *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. Transfer or Sale of Land

Section 13-3-410 of the *Tennessee Code, Annotated* provides that whoever being the owner or agent of the owner of any land transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of subdivision to the Planning Commission and obtained its approval as required before such plat is recorded in the office of the appropriate county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description 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. The county, through its county attorney, the city through its

attorney, or other official designated by the appropriate legislative body, may enjoin such transfer or sale or agreement by action or injunction.

3. Erection of Structures

   a. Structures in Knox County

      > 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 Director of Code Administration and Inspection or the county attorney or other official designated by the Knox County Commissioners may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-3-411 of the *Tennessee Code, Annotated*.

   b. Structures in City of Knoxville

      > 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 city building inspector, or the city attorney or other official designated by the city council acting within the corporate limits of the City of Knoxville may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-3-411 of the *Tennessee Code, Annotated*.

1.09 INTERPRETATION, CONFLICT, AND SEVERABILITY

A. Interpretation

In their interpretation and application, these regulations shall be held to be acceptable standards. More stringent provisions may be required if it is demonstrated that they are necessary to promote the public health, safety and welfare.

B. Conflict

Whenever the requirements of these regulations are in conflict with the requirements of any Knox County or City of Knoxville ordinance, rule, regulation, or State statute, the more restrictive or that imposing the higher standard shall govern. While covenants and deed restrictions may be referenced on a final plat, it is not the Planning Commission's responsibility to enforce such covenants and deed restrictions. Covenants and deed

restrictions are enforced by the land owners involved, usually a homeowner's association, through civil court action.

C. Severability

Should any section, subsection, paragraph, or provision of these regulations be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations, it being the intention of the Planning Commission to adopt each and every provision of these regulations separately.

1.10 REPEALER

Upon the adoption of these regulations according to law, the *Knoxville-Knox County Minimum Subdivision Regulations* adopted July 8, 1971, as amended, are hereby repealed, except as to those provisions expressly retained in these regulations.

1.11 EFFECTIVE DATE

The subdivision regulations were first adopted by the Planning Commission of Knoxville and Knox County, Tennessee on the 8th day of July, 1971 in full compliance with Section 13-3-403 of the *Tennessee Code, Annotated*.

ARTICLE 2

ADMINISTRATION, PROCEDURES AND SPECIFICATIONS FOR SUBMISSION OF PLATS AND PLANS

2.01 PURPOSE

The purpose of this article is to specify the functions to be performed by the various agencies in administering these regulations and the procedures and specifications for the subdivision of property.

A. Subdivision Review Responsibility

The following utilities and administrative agencies shall have review responsibilities under these regulations: Knox County Health Department, Knox County Department of Engineering and Public Works, City of Knoxville Department of Engineering and Utility Agencies which provide sewer and water. Utilities which provide electricity, gas, telephone, or other communication services shall have no design review responsibility under these regulations, but may aid in the design of proposed subdivisions.

B. Procedures and Specifications

The purpose of this section is to outline the procedure which shall be followed by the developer in submitting plans and plats to the Planning Commission and to specify the information required to be included on or to accompany plans and plats of proposed subdivisions. Two (2) plans and one (1) plat are required to be submitted, the Concept Plan, Design Plan and the Final Plat. One objective in requiring three submissions is to assist the developer in the sound and economical development of his property through the examination of the suitability of the property for subdivision development. A second objective is that administrative and utility agencies may aid in the design of proposed subdivisions. The Concept Plan and the Final Plat shall receive formal approval from the Planning Commission and Planning staff as identified in this Article. Procedures and specifications are also outlined for the review of Final Plats.

2.02 PLANNING COMMISSION AND PLANNING STAFF

The Planning Commission and the Planning staff shall perform the following duties in regard to the administration of these regulations:

A. Maintenance of Records

The Planning staff shall maintain permanent and current records of these regulations, including amendments thereto.

B. Plans and Final Plats

The Planning staff, shall receive all plans and plats, except Design Plans, for review and distribution as follows:

1. Distribution of Plans and Plats

   The Planning staff shall distribute copies of all plans and plats, except Design Plans, to appropriate administrative and utility agencies for review as to conformance with the individual agency's requirements and with these regulations.

2. Review

   The Planning staff shall review all plans and plats for subdivision design and conformance to regulations governing the subdivision of land.

3. Field Trips

   The Planning staff shall arrange for and conduct all meetings and field trips necessary for proper investigation of plans and plats.

4. Recommendations

   Based upon findings of the staff's review and the recommendations of other appropriate agencies, the Planning staff shall make recommendations for approval or disapproval, or upon written request by the developer, postponement of consideration of the Concept Plan or Final Plat and place on the appropriate Planning Commission agenda.

5. Design Plan Approval

The applicant shall receive Design Plan approval from appropriate utilities and reviewing agencies prior to submittal of the final plat to Planning.

6. Notification

The Planning Commission shall notify the developer of the time and place of the public hearing on the Concept Plan or Final Plat. Notification shall take place at least five (5) days prior to the public hearing.

C. Planning Commission Actions

The Planning Commission shall receive the recommendations of its staff and approve, disapprove, or upon written request by the developer, postpone consideration of the Concept Plan or Final Plat. In the event that the Planning Commission fails to either approve, postpone with concurrence of applicant, or disapprove a Final Plat within sixty (60) days of its receipt, such plat shall be regarded as approved.

D. Certification

Following approval of the Final Plat, the Final Plat shall be certified by the Executive Director of Knoxville-Knox County Planning before being recorded with the Knox County Register of Deeds.

E. Records

The Planning staff shall keep a record of all plans and plats, the comments of appropriate governmental agencies and private individuals, and Planning Commission and Planning staff actions pertaining thereto.

F. Administrative Official

The Executive Director of Knoxville-Knox County Planning shall be responsible for the administration and interpretation of these regulations.

2.03 KNOX COUNTY HEALTH DEPARTMENT

The Knox County Health Department shall perform the following duties in regard to the administration of these regulations only if it is determined by the appropriate Utility Agency that sanitary sewer is not available:

A. Concept Plan

After review of the Concept Plan, the Knox County Health Department shall provide the Planning Commission with a written statement relative to the possible success of the proposal with respect to soil suitability only if subsurface sewage is disposal is required. The soil suitability shall be indicated by a soil survey certified by a Soil Scientist.

B. Final Plat

After review of the Final Plat, the Knox County Health Department shall certify approval on the plat in regard to soil suitability if subsurface sewage disposal will be used or if disapproved, provide the Planning Commission with a written statement of deficiencies.

2.04 KNOX COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS

The Knox County Department of Engineering and Public Works shall perform the following duties in regard to the administration of these regulations for subdivisions within the unincorporated area of Knox County:

A. Concept Plan

After review of the Concept Plan, the Knox County Department of Engineering and Public Works shall provide the Planning Commission with a written statement relative to the general acceptability of proposed roads, drainage systems and related improvements.

B. Design Plan

After review of the Design Plan, the Knox County Department of Engineering and Public Works shall provide the developer or his design engineer with a written statement

certifying approval of design of all proposed roads, drainage systems, and related improvements or a listing of deficiencies.

C. Sufficiency of Bonds or Other Approved Security

The sufficiency of bonds or other approved security to guarantee completion of roads, drainage systems and related improvements shall be determined by the Knox County Department of Engineering and Public Works.

D. Final Plat

After review of the Final Plat, the Knox County Department of Engineering and Public Works shall certify acceptance on the plat of roads, drainage systems, monuments, and related improvements, or certify that the bond or other approved security has been accepted to guarantee completion.

2.05 CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING

The City of Knoxville Department of Engineering shall perform the following duties in regard to the administration of these regulations for subdivisions within the corporate limits of the City of Knoxville:

A. Concept Plan

After review of the Concept Plan, the City of Knoxville Department of Engineering shall provide the Planning Commission with a written statement relative to the general acceptability of proposed roads, drainage systems and related improvements.

B. Design Plan

After review of the Design Plan, the City of Knoxville Department of Engineering shall provide the developer or his design engineer with a written statement certifying approval of design of all proposed roads, drainage systems and related improvements or a listing of deficiencies.

C. Sufficiency of Bonds or Other Approved Security

The sufficiency of bonds or other approved security to guarantee completion of roads, drainage systems and related improvements shall be determined by the City of Knoxville Department of Engineering.

D. Final Plat

After review of the Final Plat, the City of Knoxville Department of Engineering shall certify acceptance on the plat of roads, drainage systems and related improvements, or certify that the bond or other approved security has been accepted to guarantee completion.

2.06 UTILITY AGENCIES

The appropriate Utility Agency shall perform the following duties in regard to the administration of these regulations for subdivisions within its Knox County service area:

A. Concept Plan

After review of the Concept Plan, the appropriate Utility Agency shall provide the Planning staff with comments relative to the general availability of proposed public sewer, water, electric, and gas systems.

B. Design Plan

After review of the Utilities Design Plan, the appropriate Utility Agency shall provide the developer or his design engineer with an approval of the design of all proposed public sewer, water, electric, and gas systems or a listing of deficiencies.

C. Sufficiency of Bonds or Other Approved Security

The sufficiency of bonds, insurance, or other approved security to guarantee completion of proposed public utilities shall be determined by the appropriate Utility Agency.

D. Final Plat

The appropriate Utility Agency shall review the final plat to verify that all required utility easements have been identified on the plat. After review of the plat, the Utility Agency shall certify on the plat that the public sewer and water systems are installed, or

proposed for installation in accordance with State and local regulations, or if disapproved, provide the Planning staff with a written statement of deficiencies.

2.07 CONCEPT PLAN – MAJOR SUBDIVISIONS

A. Purpose

The Concept Plan is the first official plan required by these regulations for a major subdivision of land as identified below in Section 2.07.B. The purpose of this plan is to provide the Planning Commission and the Planning staff with sufficient information to determine the practicality, suitability, and conformance with regulations of the proposed Concept Plan.

B. When Concept Plans are Required

A Concept Plan shall be required for any major subdivision that will divide land into six (6) or more lots, or include the construction and dedication of a public street. A Concept Plan may be required by staff pursuant to Section 2.09.D for subdivisions with private rights-of-way, or due to drainage, grading, topographic, environmental, access, or other such problems.

C. Submission of Concept Plan

The applicant shall submit the Concept Plan to the Planning Commission for consideration. Sufficient copies of the plan and related data, as required in these regulations, shall be submitted to Planning staff for distribution to each utility and administrative agency having subdivision review responsibility.

D. Public Hearing

The Planning Commission shall consider the Concept Plan in public hearing at its first regular meeting consistent with the closing date for filing proposals as prescribed in the *Knoxville-Knox County Planning Commission Administrative Rules and Procedures*. The developer will be notified of such hearing in accordance with Section 2.02.B.6. of these regulations and the developer or the developer's representative should be present.

E. Planning Commission Action

Following the public hearing, the Planning Commission will consider all recommendations and approve, approve subject to conditions, disapprove, or upon

request of the developer, either in writing or at the hearing, postpone action or permit withdrawal of the Concept Plan.

1. Approval of the Concept Plan by the Planning Commission is conditional on certification of engineering documentation that the proposed development meets the development standards of Knox County or the City of Knoxville, and of the authorities having development review responsibilities, and all applicable regulations in effect at the time of certification of Design Plan.

F. Time Lapse for Concept Plan

Unless a time extension has been requested by the developer and granted by the commission, the Final Plat of the first unit shall be submitted within thirty-six (36) months of the approval date of the Concept Plan; otherwise the plat cannot receive Final Plat consideration, but shall be considered as, and resubmitted as, a new Concept Plan. Final Plat approval of each unit of the subdivision will extend the valid period of the Concept Plan twenty-four (24) months from the Final Plat approval date by the Planning Commission. However, no Concept Plan shall be in effect after five (5) years from the original approval date and is subject to a new approval of the Concept Plan by the Planning Commission.

G. Concept Plan

The Concept Plan shall consist of a scaled drawing of the proposed subdivision, showing the proposed roadway and lot layout, and a general drainage plan. The drawing shall generally be contained on one sheet at a scale of not more than one hundred (100) feet to the inch. For large plans which cannot meet these specifications, the Planning staff may allow the submission of drawings on multiple pages and/or a scale of up to two hundred (200) feet to the inch. The following information shall be shown on the plan:

1. Location Map

A small map showing the general location of the subdivision in relation to the surrounding area shall be placed on the sheet, generally in the upper right or left corner. The location map shall be drawn to a scale large enough to show the proposed subdivision's relationship to existing community facilities, such as major

traffic arteries (including street names), schools, and natural features, such as rivers and streams.

2. Site Topography

Site topography with contours at two foot intervals shall be included on the Concept Plan. In areas where two foot contours are not available from KGIS, the Planning staff may allow the submission of four foot contours if they determine that closer intervals are not necessary for review.

3. Boundary, existing and proposed roads

Boundary of tract, name and location of all existing and proposed roads within and adjacent to tract, and all intersecting roads across adjacent roads from tract.

4. Physical characteristics of the site

Physical characteristics of the site, such as wetlands, sinkholes and depressions, major rock outcroppings, woods, natural waterways and other prominent physical features.

5. Existing features

Existing structures and utilities shall be identified and designated as remaining, to be removed or modified.

6. Title Block

The title block of the Concept Plan shall contain the following information.

a. Subdivision Name

> The proposed name of the subdivision shall not duplicate nor closely approximate (phonetically or in spelling) the name of any other subdivision in Knox County or the City of Knoxville and shall be preceded by the words, "Concept Plan of _____."

b. Person Identification

> The name, mailing address and telephone number of the property owner, the developer, the surveyor, the engineer, and any other persons directly involved in the transaction shall be indicated.

c. Date, North Arrow and Scale

> The plan shall show the date of design, a revision date for any changes to the plan, the north arrow pointing towards the top of the sheet and a graphic and written scale which shall be at not more than one hundred (100) feet to the inch.

d. Property Identification

> The property being subdivided shall be identified by the property assessor's office parcel identification number, and when within the City of Knoxville, the city ward, block and lot number.

7. Number of lots proposed and total acreage of the property being subdivided
8. Certification

The Concept Plan and all accompanying drawings, documents and statements shall be certified as prescribed in Section 2.10.I.2.a. & b. of these regulations.

9. Public or Private Streets

The Concept Plan shall designate whether the streets shown to be developed are to be public or private streets.

H. Accompanying Drawings, Documents, Statements

The following information shall accompany the Concept Plan:

1. General Drainage Plan

Showing existing drainageways and probable location of major drainage structures including detention basins.

2. Road Profiles

Provide vertical street layout for all public or private streets.

3. List of required and proposed improvements
4. Statement(s) or Letter(s) indicating the availability of public utilities

The Concept Plan shall also identify any existing utility lines that are on the property or adjacent to the property within the public right-of-way.

5. Transportation Impact Analysis

A Transportation Impact Analysis, if required by Knoxville-Knox County Planning's Transportation Impact Analysis Guidelines shall be submitted with the application for Concept Plan review.

6. Other supporting documentation such as a subdivision amenity and open space plan, preliminary grading plan, or additional documentation requested by Planning staff

I. Staking Streets

The surveyor or engineer that has prepared the Concept Plan shall stake out the centerline of all proposed streets at the point of intersection with any existing perimeter streets prior to submission of the application for Concept Plan review.

2.08 DESIGN PLAN – MAJOR SUBDIVISIONS

A. Purpose

The design plan is the second required submission for a major subdivision. The purpose of this plan is to provide engineering documentation in sufficient detail to ensure that the subdivision, including all improvements, is in conformance with the approved Concept Plan and Subdivision Regulations, and meets the design standards of Knox County or the City of Knoxville and of the utilities and administrative agencies having development review responsibilities.

B. Submission of Design Plan

The applicant shall submit the required Design Plan and related data to the Knox County Department of Engineering and Public Works, City of Knoxville Department of

Engineering, the appropriate Utility Agencies or other administrative agencies having development review responsibility.

C. Approval of Design Plan by Reviewing Agencies

Approval of the Design Plan by the appropriate reviewing agency assures consideration of a final plat of the subdivision which conforms with the approved Design Plan. Such a verification represents a commitment by the verifying agency to recommend the acceptance of improvements built according to the approved Design Plan and its accompanying engineering documents so long as those are in minimum compliance with the requirements of these regulations. The Design Plan shall not be approved until it is determined that the Plan is in compliance with the approved Concept Plan including all applicable conditions.

D. Design Plan

The Design Plan shall consist of all detailed engineering design and construction drawings, calculations, and related documents necessary to construct the proposed subdivision in conformance with the approved Concept Plan, the standards of Knox County or the City of Knoxville and the standards set forth in these regulations. If the Design Plan is not in substantial conformance with the Concept Plan, or all standards and design criteria cannot be met, a new or revised Concept Plan must be submitted for Planning Commission approval. The following information shall be shown on the plan:

1. Plan Information

   Location map, number of lots, acreage for lots and common area, total acreage, subdivision name and unit number, person identification, north arrow, date and scale, property identification, as prescribed in Section 2.07 of these regulations.

2. Dimensional Information

   Final dimensions and bearings for all lot lines, tract boundary, streets, common areas, required or proposed easements and lot numbers, and proposed building setback with distance from street right-of-way if other than the minimum required by zoning.

3. Drainage and Utilities

Location, size and capacity of all drainage facilities including ditches, culverts, pipes, catch basins, detention basins, including final location, location of utilities, and related easements.

4. Use Designations

Areas to be used for amenities, common area, stormwater facilities, public uses such as parks and/or playgrounds, multi-dwelling structures, retail or office centers, churches or other approved uses shall be indicated with a name identification and acreage figure.

5. Other Conditions

Other conditions on the tract to be shown on the Design Plan shall include the following information:

a. Watercourses, wetlands, sinkholes and depressions, major rock outcroppings, wooded areas, railroads, bridges, and other structures or features.

6. Public or Private Streets

The Design Plan shall designate and identify each street as to whether it shall be a public or private street.

E. Accompanying Drawings, Documents, Calculations

The following detailed information shall be submitted to the reviewing agencies and must be approved by the appropriate agency as an integral part of the Design Plan.

1. Horizontal and vertical roadway design data

Typical cross sections of each proposed type of street showing the width and depth of pavement, street alignment, street profile(s), the location and width of rights-of-way and sidewalks, the location of sewer, water, electric, gas, and drainage facilities, must be included.

2. Stormwater Management Plans

A stormwater management plan shall be provided by the developer or his or her representative in accordance with the design and construction standards of Knox County or the City of Knoxville.

3. Utility Plans

The utility plans shall contain the following information concerning existing and proposed utilities including sanitary sewers, water lines, storm sewers, gas, telephone, and electrical lines.

a. The location, sizes, and capacities, where appropriate, of all water mains, manholes, pumping stations, standpipes, reservoirs, valves, fire hydrants, and similar facilities, and the locations and dimensions of specific easement areas related thereto.

b. A plan and profile including invert elevation of all sanitary sewers, manholes, lift stations, treatment plants, and similar facilities, and the locations and dimensions of specific easement areas related thereto.

c. Utility provided electric, gas, and communication plans showing location, sizes, and capacities, where appropriate, and the locations and dimensions of specific easement areas related thereto.

2.09 MINOR SUBDIVISIONS

A. Purpose

The purpose of this section is to establish the qualifications and review procedures and requirements for minor subdivisions in order that they may be processed in much less time for recording than is required for major subdivisions.

B. Qualifications for Minor Subdivision

1. Any subdivision of land resulting in less than six (6) lots that does not meet the requirements for a concept plan shall be processed as a minor subdivision. A minor subdivision also includes any resubdivision of land where a plat:

a. Combines existing lots;

b. Adjusts lot line(s) between existing recorded lots;

c. Is required for recording an easement or new information and no subdivision of land is involved; or

d. Where the plat meets the requirements for a corrected plat.

2. If a lot has been previously subdivided within the last five (5) years either by a deed, an administrative plat, or a minor subdivision plat with the subdivision resulting in an additional lot or lots, any further subdivision of any of the resulting lots into additional lots will require review as a minor subdivision, or if applicable, a concept plan.

C. Minor Subdivision Review Procedures

Minor subdivision plats shall be submitted and reviewed as a Final Plat meeting the requirements of Section 2.10.

D. Concept Plan Required by Staff

If a proposed minor subdivision includes only a part of a larger tract, includes a private right-of-way, or if drainage, topographic, environmental, access, or other such problem exists, the Planning staff may require the submission of a Concept Plan for the proposed subdivision, or for the entire tract.

2.10 FINAL PLAT

A. Purpose

The Final Plat is the official survey instrument to be placed in the public records of the Knox County Register of Deeds following approval and certification by the Planning Commission or Planning staff as authorized pursuant to these regulations.

The purpose of this section is to establish the requirements and procedure for final plat review. A Final Plat is required for all major and minor subdivisions as identified in Sections 2.07 through 2.09 of these regulations.

B. Submission of a Final Plat

Pursuant to Section 1.03.B of these regulations, all final plats shall be submitted to the Planning staff for review. The Planning staff will take a final action on all Final Plats except those plats that the applicant is requesting a variance from the Subdivision Regulations which shall be reviewed by the Planning Commission as required by Section 1.05 of these regulations. The applicant also has the right to request that the Planning Commission review the Final Plat.

A formal application for Final Plat approval shall be made by the applicant in the manner prescribed by the Planning staff. An application for Final Plat approval shall be processed and considered in accordance with this Article. For all Final Plats, a total of four (4) paper copies of the plat shall be submitted for review.

C. Final Plat Review by the Planning Commission

1. When a Variance Is Requested

   When any variance to these regulations has been requested as a part of the Final Plat, a formal application for Final Plat approval by the Planning Commission shall be required,

2. Request to be Reviewed by the Planning Commission

   When the applicant is requesting review of the Final Plat by the Planning Commission, a formal application for Final Plat approval by the Planning Commission shall be required,

3. Review and Recommendation to Planning Commission and Certification

   Such subdivision plats shall be placed for consideration on the next appropriate Planning Commission agenda consistent with the filing date of the application. Final Plat procedure will be followed in reviewing and making recommendations to the Planning Commission and, if approved, certified for recording.

4. Approval of Design Plan

   The Final Plat for any subdivision that requires Design Plan approval shall not be presented to the Planning Commission for approval unless the Design Plan has been

approved by the appropriate reviewing agencies by the Final Plat Corrections Deadline. The Final Plat Corrections Deadline is nine (9) days prior to the scheduled public hearing of the Planning Commission.

5. Public Hearing

The Planning Commission shall consider the Final Plat in public hearing at its first regular meeting consistent with the closing date for filing proposals as prescribed in the Knoxville-Knox County Planning Commission Administrative Rules and Procedures. The applicant will be notified of such hearing in accordance with Section 2.02.B.6 of these regulations and the applicant or applicant's representative should be present.

6. Incomplete Final Plats

Incomplete final plats must be completed and paper copies containing all relevant corrections, certifications, verifications, and approvals must be submitted by the Final Plat Corrections Deadline or such plat will not be approved by the Planning Commission. Any plat remaining incomplete after this deadline may be postponed to a subsequent meeting or withdrawn upon request in writing. The Planning Commission may waive the nine (9) day deadline with just cause presented to the Commission at the scheduled meeting.

7. Planning Commission Action

During the public hearing, the Planning Commission will review all recommendations and information presented at the hearing, and consider approval or denial of the Final Plat.

8. Failure of the Planning Commission to Take an Action

Pursuant to Section 13-3-404 of the Tennessee Code Annotated, the Planning Commission shall approve or disapprove a Final Plat within sixty (60) days after the initial consideration of the plat by the Planning Commission. The applicant may waive the time frame requirement by requesting a postponement or tabling of the action by the Planning Commission in writing.

Final Plat Review by the Planning Staff

9. Review and Notification by Staff

For all Final Plats not reviewed by the Planning Commission, the Planning staff shall review the Final Plat within ten (10) working days of the receipt of the completed application and provide written notification to the surveyor that, a) such plat complies with all requirements of these regulations and can be processed for certification and recording, or b) there are plat deficiencies that need to be addressed prior to certification and recording.

10. Approval of the Design Plan

The Final Plat for any subdivision that requires Design Plan approval shall not be approved unless the Design Plan has been approved by the appropriate reviewing agencies.

11. Incomplete Final Plats

Incomplete final plats must be completed and digital and paper copies containing all relevant corrections, certifications, verifications, and approvals must be submitted and reviewed for compliance prior to approval of the Final Plat.

12. Approval and Certification for Recording

Upon correction of all deficiencies, if any, and a determination by the Planning staff that all requirements have been met, the Final Plat will be approved.

13. Denial of a Final Plat

A denial of a final by the Planning staff may be appealed to the Planning Commission pursuant to Section 1.06.A of these regulations.

14. Failure of the Planning Staff to Take an Action

Pursuant to Section 13-3-404 of the *Tennessee Code, Annotated*, the Planning staff shall approve or disapprove a Final Plat within sixty (60) days after the receipt of the completed application with the following waiver to the time frame. The time

between the Planning staff's written notification of deficiencies to the surveyor and the submission of the revised plat shall not apply to the sixty (60) day period.

D. Certification for Recording

Within twelve (12) months from the date of approval by the Planning Commission or Planning staff, the Final Plat shall be submitted to Planning staff for final certification for recording in the office of the Knox County Register of Deeds; otherwise, the plat cannot be certified, but shall be resubmitted for consideration by the Planning Commission. Failure to certify the Final Plat in compliance with this section may also require the Concept Plan to be resubmitted to the Planning Commission if it has timed out. The following copies with all appropriate certifications affixed shall be submitted:

1. For property within the City of Knoxville

   One paper copy each for the Knox County Register of Deeds, Planning Commission's Addressing Department, Knoxville Department of Engineering, Knox County Property Assessor and the applicant (Total of five (5) copies).

2. For property within Knox County

   One paper copy each for the Knox County Register of Deeds, Planning Commission's Addressing Department, Knox County Property Assessor and the applicant (Total of four (4) copies).

E. Final Plat

The Final Plat is the official survey instrument to be recorded with the Knox County Register of Deeds. It provides all surveying data necessary for the accurate and legal transfer of property. The Final Plat shall conform to the Design Plan and shall be prepared in the following manner:

1. Scale

   The Final Plat shall be drawn to a scale of one hundred (100) feet or less to one inch. Under special circumstances, the plat may be drawn at a larger scale with the approval of the Executive Director of Knoxville-Knox County Planning or his or her

designee, and so long as the information required to be placed on the plat is legible. The scale of the Final Plat shall be identified in both a written and graphic format.

2. Size and Border

The Final Plat shall be drawn on a sheet eighteen (18) inches by twenty-four (24) inches. In order to reduce the number of pages in a multi-sheet final plat, the plat may be drawn on a sheet twenty-four (24) inches by thirty-six (36) inches. The final plat shall include a uniform border of not less than three quarter (3/4) inch on all sides. All information placed on the plat shall be at a scale that is legible.

3. North Orientation

The Final Plat shall be so oriented that north will be directed as nearly as possible toward the top of the page.

4. Page Numbering

When more than one sheet is used for any Final Plat, each sheet shall be numbered consecutively and shall contain a notation indicating the total number of sheets in the plat. For Final Plats with three or more sheets, an index sheet of the same dimensions shall be required showing the entire subdivision, the sheet numbers, and outlines for each separate sheet of the Final Plat.

5. Survey Accuracy

All subdivision plats shall comply with the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice.

F. Mapping and Engineering Information

The Final Plat of the subdivision shall include sufficient data to accurately reproduce the subdivision on the ground. The following items shall be required:

1. Street Lines on Adjacent Land

Show the exact location with dashed lines and the width along the property lines for all existing or recorded streets intersecting or paralleling the boundaries of the tract or intersecting roads adjacent to or paralleling the boundaries of the tract.

2. Monument References and Survey Control Requirements.
   a. Monument References

      Show the accurate location of all permanent reference markers, monuments and benchmarks (Section 3.08) and show the bearings and distances to the nearest established street boundaries, established survey lines, or other official monuments.

   b. Survey Control System Requirements

      All subdivisions within the City of five (5) or more lots and all resubdivisions within the City which combine or alter five (5) or more lots that have a property line or iron pin located within two thousand (2000) feet of an approved control point in the City of Knoxville's survey control system shall be tied to the system. All other subdivisions within the city that have a property line or iron pin located within two hundred (200) feet of an approved control point in the City's survey control system shall be tied to the system.

      Coordinates of the approved control point shall be shown on the plat and all bearings shown on the plat shall be rotated to the survey control system. The tie line shall show the bearing and distance between the approved control point and the subdivision. For specific details refer to the City of Knoxville's Land Development Manual Policy on Survey Control System Requirements.

   c. Installation of Permanent Reference Markers and Monuments, Benchmarks and Property Monuments

      If the developer is proposing to move forward with the approval and recording of the final plat prior to the installation of the permanent reference markers and monuments, benchmarks and property monuments, a bond or other approved security in an amount sufficient to guarantee their installation, shall be provided to the Knox County Department of Engineering and Public Works or the City of Knoxville's Department of Engineering prior to certification of the final plat.

3. Owners of Adjacent Land

For adjacent land which is platted, show the boundaries with dashed lines and the recorded name of the subdivision. For adjacent land which is unplatted, show the boundaries with dashed lines and the name of the owners of record.

4. Boundary Lines of Tract

In a line style and weight which will distinguish the developer's property from all adjacent property, show the tract boundary lines with lengths of courses to hundredths of a foot and bearings to the nearest minute, or better. These boundaries shall be determined by an accurate survey in the field. A boundary closure sheet, utilizing the bearings and distances shown on the plat, is required and shall be submitted when the Final Plat application or Administrative Plat is filed with the Planning Commission.

5. Street, Easement, and Lot Lines on Tract

For street rights-of-way, show the names, bearings, angles of intersection, and widths including the widths along the line of any obliquely intersecting street. For all arcs, show the arc lengths, radii, points of curvature and tangency, and their chord bearings and lengths. For all easements or other rights-of-way, show the location, width, and actual name and purpose (gas line easements, etc.). For all lot lines, show horizontal dimensions to hundredths of a foot and their bearings to the nearest minute or better. The Final Plat shall designate and identify each proposed street as to whether it shall be a public or private roadway. The proposed street name shall not duplicate nor closely approximate (phonetically or in spelling) the name of any other street in Knox County or the City of Knoxville.

6. Easements, Dedications and Reservations
   a. Customary and Special Easements

> The Final Plat shall show customary and special easements as required in Section 3.11 of these regulations.

b. Reservations and Dedications on Tract

> Show the accurate outline of all property which is either offered for dedication to public use or which is reserved by covenant in the deeds for the common use of the property owners in the subdivision with the purpose also plainly printed thereon.

7. Site Physical Features

The Final Plat shall clearly indicate the location of lakes, streams, floodway zones and such other physical features as may be required to be shown by the Planning Commission or other appropriate administrative agency.

8. Location Map

A small map showing the general location of the subdivision in relation to the surrounding area shall be placed on the sheet, generally in the upper right or upper left corner. The location map shall be drawn to a scale large enough to show the proposed subdivision's relationship to existing community facilities, such as major traffic arteries (including street names), schools, and natural features, such as rivers and streams.

9. Lot Numbers, Setback Lines, and Restrictions on Tract

Show the lots numbered in numerical order and blocks lettered in alphabetical order; if use of blocks is not desired, number all lots in the entire subdivision in numerical order; show the front yard setback building lines with depth only when they are greater than the building setback required by the Zoning Ordinance; and if any private restrictions exist, show boundaries of each type of use restriction and any other restrictions.

G. Title Block

The title block for the Final Plat drawing shall contain the following information:

1. Subdivision Name

The name of the subdivision and, where the plat at hand is only part of a larger subdivision bearing the same name, the unit number shall be indicated. Such

subdivision name shall not duplicate or closely approximate any other subdivision name in the city or county. A subdivision divided by an expressway, major or minor arterial street, or major or minor collector street must have a different name for the subdivision located on each side of said street. Each unit of a subdivision with the same name must be connected by interior streets. The name of the subdivision shall be preceded by the words “Final Plat of _____.”

2. Property Identification

The property being subdivided shall be identified by the Knox County Property Assessor’s identification number and city ward, block, and lot number.

3. Person Identification

The name, mailing address and telephone number of the property owner(s) and surveyor shall be indicated.

4. Legend Information

The graphic scale, written scale, north meridian, date of preparation, acreage, number of lots and any other pertinent legend information should be indicated.

H. Certifications

The following appropriate certifications with required signatures shall be affixed to all plans and Final Plats:

1. Ownership

The certification of ownership and general dedication shall be as follows:

Certificate of Ownership and General Dedication

(I, We), the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I am, we are) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat

Owner(s) Printed Name: _____ Signature(s): _____
_____ _____

Date: _____

In the City of Knoxville, all final plats shall include the following notary certification stamp that relates to and shall be located under the owner(s) certification stamp:

State of _____, County of _____
On this _____day of _____, 20___

Before me personally appeared _____to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Witness my hand and notarial seal, this the day and year above.

Written._____Notary
My Commission expires_____"Seal"

2. Engineering or Surveying Certification

The certification of plans and plats, including both seal and signature, shall be one (1) or more of the following:

a. Certification of Concept Plan by Registered Land Surveyor

Certification of Concept Plan by Registered Land Surveyor

I hereby certify that I am a registered land surveyor, licensed to practice surveying under the laws of the State of Tennessee. I further certify that the plan and accompanying drawings, documents and statements conform, to the best of my knowledge, to all applicable provisions of the *Knoxville-Knox County Subdivision Regulations* except as has been itemized and described in a report filed with the Planning Commission.

Registered Land Surveyor_____
Tennessee License No._____
Date: _____

b. Certification of Concept Plan by Registered Engineer

Certification of Concept Plan by Registered Engineer

I hereby certify that I am a registered engineer, licensed to practice engineering under the laws of the State of Tennessee. I further certify that the plan and accompanying drawings, documents and statements conform, to the best of my knowledge, to all applicable provisions of the *Knoxville-Knox County Subdivision Regulations* except as has been itemized and described in a report filed with the Planning Commission.

Registered Engineer_____
Tennessee License No._____
Date: _____

c. Certification of Final Plat – All Indicated Markers, Monuments and Benchmarks Set

Certification of Final Plat – All Indicated Markers, Monuments and Benchmarks Set

I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawings, documents, and statements conform, to the best of my knowledge, to all applicable provisions of the *Knoxville-Knox County Subdivision Regulations* except as has been itemized, described and justified in a report filed with the Planning Commission, or for variances and waivers which have been approved as identified on the final plat. The indicated permanent reference markers and monuments, benchmarks and property monuments were in place on the _____day of_____, 20____.

Registered Land Surveyor_____
Tennessee License No._____
Date: _____

d. Certification of Final Plat – All Indicated Markers, Monuments and Benchmarks to be Set When Construction is Completed

Certification of Final Plat – All Indicated Markers, Monuments and Benchmarks to be Set When Construction is Completed

I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawings, documents, and statements conform, to the best of my knowledge, to all applicable provisions of the *Knoxville-Knox County Subdivision Regulations* except as has been itemized, described and justified in a report filed with the Planning Commission, or for variances and waivers which have been approved as identified on the final plat. The bond or other security that is posted to guarantee the completion of streets and related improvements shall also guarantee the installation of the indicated permanent reference markers and monuments, and benchmarks and property monuments upon completion of the subdivision.

Registered Land Surveyor_____
Tennessee License No._____
Date: _____

e. Certification of the Accuracy of Survey

Certification of the Accuracy of Survey

Survey accuracy shall meet the requirements of the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice.

I hereby certify that this survey was prepared in compliance with the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice.

Registered Land Surveyor_____
Tennessee License No._____
Date: _____

3. Public Sanitary Sewerage and Water System

The certifications for sanitary sewerage and water systems include the following:

a. In unincorporated areas of Knox County where public sanitary sewers are not available, as determined by the appropriate Utility Agency, and subsurface sewage disposal will be used.

Certification of Approval of Subsurface Sewage Disposal Systems

This is to certify that this subdivision is generally suitable for subsurface sewage disposal systems; and this is to notify that all lots are subject to Sections 68-13-401 thru 68-13-413 of the *Tennessee Code, Annotated*, and the regulations promulgated thereto.

Knox County Health Department_____
Date: _____

b. In the City of Knoxville and Sewered Areas of Knox County

1. Certification of Approval of Public Sanitary Sewer System - Major Subdivisions

Certification of Approval of Public Sanitary Sewer System - Major Subdivisions

This is to certify that the public sanitary sewer system installed, or proposed for installation, is in accordance with State and local regulations.

_____
Utility Provider

_____
Authorized Signature for Utility Date

2. Certification of Approval of Public Sanitary Sewer System Minor Subdivisions

Certification of Approval of Public Sanitary Sewer System - Minor Subdivisions

This is to certify that the subdivision shown hereon is approved subject to the installation of public sanitary sewers and treatment facilities, and that such installation shall be in accordance with State and local regulations.

It is the responsibility of the property owner to verify with the Utility Provider the availability of sanitary sewers in the vicinity of the lot(s) and to pay for the installation of the required connections.

_____
Utility Provider

_____
Authorized Signature for Utility Date

c. Public Water System

1. Certification of Approval of Public Water System – Major Subdivisions

Certification of Approval of Public Water System – Major Subdivisions

This is to certify that the public water system installed, or proposed for installation, is in accordance with State and local regulations.

_____
Utility Provider

_____
Authorized Signature for Utility Date

2. Certification of Approval of Public Water System – Minor Subdivisions

Certification of Approval of Public Water System – Minor Subdivisions

This is to certify that the subdivision shown hereon is approved subject to the installation of a public water system, and that such installation shall be in accordance with State and local regulations.

It is the responsibility of the property owner to verify with the Utility Provider the availability of water system in the vicinity of the lot(s) and to pay for the installation of the required connections.

_____
Utility Provider

_____
Authorized Signature for Utility Date

d. Owner Certification for Public Sewer and Water Service – Minor Subdivisions

Owner Certification for Public Sewer and Water Service – Minor Subdivisions

(I, We) the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.

Owner(s) Printed Name:_____
_____

Signature(s): _____
_____

Date: _____

4. Zoning

Zoning district(s) in which the land being subdivided is located shall be indicated as shown on the zoning map by the Planning Commission as follows:

Zoning

Zoning Shown on Official Map_____
Date: _____
By_____

5. Appropriate city or county agency shall certify acceptability of improvements by one of the following forms:

a. Inspection of Completed Streets and Related Improvements

Inspection of Completed Streets and Related Improvements

I, the undersigned, hereby certify this subdivision has been inspected and all streets and related improvements have been completed in a manner that meets all city standards and specifications and have been officially accepted as built by the appropriate official(s).

Signed:_____
Date:_____
Dept:_____
Title:_____

b. Inspection of Completed Stormwater Facilities

Inspection of Completed Stormwater Facilities

I, the undersigned, hereby certify this subdivision has been inspected and the stormwater facilities have been completed in a manner that meets all city and county standards and specifications (whichever is appropriate) and are fully stabilized and have been officially accepted as built by the appropriate official(s).

Signed:_____ Date:_____
Dept:_____ Title:_____

c. Guarantee of Completion of Streets and Related Improvements

Guarantee of Completion of Streets and Related Improvements

I, the undersigned, hereby certify that a bond or other security has been posted with the appropriate agency to insure completion of all streets and related improvements including indicated permanent reference markers and monuments, benchmarks and property monuments in this subdivision in accordance with required standards and specifications.

Signed:_____ Date:_____
Dept:_____ Title:_____

d. Guarantee of Completion of Stormwater Facilities

Guarantee of Completion of Stormwater Facilities

I, the undersigned, hereby certify that a bond or other security has been posted with the appropriate agency to insure completion and stabilization of all stormwater facilities as shown on the stormwater plans which were approved the_____day of_____, 20____.

Signed:_____ Date:_____
Dept:_____ Title:_____

e. City – Release of Easements

City – Release of Easements
Except as noted or shown on this plat, the following parties hereby consent to the release of all rights that may have accrued for their use and benefit in the utility and drainage easements along the original lot lines eliminated by this plat.

The following parties do not release any rights that may have accrued for their use and benefit where there are existing facilities within the previously established easement, whether or not shown on this plat. Any relocation of existing facilities will be made at the property owner's expense. If the facilities are relocated, the easement rights will be released.

City of Knoxville Department of Engineering
Signed:_____ Date:_____

Water: (Utility Agency Name)
Signed:_____ Date:_____

Sewer: (Utility Agency Name)
Signed:_____ Date:_____

Electric: (Utility Agency Name)
Signed:_____ Date:_____

Gas: (Utility Agency Name)
Signed:_____ Date:_____

Telephone: (Utility Agency Name)
Signed:_____ Date:_____

Cable Television: (Utility Agency Name)
Signed:_____ Date:_____

Owner Certification on Release of Easement
(I, We) the undersigned owner(s) of the property shown herein understand that easement rights for any existing facilities are not being released and it is our responsibility to verify with the above parties if there are any existing facilities along the lot lines being eliminated by this plat before digging or constructing any building or structure.

Owner(s) Printed Name: _____
_____

Signature(s): _____
_____

Date: _____

f. County – Release of Easements

County – Release of Easements
Except as noted or shown on this plat, the following parties hereby consent to the release of all rights that may have accrued for their use and benefit in the utility and drainage easements along the original lot lines eliminated by this plat.

The following parties do not release any rights that may have accrued for their use and benefit where there are existing facilities within the previously established easement, whether or not shown on this plat. Any relocation of existing facilities will be made at the property owner's expense. If the facilities are relocated, the easement rights will be released.

Knox County Department of Engineering and Public Works
Signed:_____ Date:_____

Water: (Utility Agency Name)
Signed:_____ Date:_____

Sewer: (Utility Agency Name)
Signed:_____ Date:_____

Electric: (Utility Agency Name)
Signed:_____ Date:_____

Gas: (Utility Agency Name)
Signed:_____ Date:_____

Telephone: (Utility Agency Name)
Signed:_____ Date:_____

Cable Television: (Utility Agency Name)
Signed:_____ Date:_____

Owner Certification on Release of Easement
(I, We) the undersigned owner(s) of the property shown herein understand that easement rights for any existing facilities are not being released and it is our responsibility to verify with the above parties if there are any existing facilities along the lot lines being eliminated by this plat before digging or constructing any building or structure.

Owner(s) Printed Name: _____
_____

Signature(s): _____
_____

Date: _____

g. Certification of No Recorded Easements

Certification of No Recorded Easements

This is to certify that there are no known recorded drainage or utility easements on lot line(s) being eliminated on this subdivision plat.

Registered Land Surveyor_____
Tennessee License No. _____
Date: _____

6. Addressing Department Certification

Addressing Department Certification

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville-Knox County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.

Signed:_____ Date:_____

7. Certification by the City of Knoxville or Knox County Engineering
   a. Certification by the Knoxville Department of Engineering

> All final plats within the City of Knoxville shall be certified by the Knoxville Department of Engineering prior to final certification by the Planning Commission and shall be included on the plat as follows:

City of Knoxville Department of Engineering

The Knoxville Department of Engineering hereby approves this plat on this the _____day of _____, 20___

_____
Engineering Director

b. Certification by the Knox County Department of Engineering and Public Works

All final plats within Knox County shall be certified by the Knox County Department of Engineering and Public Works prior to final certification by the Planning Commission and shall be included on the plat as follows:

Knox County Department of Engineering and Public Works

The Knox County Department of Engineering and Public Works hereby approves this plat on this the _____day of _____, 20___

_____
Engineering Director

8. Planning Commission Certification of Approval for Recording – Final Plat

Upon approval and certification of all elements of the Final Plat, the Planning Commission shall certify the plat for recording as follows:

Planning Commission Certification of Approval for Recording – Final Plat

This is to certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, with the exception of any variances and waivers noted on this plat and in the minutes of the Knoxville-Knox County Planning Commission, on this the_____day of_____, 20____, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds. Pursuant to Section 13-3-405 of *Tennessee Code, Annotated*, the approval of this plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by the City of Knoxville or Knox County of the dedication of any street or other ground upon the plat.

Signed:_____ Date:_____

9. Planning Staff Certification of Approval for Recording – Final Plat

Upon review by the Planning staff and certification by the Executive Director of Knoxville-Knox County Planning that the subdivision plat complies with all requirements of these regulations, approval and certification for recording may be endorsed on the plat by the Executive Director as follows:

Planning Staff Certification of Approval for Recording – Final Plat

This is to certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, with the exception of any variances and waivers noted on this plat, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds. Pursuant to Section 13-3-405 of *Tennessee Code, Annotated* the approval of this plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by the City of Knoxville or Knox County of the dedication of any street or other ground upon the plat.

Signed:_____ Date:_____

10. Taxes and Assessments

Certification that taxes and assessments have been paid shall be as follows:

Taxes and Assessments

This is to certify that all property taxes and assessments due on this property have been paid.

City Tax Clerk: Signed:_____ Date:_____
Knox County Trustee: Signed:_____ Date:_____

11. Certification of Exemption.

Certification that a plat is exempt shall be as follows:

I certify that this plat qualifies under the provisions of Section 13-3-401 of the Tennessee Code, Annotated and is exempt from the requirements of the Knoxville-Knox County Subdivision Regulations, because a) no new street or utility construction is required, b) all resultant tracts are five (5) acres or greater in size, and c) the plat meets all other criteria for exempt plats.

Surveyor: _____

Reg. No. _____ Date _____

2.11 EXEMPT PLATS

A plat shall be considered as an exempt plat and is not subject to these regulations if the division of property meets all of the following criteria:

1. All lots being created by the division of property are five (5) acres or greater in area.
2. All lots shall have at a minimum, twenty-five (25) feet of frontage on a public street or access to a public street by an exclusive permanent easement pursuant to the requirements of Section 3.03.C.
3. No new street construction or dedication is required to serve the subdivision. If the construction of a private right-of-way is required, the subdivision would not qualify.
4. No new utility construction is required other than individual service lines to a lot.
5. The proposed lots are not a result of the combination of lots smaller than five acres.

While an exempt plat is not subject to the requirements of these regulations, it is subject to the requirements of the current edition of the *Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice.*

2.12 CORRECTED PLATS

A. Defining a corrected plat

A plat shall be considered as a corrected plat if an error is discovered after recording, and the correction of the error does not result in a change affecting the size of any lot; the location of any property line or easement; add any new information that is not required for the correction; or eliminate any dedicated usage of the property (i.e., drainage or access easement)

B. Identifying corrections

A corrected plat shall identify the plat in the title block as a "Corrected Plat"; include a note stating what has been corrected on the plat; include the date of the corrected plat revision; and make reference to the instrument number of the previously recorded plat as recorded in the Knox County Register of Deeds Office.

2.13 AREA TO BE SURVEYED

A. Lot size determines the area that is to be surveyed

When a tract of land or parcel is subdivided into two (2) or more lots, all resulting lots shall be surveyed and included on the plat except in the case where the remaining portion of the property is five (5) acres or greater in area. If the remaining portion of the property is five (5) acres or greater in area, the plat shall include property ties to the parent tract pursuant to the current edition of the *Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice*. The surveyor shall certify on the plat that the balance of the property is five (5) acres or greater in area and identify the remaining acreage.

B. Date of original subdivision determines if remaining property is to be surveyed

If a plat is submitted that includes a portion of a lot from a previously recorded plat and the balance of the lot is under separate ownership, and the lot was transferred by deed prior to adoption of the *Knoxville-Knox County Minimum Subdivision Regulations* (July 8, 1971), then a variance will not be required for plat approval without the benefit of a survey for the balance of the lot.

ARTICLE 3

GENERAL DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

3.01 GENERAL PURPOSE AND CONFORMANCE TO APPLICABLE RULES AND REGULATIONS

A. Purpose

The purpose of this article is to establish the minimum design and performance standards for the subdivision of land in the City of Knoxville and Knox County in order to insure sound subdivision development that is an asset to the community and in keeping with the *Knoxville-Knox County General Plan*, the *Major Road Plan for the City of Knoxville and Knox County*, the *Zoning Ordinance for Knoxville*, the *Zoning Ordinance for Knox County*, and other City and County design standards ordinances and regulations.

In the design of subdivisions, wherever possible, mature woodlands and natural vegetation buffers should be preserved. Low impact development and common open space areas are encouraged in the area of natural resources such as streams, wetlands, lakes and areas with steep slopes. The subdivision layout should create functional and attractive development with the infrastructure and lots appropriately sized and located to minimize adverse impacts.

B. Conformance to Applicable Rules and Regulations

In addition to the requirements established herein, subdivisions within the City of Knoxville and Knox County are also subject to the design standards for stormwater management, street design and other related improvements as established through other City and County ordinances and regulations.

a. You can contact the City of Knoxville Department of Engineering staff regarding specific requirements within the City or go to the City of Knoxville's website at www.cityofknoxville.org.

b. You can contact the Knox County Department of Engineering and Public Works staff regarding specific requirements within Knox County or go to Knox County's website at www.knoxcounty.org.

C. American Association of State Highway and Transportation Officials (AASHTO) Highway and Street Design Standards

This Article includes reference to the American Association of State Highway and Transportation Officials (AASHTO) highway and street design standards. The AASHTO book, "A Policy on Geometric Design of Highways and Streets", commonly referred to as the "Green Book", is a source utilized by City of Knoxville Department of Engineering and Knox County Department of Engineering and Public Works staff in addressing street design issues.

D. Application of Alternative Design Standards

These minimum design and performance standards shall apply to all subdivisions unless an alternative standard is permitted within this Article as identified below, or as permitted through Article 4 Alternative Design Standards and Required Improvements.

1. Alternative Design Standards Requiring Planning Commission Approval

Alternative design standards in this Article that may be approved by the Planning Commission are located in the following sections:

a. Section 3.03.B.1 - Street frontage in County PR (Planned Residential) zone

b. Section 3.03.D.1.e – Maximum grade of right-of-way in Knox County

c. Section 3.03.D.3.a – Right-of-way and pavement width reduction, private rights-of-way serving 6 or more lots

d. Section 3.04.H.2 – Maximum grade, public streets in Knox County

e. Section 3.04.I.1.b.1 – Horizontal curves, local streets in Knox County

2. Alternative Design Standards that are Approved by the City of Knoxville or Knox County

Alternative design standards in this Article that may be approved by the Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works are located in the following sections:

a. Section 3.04.A.3.c – Right-of-way dedication, new subdivisions

b. Section 3.04.F.1 – Right-of-way reduction, local streets

c. Section 3.04.G.1 – Pavement width reduction, local streets

d. Section 3.04.H.3 – Intersection grade, all streets

e. Section 3.04.J.2 – Corner radius reduction in agricultural, residential, and office zones

f. Section 3.04.J.3 – Corner radius reduction in commercial and industrial zones

g. Section 3.11.A.2 – Standard utility and drainage easement

E. Conflicting Design Standards

Wherever there appears to be a conflict between the general design standards of this Article and design standards established through the City of Knoxville and Knox County ordinances and regulations, the City and County regulations shall prevail.

3.02 LOT STANDARDS

A. Lots

Land for subdivision purposes shall be so selected as to provide sound building sites on suitable lots. The design and preparation of lots shall be undertaken, and the approval of such lots, shall be based on the following standards:

1. Suitable Building Site

The lot configuration and shape shall provide satisfactory sites for buildings while meeting zoning ordinance requirements and taking into consideration topography,

drainage, natural elements, access and utilities, and meeting the following requirements:

a. Lots shall contain building sites which are well drained in coordination with the stormwater management system for the subdivision. Drainage systems shall be designed to avoid concentration of flow from each lot onto adjacent lots.

b. Lots shall be designed to allow for driveway access in compliance with Section 3.03.K.

c. Lots shall contain adequate building sites outside of required riparian buffer zones and sinkholes and shall meet the required minimum building setbacks.

2. Lot Area and Building Setback Line

Lot area, width, depth, and minimum building setback line for residential or nonresidential use shall meet the minimum standards required by the *Knox County Zoning Ordinance* or the *Knoxville Zoning Ordinance*.

3. Lots with Individual Sewage Treatment

Lot area and shape for lots with individual sewage treatment facilities shall be determined by the *Knoxville Zoning Ordinance* or the *Knox County Zoning Ordinance* and the regulations of the Knox County Health Department.

4. Double Frontage Lots

Double frontage lots should be avoided except where they are needed to provide for the separation of development and access from traffic arteries or to overcome specific disadvantages of topography and orientation.

a. When double frontage lots are created within a development, restrictions shall be placed on the lots requiring all buildings to face the interior road system with vehicular access being provided from the interior road system. The Planning Commission may approve double frontage lots with orientation to an exterior street if site conditions would prohibit access to the interior road system.

b. Double frontage lots that have frontage on an exterior street that is classified under the *Major Road Plan* as a collector street or arterial street shall have a minimum lot depth of at least 150 feet.

c. Double frontage lots that have frontage on an exterior street that is classified under the *Major Road Plan* as a local street shall have a minimum lot depth of at least 135 feet.

d. Double frontage lots that have frontage on an exterior street that has been identified as a future street improvement project that will result in a reclassification of the street as a collector street or arterial street (or as determined by the Planning Commission as having the potential of becoming a collector or arterial street) shall have a minimum lot depth of at least 150 feet.

e. Double frontage lots that will have frontage on a future exterior street that will be classified under the *Major Road Plan* as a collector street or arterial street shall have a minimum lot depth of at least 150 feet.

f. An alternative to creating double frontage lots is the establishment of a common area buffer strip located between the lots and the exterior street right-of-way. The minimum depth of the buffer strip shall be 25 feet.

g. The minimum lot depth is the average distance from the street right-of-way line of the lot to the second street right-of-way line, measured in the general direction of the side lines of the lot.

5. Corner Lots

Corner lots for residential use shall be of sufficient width to permit compliance with the required minimum building setback line on all property lines which abut streets. In order to comply with the additional width requirement and continue the same size building site, as on adjoining lots, corner lots shall be increased to whatever width is necessary.

6. Narrow Connecting Strips of Land

Lots shall not be designed with long narrow strips incorporated for the sole purpose of obtaining frontage on a street. The minimum width of any connecting strip shall not be less than 25 feet.

7. Land Remnants

The subdivision of land shall not create land remnants which have no apparent means of access or future use that can be properly controlled or maintained.

8. Lot Lines

Side lot lines shall generally be at right angles to straight street centerlines, and radial to curved street centerlines. Rear lot lines should consist of straight lines with a minimum number of deflections.

9. Lots on Collectors or Arterials

Residential lots having access only from a collector or arterial street shall be required to provide a vehicular turnaround on the lot in order to eliminate backing out onto the public street.

3.03 ACCESS STANDARDS

A. General

All lots shall have either frontage on a public street in accordance with Section 3.03.B of these Regulations or approved access to a public street by one of the following:

1. Access to a public street by an approved exclusive permanent access easement;
2. Access to a public street by an approved shared permanent access easement;
3. Access to a public street by an approved private right-of-way;
4. Access to a public street by a previously approved joint permanent easement;
5. Access to a public street by an approved permanent cross access easement;
6. Access provided to a public street through some other legally binding document approved by the Planning Commission.

Such access shall provide a readily apparent physical means of traversable pedestrian and vehicular access from the lot(s) onto the street and shall meet the standards identified below in Sections B-G.

B. Street Frontage

The following standards shall apply to lots that have legal access to a public street based on street frontage:

1. Residential lots shall meet the minimum lot width required for the specific type of development per the applicable zone's requirements. Residential lots located in a zone that does not specify lot width shall have a minimum street frontage of 25 feet or another means of access as specified in Section 3.03.A. This does not apply to flag lots, for which the lot width, for zoning purposes, is measured at the setback line in the City of Knoxville per Section 2.4.M.3 of the City of Knoxville Zoning Ordinance, and measured at the building line in the County per the residential zoning standards in the Knox County Zoning Ordinance. The flag stem of a flag lot is the means of access for the lot and must have a minimum lot frontage of 25 feet to accommodate said access.
2. For lots in Knox County, the Planning Commission may approve a reduction of the lot frontage for attached dwelling units that are on individual lots subject to the following requirements:
   a. All lots shall have a minimum front yard setback of 20'.
   b. Guest parking shall be provided throughout the development as determined by the Planning Commission.
3. The area of the access strip in the case of a flag lot, shall not be included in computing the lot area. The plat shall identify both the total area of the lot and the area excluding the access strip for the flag lot.
4. The driveway width and surface material are regulated by other City of Knoxville and Knox County regulations.
5. If a lot meets the minimum frontage requirement but access to the property is restricted and cannot occur at the street frontage, legal access shall be provided by one of the alternative access options identified below in Sections C-G.

C. Exclusive Permanent Access Easement (EPAE)

An exclusive permanent access easement shall meet the following standards:

1. An EPAE shall serve single-family and duplex lots only.

2. An EPAE shall only serve one (1) lot, shall have access to a public street and shall not be less than twenty-five (25) feet in width.

3. A lot shall be considered to be served by an exclusive permanent easement if the lot has no other legal means of access as required by Section 3.03. If a lot has frontage on a public street and is not reliant upon the EPAE for access, it shall not be counted towards using the EPAE even if the lot utilizes the EPAE.

4. The area of the access easement shall not be included in computing the lot area of the lot (or lots, if an easement straddles a lot line) that the easement crosses. The plat shall identify both the total area of the lot and the area excluding the access easement. The driveway width and surface material are regulated by other City of Knoxville and Knox County regulations.

5. A maintenance agreement shall be created in accordance with Section 3.03.I.

D. Shared Permanent Access Easement (SPAE)

A shared permanent access easement shall serve a maximum of 5 lots. The area of the access easement shall not be included in computing the lot area of the lot or lots that the easement crosses. The plat shall identify both the total area of the lot and the area excluding the access easement. The driveway width and surface material are regulated by other City of Knoxville and Knox County regulations. The SPAE shall meet the following standards:

1. An SPAE shall serve single-family and duplex lots only.

2. A lot with frontage on a public right-of-way through which the SPAE crosses would be required to utilize the SPAE as its only means of access and a note shall be provided on the plat stating that the lot or lots with right-of-way frontage must only

use the SPAE for access. The frontage lot(s) would count toward the 5-lot maximum.

a. Applicants may seek a waiver from the City or County Engineering Departments to allow a driveway location change for the frontage lot(s). However, the frontage lot(s) would count toward the 5-lot maximum regardless of whether a waiver was granted to allow a change in the driveway location and regardless of whether the frontage lot(s) connected to the SPAE. Said waiver should be clearly noted on the plat.

3. The SPAE shall have access to a public street and this shall be the only right-of-way connection.

4. An SPAE shall not be less than twenty-five (25) feet in width.

5. The minimum surface width of the SPAE may need to be wider than minimum standards if determined to be necessary by the City or County Engineering Departments. Surface treatment is to be in compliance with the City or County standards as applicable.

6. SPAE must meet intersection sight distance criteria at the right-of-way connection.

7. SPAE should also serve as an easement for drainage, utilities, and City or County access, similar to private rights-of-way

8. A dead-end SPAE may be required to provide a suitable turnaround meeting American Association of State Highway and Transportation Officials (AASHTO) guidelines or the requirements of the Knoxville or Knox County Fire Prevention Bureau.

9. Other additional requirements may also be made by the Knoxville or Knox County Fire Prevention Bureau if deemed necessary.

10. A maintenance agreement shall be created in accordance with Section 3.03.I.

E. Private Right-of-Way

A private right-of-way may serve two (2) or more lots that do not have direct frontage on a public street but is required where an easement would otherwise be used for 6 or more lots. A private right-of-way is a privately owned access strip that is separate from the lots that it serves. The private right-of-way was previously identified as a joint permanent easement under these regulations. A private right-of-way shall meet the following standards:

1. General Standards
   a. A lot shall be considered to be served by a private right-of-way if the lot abuts and has legal traversable access to the private right-of-way.
   b. Subdivisions with a private right-of-way shall conform to the general purpose of these regulations. More specifically, the subdivision shall be considered in the context and pattern of neighboring developments and shall not create double frontage lots except as directed in Section 3.02.A.4. A private right-of-way shall not be approved if it will create a connection between two (2) public streets.
   c. All lots fronting on the private right-of-way shall meet the sight distance requirements for public streets as specified in Section 3.04.J.6.
   d. A private right-of-way shall not be less than forty (40) feet in width. A private right-of-way shall be designated on the final plat as a private right-of-way. The area of the right-of-way shall be designated and shall not be included as a part of the lots and lot area calculations.
   e. The maximum grade on a private right-of-way shall not exceed twelve (12) percent. However, when special topographical or other conditions justify, the Planning Commission, on the recommendation of the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works may increase the maximum allowable grade on a local street up to fifteen (15) percent.
   f. A dead end private right-of-way shall be provided with a suitable turnaround meeting American Association of State Highway and Transportation Officials

(AASHTO) guidelines and the requirements of the Knoxville or Knox County Fire Prevention Bureau.

g. A homeowner's association or other legal entity shall be established that addresses maintenance of the right-of-way. The applicant must demonstrate that the right-of-way will be properly maintained.

h. A note shall be placed on the final plat that the private right-of-way is not a public street and will not be maintained by the City of Knoxville or Knox County. A private right-of-way shall also function as a utility easement and a note shall be placed on the final plat specifying such use.

i. A private right-of-way that serves nonresidential lot shall be subject to the requirements of Section 3.03.E.3.

2. A private right-of-way serving less than six (6) lots shall meet the following additional standards:

   a. Roadway construction standards shall be approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works. A minimum twenty-foot (20') wide, unobstructed driving surface shall be required, capable of supporting the imposed loads of emergency apparatus under all weather conditions. In the city, the driving surface must be paved. In the county, a gravel surface may be permitted, although paving may be required, particularly for erosion control when the road grade exceeds eight (8) percent.

   b. A road profile may be required to determine whether a proposed private right-of-way will be traversable.

   c. Any subdivision of land that creates additional lots that will be served by an existing private right-of-way or extend the private right-of-way, shall be subject to the requirements of Section 3.03.E.1, and as applicable, Sections 3.03.E.2 or 3.03.E.3. A note shall be placed on the final plat to that effect.

3. A private right-of-way serving six (6) or more lots

A private right-of-way serving six (6) or more lots, or a system of private rights-of-way where the total number of lots is six (6) or more, shall meet the following standards:

a. A private right-of-way serving six (6) or more lots shall meet the same design and construction standards as a public street. The City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works may reduce the required width of the right-of-way from fifty (50) feet to forty (40) feet when deemed appropriate based on the grading, drainage and traffic characteristics of the subdivision. The Planning Commission may reduce the required pavement width to twenty (20) feet, unless otherwise recommended by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works, if an appropriate amount of guest parking is provided.

b. A street profile and pavement cross-section shall be required. A private right-of-way serving six (6) or more lots that does not conform to the public street standards of Section 3.04 must obtain a variance approval by the Planning Commission as outlined in Section 1.05.

c. All private rights-of-way that serve six (6) or more dwelling units or buildings in non-residential developments shall be named in conformance with applicable street naming ordinances.

F. Previously Approved Joint Permanent Easement

A subdivision may be considered that would create additional lots on a previously approved joint permanent easement, or create additional lots that would require the extension of a previously approved joint permanent easement. Such subdivision of land shall be subject to the applicable requirements of Section 3.03.E.

G. Permanent Cross Access Easement

A subdivision may be considered within a nonresidential zoning district where a permanent cross access easement, with access to a public street, serves as the legal access for the lots

H. Alternative Access Standards

The Planning Commission may consider a subdivision of property with alternative access standards that would address unique conditions of a development allowed under the requirements of the Knoxville or Knox County Zoning Ordinances. The applicant will be required to provide legally binding documents that would provide permanent pedestrian and vehicular access to lots, and address property ownership and maintenance responsibilities.

I. Legal Documentation

Where access to a lot is to be provided by an easement, private right-of-way or other approved means of access in lieu of direct frontage on a public street, such approved access shall be shown on the subdivision plat along with all engineering data, or reference to recorded documents, necessary to locate the approved access on the ground. The deed or other legal document establishing the easement, private right-of-way, or other approved means of access, must be approved by the appropriate law department, city or county, as to legality and permanence of access rights, and a written statement of the law department's approval must be submitted prior to certification for recording. The document must also address property ownership and maintenance responsibilities for the approved access. Reference to such deed or other legal document shall also be shown on the plat.

J. Use of Alley for Vehicular Access

The Planning Commission may approve the use of alleys as the sole means of vehicular access to lots, subject to meeting any applicable zoning ordinance requirements. The alley shall be designed and improved to a design standard approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works. Such lots shall meet the minimum lot frontage requirements of Section 3.03.B of these regulations.

K. Maximum Grade for Driveways

The maximum grade for driveways serving lots shall not exceed the standards required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works in their respective jurisdictions.

3.04 STREETS

A. Conformance with the *Major Road Plan*, the Transportation Improvements Program, and/or the Capital Improvements Programs

The subdivision of land and the design of streets servicing such land shall be undertaken in conformance with the *Major Road Plan*, the Transportation Improvements Programs and the Capital Improvements Program of Knox County and the City of Knoxville. Dedication of streets and rights-of-way may be required to assure conformance with the plan or programs.

1. Streets Classified in the *Major Road Plan*

   Right-of-way widths for classified streets shall be provided in accordance with the requirements of the *Major Road Plan*. The minimum right-of-way widths for classified streets (both existing and proposed) may be required by the *Major Road Plan* to accommodate future road, utility, sidewalk, and bikeway improvements. The maps and text of the *Major Road P*lan should be consulted to determine the right-of-way width of a particular street segment.

2. Streets Not Classified in the *Major Road Plan*

   There will be occasions when new streets are proposed which were not included in the *Major Road Plan*. The *Major Road Plan* will be amended to include these new streets, their functional classifications, and right-of-way requirements. When streets are proposed which are not classified by the *Major Road Plan*, right-of-way shall be provided based on the projected function and use of the street as determined by the City of Knoxville Department of Engineering, Knox County Department of Engineering and Public Works, or Tennessee Department of Transportation.

3. Right-of-Way Dedication Along Existing Streets

   a. Any proposed subdivision of property that adjoins an existing street that will result in the creation of additional lots, may be subject to right-of-way dedication in order to bring the right-of-way closer to compliance with the *Major Road Plan*. When right-of-way dedication is required pursuant to Section 1.03.C, the entire

right-of-way shall be provided where any part of the subdivision is on both sides of the existing street. When the subdivision is located on only one (1) side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

b. The area of the right-of-way being dedicated shall be shown on the plat by providing a metes and bounds description for the existing front property line (right-of-way line) and the new right-of-way line. The area of the right-of-way being dedicated shall also be provided.

c. If a street improvement project has been completed by the Tennessee Department of Transportation, City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works and all the right-of-way needed for the project has been acquired, a waiver may be granted from the right-of-way requirements specified in the *Major Road Plan* and the right-of-way corner radius requirements of Sections 3.04.J.2 and 3.04.J.3 of these regulations, if recommended for approval by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works.

B. Classification of Streets

Streets shall be functionally classified as follows:

1. Interstate

A divided highway designated under the Interstate Highway System, designed for the safe, unimpeded movement of large volumes of through traffic with full access control and grade separation at intersections.

2. Expressways

A divided highway designed for the safe, unimpeded movement of large volumes of through traffic with full or partial access control that may contain both at-grade intersections and grade separated intersections.

3. Major Arterial

A street which provides major movement within the area, provides intercommunity connections to the local street system, and moves through traffic between activity centers. Access management is desirable.

4. Minor Arterial

A street that augments the principal arterial system, carries trips of moderate length and moves through traffic between activity centers. Access management is desirable.

5. Major Collector

A street that primarily provides for short distance traffic movements and primarily functions to collect and distribute traffic between local streets and high volume traffic generators and arterials.

6. Minor Collector

A street that primarily functions to collect and distribute traffic between local streets and arterials and provides direct access to abutting land.

7. Local Street

A minor street that provides direct access to abutting land.

a. Cul-de-sac streets are local streets having only one (1) open end providing no access to another street. The closed end provides a turnaround circle for vehicles. No other street intersects between the two (2) ends, and property fronts on both sides of the street.

b. Dead-end streets are similar to cul-de-sacs except that they provide no turnaround circle at their closed end and are not permitted as streets in any proposed subdivision. Stub streets planned for future continuation are not considered to be dead-end streets.

8. Alleys

Alleys are rights-of-way, dedicated to public use typically for one way traffic flow, which afford a secondary means of vehicular access to the back or side of properties

otherwise abutting a street and which may be used for public utility purposes. Alleys generally have two (2) open ends and each end connects with a different street.

C. Street Connectivity

An interconnected street system is an important component of sound neighborhood development.

1. Purpose

An interconnected street system is necessary to:

a. ensure that streets will function in an interdependent manner;

b. provide adequate access for emergency and service vehicles;

c. connect neighborhoods;

d. promote walking and biking;

e. reduce miles of travel that result in lower air emissions and wear on the roadway;

f. provide continuous and comprehensible traffic routes;

g. reduce the volume of traffic and traffic delays on major streets (collectors and arterials); and

h. ultimately improve livability in communities by providing parallel routes and alternative route choices.

2. General Standards

a. Connecting to existing streets

> The proposed street system of a subdivision shall provide for the continuance of existing or dedicated right-of-way or streets in adjoining or nearby tracts when it is determined by the Planning Commission to be feasible.

b. Providing for future street connections to adjoining undivided property

> The proposed street system of a subdivision may be required to include street stub-outs for the logical extension of the street system into the surrounding area. If required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works, a turnaround may be required for the street stub-out. The restoration and extension of the street shall be the responsibility of any future developer of the abutting land.

c. Impact of future street connections

> When street connections are made between subdivisions, the future traffic patterns should be evaluated to identify any impact from the connections. Cut-through traffic and speeding on local residential streets should be discouraged through proper design measures.

d. Notification of future street connection

> When streets are designed to connect to an adjacent property to allow for future connectivity between developments, the end of the new street shall be posted with a sign designating the street end as a future street connection. The sign shall be clearly visible from the end of the new street and shall be of a size and design meeting the requirements of the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works. The Concept Plan and Final Plat for the subdivision shall also clearly identify that the street end is designed for future connection.

D. Complete Streets

All developers need to assess the need for complete streets (including traffic calming) and are encouraged to work with the Planning Commission, City of Knoxville Department of Engineering, and Knox County Department of Engineering and Public Works staff in designing the street system for all new subdivisions in accordance with nationally accepted standards for complete streets practice, as outlined by the National Complete Streets Coalition. Complete streets are streets designed and operated to enable safe access for pedestrians, bicyclists, motorists and bus riders of all ages and abilities both along and across the streets, which are part of an integrated and connected street network.

E. Street Design Standards for Expressways, Arterials, and Collectors

Street design standards for future expressways, major and minor arterials, and major and minor collectors shall be determined by the government agencies responsible for their design and construction. Relevant agencies may include the Tennessee Department of Transportation, the City of Knoxville Department of Engineering and the Knox County Department of Engineering and Public Works.

F. Right-of-Way

Right-of-way widths shall meet the following requirements:

1. Local Streets

The minimum right-of-way for a local street shall be fifty (50) feet. Additional right-of-way shall be provided for streets that are designed with a boulevard, complete street or other non-standard section, as determined by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works. A reduced right-of-way width may be approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Work.

2. Alleys

Alleys shall have a minimum right-of-way of twenty (20) feet. Additional right-of-way may be required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works to adequately serve the anticipated vehicular traffic and site conditions.

G. Pavement Widths

Pavement widths shall meet the following requirements:

1. Local Streets

Local streets shall have a minimum pavement width of twenty-six (26) feet. A reduced pavement width may be approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works.

2. Alleys

Alleys shall have a minimum pavement widths of ten (10) feet. A greater pavement width may be required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works to adequately serve the anticipated vehicular traffic and site conditions.

H. Grades of Streets and Alleys

Grades of streets and alleys shall be as follows:

1. Minimum Grade

The minimum grade of any street shall be not less than one (1) percent.

2. Maximum Grade

The maximum grade on a street shall not exceed twelve (12) percent. However, when special topographical or other conditions justify, the Planning Commission, on the recommendation of the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works may increase the maximum allowable grade on a street up to fifteen (15) percent.

3. Grades at Intersections

The maximum grade of any street at the approach to an intersection shall be one (1) percent. A grade of up to three (3) percent may be approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works. The maximum grade shall not exceed the cross-slope requirements of the Public Rights-of-Way Accessibility Guidelines (PROWAG) or 2010 ADA Standards as appropriate when a pedestrian crossing is proposed.

4. Grades for Roundabouts

The maximum grade of any street at the approach to a roundabout shall be four (4) percent.

5. Maximum Grade in the Bulb of Cul-de-Sac Streets

The maximum grade in the bulb of cul-de-sac streets shall not exceed ten (10) percent. The maximum cross-slope shall not exceed three (3) percent.

a. Measurement of Maximum Grade in Cul-de-Sac

> The maximum grade is to be measured along the proposed centerline of the roadway extended through the center of the cul-de-sac bulb.

b. Measurement of Cross-Slope

> The cross-slope of the cul-de-sac bulb is to be measured on a line ninety (90) degrees to the centerline of the roadway extended to pass through the center of the cul-de-sac bulb.

I. Horizontal and Vertical Curves and Tangents

For safety of travel, curves and tangents shall be as follows:

1. Horizontal Curves

Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, radii shall be introduced according to the following standards:

a. For subdivisions within the City of Knoxville horizontal curves for local streets shall be based on the design speed for the street, following AASHTO street design standards.

b. For subdivisions within Knox County's jurisdiction, horizontal curves for local streets shall meet the following standards:

1. On local streets greater than one thousand (1000) feet in length, the minimum allowable horizontal radius of curvature at the centerline of the proposed road right-of-way shall be not less than two hundred fifty (250) feet. The Planning Commission on the recommendation of the Knox County Department of Engineering and Public Works, may reduce the horizontal curve below two hundred fifty (250) feet.

2. On local streets less than one thousand feet in length, the minimum allowable horizontal radius of curvature at the centerline of the proposed road right-of-way shall be not less than one hundred (100) feet.

2. Tangents for Reverse Curves

Reverse horizontal curves in a local street right-of-way shall be connected by tangents of not less than fifty (50) feet.

3. Tangents for Broken Back Curves

Broken back horizontal curves in a local street right-of-way shall be connected by tangents of not less than one hundred fifty (150) feet.

4. Vertical Curves

Vertical Curves are designed based on the Rate of Vertical Curvature, K, which is calculated as the length of vertical curve divided by the algebraic difference in percentage of grades.

a. For subdivisions in the City of Knoxville, K values shall be determined directly from the AASHTO reference manual "A Policy on Geometric Design of Highways and Streets".

b. For subdivisions in Knox County, K values shall be a minimum of 25 for local streets. A vertical curve must be used to connect an intersection grade at the approach and subsequent change in grade, and may begin at the edge of pavement of the intersecting road. The length of at the vertical curve is as follows:

1. For the non-continuous leg of any T-intersection of two local roads, the length of the connecting vertical curve shall not have a K value of less than fifteen (15).

2. For all other conditions, including four-way intersections of local roads, and intersections of local roads with major collectors, minor collectors, major arterials and minor arterials, the connecting vertical curve shall not have a K-value of less than twenty-five (25).

J. Intersections Standards

Requirements for intersections shall be as follows:

1. Angle of Intersection

Roads within a subdivision shall be laid out so that intersections shall be as nearly as possible at right angles, and in no case shall the intersection of roads yield angles of less than seventy-five (75) degrees.

2. Radii of Property Lines and Edge of Pavement at Intersections in Agricultural, Residential and Office Zones

The minimum property line and edge of pavement radius at corners of intersections in agricultural, residential and office zones shall not be less than 25 feet unless approved by the City or County Engineering Departments.

3. Radii of Property Lines and Curbs at Intersections in Commercial, and Industrial Zones

The minimum curb and property line radius at corners of intersections in commercial, and industrial zones shall not be less than 75 feet. A radius reduction to 50 feet may be approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works.

4. Intersection Placement

The intersections of public or private streets shall be spaced in accordance with the specifications of the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works in their respective jurisdictions. The minimum spacing between intersections is based on the street classification of the road between both intersections, as follows, and is measured from centerline to centerline.

Intersection Class	**Spacing (Feet)**
Local	125’
Collector	300’
Arterial	400’

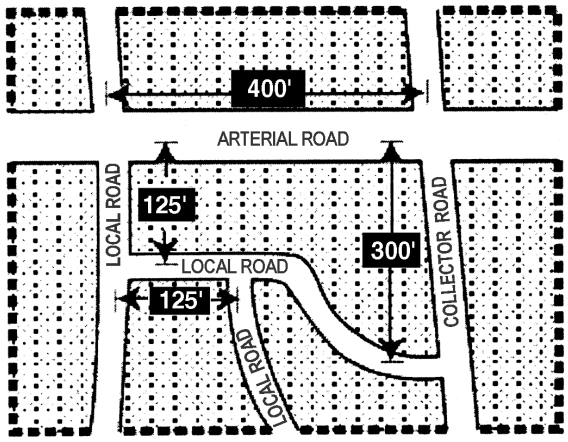

Fig. 62-87

Minimum intersection spacing based on street classification, measured from centerline to centerline.

5. Intersection Sight Distance

The minimum sight distance for new intersections shall meet the following standards:

a. Within the City of Knoxville, the minimum sight distance at the intersection of any two (2) streets regardless of classifications shall be measured from a point on the minor road at least fifteen (15) feet from the edge of the major road travel way and measured from the pavement surface to a height of eye at three and one-half (3.5) feet on the minor road to a height of object at three and one-half (3.5) feet above the pavement surface on the major road. The minimum sight distance at an intersection (in both directions along the major street) shall be measured using intersection sight distance identified in AASHTO Geometric Design of Highways and Streets.

   Design speed may be considered in situations where sight distance is limited. Design speed must be supported by engineering documentation. Engineering documentation must include information such as geometric conditions or modifications, traffic calming, or other measures utilized to support the design speed and must be approved by the reviewing agencies.

b. Within Knox County, the minimum sight distance at the intersection of any two (2) streets regardless of classifications shall be measured from a point on the minor road at least fifteen (15) feet from the edge of the major road travel way and measured from the pavement surface to a height of eye at three and one-half (3.5) feet on the minor road to a height of object at three and one-half (3.5) feet above the pavement surface on the major road. The minimum sight distance at an intersection (in both directions along the major street) shall be ten (10) times the posted speed limit, but in no case shall it be less than 250 feet.

6. Sight Distance for New Lots

The minimum sight distance for new lots shall meet the following standards:

a. Within the City of Knoxville, any proposed new lot shall have adequate sight distance meeting or exceeding the minimum standards for stopping sight distance identified in AASHTO Geometric Design of Highways and Streets (using two (2) feet for the object height, three and one-half (3.5) feet for the driver eye height). For residential subdivisions, stopping sight distance is measured from the vehicle to the centerline of the driveway at the edge of the roadway. If a specific driveway location is needed to meet the minimum sight distance requirement, the driveway location shall be identified on the final plat and the driveway restriction shall be clearly noted.

b. Within Knox County, any proposed new lot with access to an existing public street shall have adequate sight distance meeting the standards identified in Section 3.04.J.5 above. If a specific driveway location is needed to meet the minimum sight distance requirement, the driveway location shall be identified on the final plat and the driveway restriction shall be clearly noted.

K. Other Street Design Standards

Other street design standards shall be as follows:

1. Street Names

Streets which are obviously in alignment with existing streets shall generally bear the name of the existing street. However, local streets which cross major collector

or arterial streets may change names if approved after formal consideration by the Planning Commission. New interior subdivision streets that are continuous and obviously in alignment shall bear the same name. Street names shall not duplicate or closely approximate the names of existing streets in Knoxville and Knox County. Continuous streets that will include a directional prefix in the street name shall meet the specifications outlined in the "Uniform Street Naming and Addressing System Ordinance". All public streets generally running east and west shall be designated as "Drive" or "Avenue". All public streets generally running north and south shall be designated as "Street" or "Road". Dead-end public streets that cannot be extended shall be designated as "Lane". The use of the designation of "Boulevard" is subject to the approval of the Planning Commission when the road is designed with a median separating the lanes of traffic or the street serves as the entrance into the subdivision and has the appearance of a boulevard street. Streets designed to be a closed loop that begin and end at the same intersection or where the looped street closes onto itself and is not intersected by another street may be designated "Circle" upon request and approval by Planning Commission. Private rights-of-way serving six (6) or more dwelling units or buildings in non-residential developments shall be designated as "Way."

2. Reserve or Spite Strips

Reserve strips controlling access to streets shall be prohibited except where their control is placed in the county or city under conditions approved by the Planning Commission.

3. Cul-De-Sacs

All streets having only one (1) open end which serve two (2) or more lots on the same side of the street shall provide adequate turnaround space.

a. Cul-De-Sacs

> The cul-de-sac shall have a right-of-way radius of fifty (50) feet and a transition curve radius of no less than seventy-five (75) feet. Paved area of the cul-de-sac shall have a radius of not less than forty (40) feet.

4. Alleys

Alleys shall be governed by the following regulations:

a. The Planning Commission may approve the use of alleys as the sole means of vehicular access to lots subject to meeting any applicable zoning ordinance requirements.

b. Dead-end alleys shall be prohibited.

5. Edge of Roadway

The subdivider shall provide permanent concrete curb and gutter, standard rolled curbs and concrete or asphalt gutters that meet the appropriate City of Knoxville or Knox County standards. Concrete banding can be used instead of curbing for streets designed to drain directly from the street to appropriate water quality improvements (i.e. bioswale), adjacent to the road. Other construction options can be considered and approved by the Planning Commission and the appropriate agencies.

L. Construction Standards

The construction of all streets and alleys shall be in accordance with the design standards set forth in Section 3.04 of these regulations and in accordance with the construction standards required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works in their respective jurisdictions.

M. Costs

The cost of the required street improvements shall be borne by the developer. The developer may also be responsible for the costs of off-site street improvements identified in any Traffic Access and Impact Study required pursuant to Appendix B of the *Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission*.

N. Dedication of Right-of-Way

The developer shall be required to dedicate sufficient right-of-way as specified in Section 3.04.F, or as may be required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works, for the proposed street network.

3.05 PEDESTRIAN CIRCULATION SYSTEM

A. Sidewalk Improvements

Any required sidewalks shall be provided by the developer in accordance with the design and construction standards of the City of Knoxville or Knox County.

1. Within the City of Knoxville, the developer should contact the City of Knoxville Department of Engineering regarding the applicable requirements and design standards from the City's adopted ordinances and regulations.
2. Within Knox County, the developer should contact the Knox County Department of Engineering and Public Works regarding the applicable requirements and design standards from the County's adopted ordinances and regulations.

B. Alternative Pedestrian Circulation Systems

Within Knox County, the Planning Commission may consider and approve an alternative plan for pedestrian traffic within a subdivision.

3.06 STORMWATER MANAGEMENT

A. Stormwater Management Plan

A stormwater management plan shall be provided by the developer in accordance with the design and construction standards of the City of Knoxville or Knox County. The developer's engineer should contact the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works regarding the applicable design standards from the City's or County's adopted ordinances and regulations.

1. Pre-design Meeting

The subdivision developer and/or project engineer is strongly encouraged to have a pre-design meeting with City or County Engineering staff to identify stormwater

issues related to development in the area and the use of Best Management Practices (BMPs) and alternative design strategies (i.e. Low Impact Design (LID), green infrastructure) to address such issues.

2. Concept Plan

A preliminary stormwater management plan shall be included as a part of the proposed Concept Plan application. Any proposed alternative stormwater methodologies that would conflict with required street design standards should be identified at this stage of the subdivision process. The Planning Commission may approve a modification of the conflicting street standard through the Concept Plan approval process when the modification is recommended by City or County Engineering.

3. Final Plat

The final plat shall identify any stormwater buffers, easements, etc. required by the stormwater management plan as approved through the design plan stage of the subdivision. Any required and recorded maintenance agreements shall also be identified on the final plat.

B. Identification of Sinkholes and Other Closed Contour Areas

Any property that is being subdivided under the Subdivision Regulations that includes a sinkhole or other closed contour area as designated on the Knoxville, Knox County, Knoxville Utilities Board Geographic Information System (KGIS) database, through actual survey, or by the City of Knoxville Department of Engineering, or Knox County Department of Engineering and Public Works staff, shall meet the following requirements:

1. The sinkhole/closed contour area shall be shown on the Concept Plan and Final Plat or Administrative Plat by identifying the uppermost contour and any descending contours within the feature. The plat shall also identify a 50 foot building setback from the uppermost closed contour of the feature. If it is determined by the Tennessee Department of Environment and Conservation (TDEC) that the feature is not a sinkhole, or the City of Knoxville Department of Engineering, or Knox County

Department of Engineering and Public Works staff determines that the closed contour designation on KGIS is the result of a man made feature such as a street and the closed contour area has a drainage outfall, the feature will not have to be designated on the plat.

2. A note will be required on the plat that all structures will have to be located outside of the 50 foot setback area unless a geotechnical study prepared by a registered engineer states that building within the 50' sinkhole/closed contour area setback is acceptable and the study is approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works. The geotechnical study must be reviewed and approved by the applicable Engineering Department prior to approval of a plat for any proposed lots that do not have an adequate building area outside of the 50 foot setback area. Building construction is not permitted within the sinkhole/closed contour area or any required drainage easement for the sinkhole/closed contour area.
3. Any proposed lot that includes all or part of a sinkhole/closed contour area and required setback shall include an adequate building area in compliance with this section.

C. Identification of Streams and Flood Zones

Any property that is being subdivided under the Minimum Subdivision Regulations that includes a stream or includes land within a Federal Emergency Management Agency (FEMA) flood zone or floodway, shall meet the following requirements:

1. Any subdivision that includes streams or similar water features that are regulated by the City of Knoxville or Knox County shall identify the water feature and any required buffer areas on the Concept Plan and Final Plat.
2. Any subdivision that includes areas designated as floodway on the official zoning map for the City of Knoxville or Knox County shall identify the zoning boundary on the Concept Plan and Final Plat.
3. Any subdivision that includes flood zones that are designated on the FEMA Flood Insurance Rate Maps (FIRM) shall identify the floodway, 100 and 500 year flood plain areas, the no-fill zone, and any applicable minimum floor elevations (MFEs) for individual lots on the Concept Plan and Final Plat.

3.07 SITE GRADING AND EROSION AND SEDIMENT CONTROL

A. Concept Plan Review

A site grading plan may be required during the Concept Plan review stage of the subdivision review process. Depending upon the degree of site alteration, the site grading plan may be required for both the street layout and potential building sites.

B. Site Grading and Erosion and Sediment Control – Design Plan Review

The site grading and erosion and sediment control plan shall be provided by the developer in accordance with the design standards of the City of Knoxville or Knox County during the design plan review stage of the subdivision review process. The developer's engineer should contact the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works regarding the applicable design standards from the City's or County's adopted ordinances and regulations.

3.08 PERMANENT REFERENCE MARKERS AND MONUMENTS, BENCHMARKS AND PROPERTY MONUMENTS

A. Survey Control Requirements

1. Permanent Reference Markers and Monuments

Permanent reference markers and/or monuments, as described below, shall be required for all subdivisions of six (6) lots or more, and placed at not less than three (3) locations within, or on the boundary of the property being subdivided. The location of all such markers and/or monuments shall be determined by the surveyor and shown on the Final Plat.

a. Permanent Reference Markers

> Permanent reference markers are metal monuments meeting the current edition of the *Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice*. When permanent reference markers are set within a public street they shall be set flush with the pavement at the point of

intersection (PI) of the centerline of the right-of-way of two (2) intersecting streets, at the point of intersection (PI) of the center point of a cul-de-sac and the centerline of the street right-of-way. For subdivisions with new streets, the permanent reference markers shall not be set until the top pavement coat is completed for the streets.

b. Permanent Reference Monuments

Permanent reference monuments are stone or concrete monuments with an iron pin set flush in the monument and meeting the current edition of the *Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice*, and monuments as may be required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works in their respective jurisdictions. Permanent reference monuments should be located on subdivision boundary corners, internal lot corners or other satisfactory location that would have minimal chances of being disturbed.

c. Benchmarks

A benchmark is a permanent reference monument or suitably identified marker on a surface of a permanent structure which is referenced to mean sea level datum and for which the elevation above mean sea level has been determined to the nearest one-hundredth of a foot. At least one benchmark shall be installed in a subdivision of six (6) lots or more, or a suitable monument referenced to an existing benchmark, if lots within the subdivision include Federal Emergency Management Agency (FEMA) flood zones or are required to have a minimum floor elevation. A benchmark can count as one of the required permanent reference markers for a subdivision.

2. Property Monuments

Property monuments meeting the current edition of the *Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice*, shall be placed at all points on subdivision boundary lines where there is a change of direction and at all lot corners. Property monuments shall be placed only after all grading of the area

and sidewalk construction have been completed. A guard stake shall be placed next to each property monument with the lot number and number of the adjoining lot plainly lettered on the flat faces of the stake.

B. City of Knoxville Survey Control System Requirements

For specific details refer to the City of Knoxville's Land Development Manual policy on Survey Control System Requirements.

3.09 GUARANTEE OF IMPROVEMENTS

A. Completion of Required Improvements

No final subdivision plat shall be approved by the Planning Commission or accepted for recording by the County Register of Deeds until all required improvements have been constructed in a satisfactory manner except as hereinafter provided.

B. Performance Bond or Other Form of Security in Lieu of Completion of Required Improvements

In lieu of completion of required improvements, the Planning Commission may approve a final subdivision plat provided sufficient security is posted with the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works, which will insure the completion of the required improvements. The final plat shall not be certified for recording until the appropriate stamps for the guarantee of completion of required improvements identified in Section 2.09.J.5 have been certified by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works.

1. Required improvements may include but are not limited to public or private streets, sidewalks, stormwater facilities and permanent reference markers, monuments and benchmarks.
2. The type of security and the process for determining the amount, life, extensions and draw-down procedures shall follow the requirements of the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works.

3. The bond or security will include funds to cover the cost for setting permanent reference markers, monuments and benchmarks upon the completion of subdivision improvements. The bond or security shall not be released until the registered land surveyor provides certification that all permanent reference markers, monuments and benchmarks have been installed.

3.10 UTILITIES

A. General Standards

1. These standards for the design and construction of utilities are established to insure that all proposed subdivisions are provided with adequate, safe, and sufficient utility services developed in accordance with appropriate state, local, and utility agency requirements.
2. A letter from the applicable Utility Agency shall be provided to Staff with the application for Concept Plan review identifying if sewer, water, electric and gas utilities are available to serve the proposed subdivision.

B. Sanitary Sewerage

1. General

These standards for development of sanitary sewer systems are established to insure healthful living conditions and protect the health of the community, to provide the best possible method of waste disposal, and to provide the necessary current and future sanitary disposal systems at the least ultimate cost to the community and individual homeowners. No subdivision shall be developed with lots not served by public sewers, community sewers or individual sewage treatment systems.

2. Sanitary Sewer Systems

Sanitary sewer systems shall be provided by the developer in accordance with the following standards:

a. Public Sewer Systems

> In the City of Knoxville and that portion of unincorporated Knox County, wherever public sanitary sewer systems are reasonably available, a

subdivision shall be so designed to be served by this sanitary sewer system. Sanitary sewer systems shall be designed to include all necessary mains, sub-mains, laterals, individual lot connections, manholes, pumping stations, and other appropriate sewer facilities as required by state and local regulations, the Knox County Health Department, and the applicable Utility Agency.

b. Community Sewer Systems

Whenever a developer can provide conclusive evidence to the Planning Commission that public sewer systems are not reasonably available and, further, whenever acceptable to the Knox County Health Department, the developer may design the subdivision to be served by a community sewer system. A community sewer systems shall be designed and constructed as required by all appropriate state and local regulations and/or the Knox County Health Department. All components of community sewer systems shall be designed to meet the same specifications as those of the public sanitary sewer systems. A community sewer system shall be owned, operated and maintained by a private corporation or non-profit property owners' association.

c. Individual Sewage Treatment

If the developer can provide conclusive evidence to the Planning Commission that public sewers are not reasonably available and community sewers are not feasible or are not acceptable to the Knox County Health Department, the developer may design the subdivision to be served by individual subsurface sewage treatment systems, provided that the following conditions be met:

1. A letter from the Knox County Health Department shall be provided to Staff prior to Concept Plan approval identifying that the soils are suitable for use of individual subsurface sewage treatment systems for the proposed lots within the subdivision.

2. All lots served by individual subsurface sewage treatment systems shall be approved by the Knox County Health Department.

3. Sanitary Sewer Plan

A sanitary sewer plan shall be provided by the developer to the applicable Utility Agency which includes a plan and profile for all existing and proposed sewer mains, laterals, lot connections with existing systems; individual package treatment plants or subsurface individual sewage systems when such are provided for each lot. This plan shall be reviewed and approved by the Utility Agency during the design plan stage of the subdivision. Any required sewer easements shall be identified on the final plat.

C. Water Supply

Every lot in all proposed subdivisions shall have available a public water supply, or an individual water supply if a public water supply cannot be feasibly provided.

1. Public Water Supply Systems

Every subdivision served by a public water supply shall be provided with a complete water distribution system adequate to serve the area being platted. The proposed water distribution system shall be reviewed and approved by the Utility Agency during the design plan stage of the subdivision. Any required easements shall be identified on the final plat.

a. Installation and Maintenance of Systems

> All subdivision water supply systems shall be designed, installed, and maintained in accordance with state and local regulations.

b. Water Distribution System

> All distribution systems shall include all water pipes of a diameter needed to supply sufficient pressure and volume for fire protection and provide adequate service to each lot.

2. Individual Water Supply

In subdivisions which cannot feasibly provide a public water supply, the subdivision shall be so designed as to provide an individual water supply to each and every lot; provided, however, that no lots of less than one (1) acre shall be developed on

individual water supply systems and, no lots in the City of Knoxville and no lot served by a utility district of Knox County with a public water supply, shall be developed on an individual water supply system. Individual wells shall meet the approval requirements of the Knox County Health Department.

D. Electric, Gas, Telephone, and Other Utilities

All utility services shall be so designed as to conform with all appropriate state, local, and Utility Agency requirements. Any required utility easements shall be identified on the final plat.

1. Underground Distribution

All telephone and electrical systems shall be designed to be underground, unless this is not economically feasible in the judgment of the Utility Agency involved.

3.11 REQUIRED EASEMENTS

A. Standard Utility and Drainage Easements

A standard utility and drainage easement situated along lot lines in a subdivision, shall be dedicated to the public and to the appropriate Utility Agencies as follows:

1. These required utility and drainage easements shall be ten (10) feet in width inside all exterior lot lines adjoining streets and private rights-of-way (including Joint Permanent Easements). Easements of five (5) feet in width shall be provided along both sides of all interior lot lines and on the inside of all other exterior lot lines. Such dedication shall be noted on the final plat of the subdivision.
2. These easements are not required along specific lot lines for property that is zoned to allow less than a five (5) foot building setback and shall be clearly noted on the final plat.
3. The City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works may waive the requirement for the standard utility and drainage easement in specific areas when:
   a. A stormwater facility (typically an impoundment facility and/or a facility for water quality treatment), retaining wall, structure, building, or other feature has been

approved, is planned, or currently exists, that would overlap into the utility and drainage easement; and

b. There are no existing utilities within the specific area that is being considered for the waiver.

c. Such waiver shall be clearly identified and certified for approval by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works on the plat to be recorded.

4. If the standard utility and drainage easement already exists through the recording of final plat, the existing easement would have to be released by the applicable Utility Agencies for the waiver to be approved.

B. Other special drainage and utility easements may be required through the review process and shall be designated on the plat to be recorded.

C. Elimination of lot lines and release of any recorded easements

1. When lots are being resubdivided and a lot line(s) is being eliminated that has a recorded utility and drainage easement along the lot line(s), the applicable Release of Easements certification stamp found in Section 2.09.J.5.e&f shall be signed by all parties having rights associated with the recorded easement. In signing the certification stamp the parties do not release any rights that may have accrued for their use and benefit where there are existing facilities within the previously established easement, whether or not shown on this plat. Any relocation of existing facilities will be made at the property owner's expense. If the facilities are relocated, the easement rights will be released.
2. The owner(s) of the property being resubdivided shall also sign the Release of Easement certification stamp found in Section 2.09.J.5.e&f verifying that they understand that easement rights for any existing facilities are not being released and it is their responsibility to verify with the City of Knoxville, Knox County and utility companies if there are any existing facilities along the lot lines being eliminated by this plat before digging or constructing any building or structure.
3. If a lot line(s) is being eliminated and there are no known recorded easements along the lot line(s), the surveyor shall certify on the plat that there are no known

recorded easements before the subdivision plat can be approved and recorded. (See section 2.09.J.5.g for the no recorded easements certification stamp.)

3.12 PUBLIC OPEN SPACES

For the purpose of providing for adequate public land, the Planning Commission may require the dedication or reservation of usable open space within a subdivision up to a total of ten (10) percent of the gross area or water frontage of the subdivision for park, school, or recreation purposes.

ARTICLE 4

ALTERNATIVE DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

4.01 HILLSIDE AND RIDGETOP PROTECTION AREA DEVELOPMENT STANDARDS

A. Purpose

The purpose of this section is to establish alternative street design standards, setbacks and lot sizes for subdivisions and development within the Hillside and Ridgetop Protection Area (HRPA) as established by the *Hillside and Ridgetop Protection Plan*, as adopted by the City of Knoxville in 2011 and Knox County in 2012. The foundation of these regulations is the desire to minimize the disturbance of natural land within the protection area in order to preserve its capacity to accommodate storm events, to protect valuable vegetation that contributes to the enhancement of air and water quality, and to minimize damage to the land and structures within and outside the HRPA caused by downhill and downstream flooding and severe erosion. The intent of these regulations is to promote low impact development on sensitive lands within the protection area through regulations that represent an alternative to regulations described elsewhere in the Subdivision Regulations.

This section shall supersede any other provision of the Subdivision Regulations as set forth herein and is expressly applicable to subdivisions and development of land within the HRPA.

B. Applicability

These standards may be applied within the established HRPA, subject to the following criteria:

1. The development is subject to development plan approval by the Planning Commission as required by a planned zone district; and

2. The Planning Commission finds that the proposed development preserves and protects undisturbed land consistent with the intent of the land disturbance recommendations of the *Hillside and Ridgetop Protection Plan*.

C. Street Standards

The following street standards may be approved by the Planning Commission for development within the HRPA, provided that design plans are approved by the City and County engineering divisions, whichever is appropriate:

1. Right-of-Way Widths

   The minimum width for a right-of-way for a local street may be reduced to forty (40) feet.

2. Grade of Streets

   The maximum grade for a local street may be up to fifteen (15) percent.

3. Horizontal Curves

   The minimum allowable horizontal radius of curvature at the centerline of a local street may be reduced to one hundred and five (105) feet; consistent with AASHTO standards for a twenty-five (25) mph design speed with an eight (8) percent super elevation (banking of the curve);

4. Pavement Widths

   The minimum pavement width for a local street may be reduced to twenty (20) feet; and in areas that are demonstrated to have slopes greater than forty (40) percent, the minimum pavement width may be reduced to twelve (12) feet of pavement, with two (2) foot shoulders on both sides, provided the subdivision road system on such slopes is designed for one-way traffic.

5. Curbs

   The requirement for curbs may be waived, provided that adequate edge of pavement and storm water conveyance are constructed.

6. Parking within the Right-of-Way

Parallel parking areas may be approved outside the minimum width of pavement. Such parallel parking areas may be configured to accommodate up to four (4) vehicles in a parking bay, provided the area is separated from any other parking areas by no less than twenty (20) feet of landscaped area. Parking areas shall not interfere with minimum sight distance requirements.

7. For streets both inside and outside of the HRPA

For continuous streets that lie both within and outside the HRPA, the appropriate street improvements may be approved by the Planning Commission upon consideration of the topographic conditions and estimated traffic volume of the street.

D. Lots

1. Minimum Lot Dimensions

The minimum lot size and lot width shall meet the requirements of the zone in which a property is located. When a lot is in a zone that does not specify lot size, lot width, or lot depth, these shall be approved by the Planning Commission provided the lots are large enough to satisfy the requirements of the adopted building codes of the City of Knoxville and Knox County.

2. Minimum Lot Frontage

For those lots located in a zone that does not specify lot width, the minimum lot frontage shall be twenty-five (25) feet.

E. Minimum Yard Requirements

In the planned zones of Knox County that allow residential uses (Planned Commercial and Business and Technology Park), the minimum yard requirements for front, side and rear yards on residential lots shall be approved by the Planning Commission, except that the periphery boundary setback, when not a front yard setback, shall conform to the requirements of the Knox County zoning ordinance.

4.02 CONSERVATION SUBDIVISIONS (RESERVED)

4.03 FORM BASED DEVELOPMENT CODES

A. All Streets, Alleys and Sidewalks within the South Waterfront Zoning Districts

Streets, alleys and sidewalks within the South Waterfront Form Based Zone District regulations shall comply with the standards shown in the approved Regulating Plan and Streetscape Standards. Sidewalks shall be provided at the time of street development.

DEFINITIONS

4.04 PURPOSE

The purpose of this section is to eliminate ambiguity by providing a full definition of certain words and phrases which are used in these regulations.

4.05 DEFINITION OF WORDS

For the purposes of these regulations and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense include the future tenses; words in the singular number include the plural, and words in the plural number include the singular; the word “person” includes a firm, partnership, or corporation as well as an individual; the word “lot” includes the word “plot”, “parcel” or “tract”; the word “building” includes the word “structure”; and the terms “shall” and “will” are always mandatory and not directory, and the word “may” is permissive.

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout these regulations. Terms not herein defined shall have the meanings customarily assigned to them.

ACCEPTANCE

Verification by the proper authority that a required improvement has been completed and accepted or land or use of land for public purpose has been dedicated

ADMINISTRATIVE AGENCY

An agency of state or local government

BROKEN BACK CURVES

Two (2) horizontal curves in the same direction with different origins (center points of the circles) connected by a tangent less than one hundred fifty (150) feet in length

BUILDABLE AREA OF A LOT

That portion of a lot bounded by the required rear and side yards and the building setback line

BUILDING

Any enclosed structure intended for shelter, housing, or enclosure of persons, animals, or chattel

BUILDING SETBACK LINE

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

CERTIFICATION

The Planning Commission's endorsement that the final plat conforms to all legal requirements necessary for its recording

CITY

City of Knoxville, Tennessee

CITY COUNCIL OR COUNCIL

City Council of the City of Knoxville, Tennessee

COUNTY

Knox County, Tennessee

DEDICATION

The setting aside of land by the owner, and acceptance by the appropriate public agency of the land for some public use

DESIGN REVIEW

The review by the Planning staff and/or other administrative agencies of a subdivision's design and conformance to development regulations, including these subdivision regulations

DEVELOPER

An individual, partnership corporation, or other legal entity or agent thereof which undertakes the activities covered by these regulations. Inasmuch as the subdivision plan drawings are merely a necessary means to the end of assuring satisfactory development, the term "developer" includes "subdivider", "owner" or "builder", even though the persons and their precise interests may vary at different project stages

EASEMENT

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

EASEMENT AREA

A strip of land over, under, or through which an easement has been granted

ENGINEER

A qualified professional engineer registered and currently licensed to practice engineering in the state of Tennessee

ENGINEERING

The preparation of plans, specifications, and estimates for the construction of streets, drainage facilities, utilities and other similar public works installed within a subdivision for public use

FLOODPLAIN

Any land area susceptible to being inundated by water and typically designated by the Federal Emergency Management Agency (FEMA)

FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the one hundred-year flood without cumulatively increasing the water surface elevation more than the designated height. This area is typically designated by the Federal Emergency Management Agency (FEMA)

IMPROVEMENTS

Physical changes made to raw land and structures on or under the land surface in order to make the land more usable. Typical improvements in these regulations would include but not be limited to grading, street pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, street name signs, and street trees

KGIS

The Knoxville, Knox County, Knoxville Utilities Board Geographic Information System

LAND REMNANT

Any portion of a tract of land which cannot be developed after the tract has been subdivided

LOT

A tract of land which is identified on a recorded plat with a metes and bounds description, and is intended to be occupied by a building or buildings and any accessory building or use customarily incidental thereto, together with such yards or open spaces within the lot lines as may be required by these regulations or the zoning ordinance

LOT, CORNER

A lot situated at the intersection of two (2) or more streets

LOT, DOUBLE FRONTAGE

A lot which has two (2) non-intersecting sides abutting on a street

LOT AREA

The total horizontal area measured within the lot lines and expressed in terms of acres or square feet

LOT FRONTAGE

That side of a lot abutting on a public or private street and is measured along the street right-of-way

LOT NUMBER

The official number assigned to a lot for identification purposes

LOT WIDTH

The width of a lot at the front building setback line measured at right angles to its depth

MAJOR ROAD PLAN

The official plan adopted by the Planning Commission and the Knoxville Regional Transportation Planning Organization designating classifications, required right-of-way widths, and locations of streets in Knoxville and Knox County

PLAN, CONCEPT

An overall plan for the development of a tract of land in sufficient detail to evaluate the proposed road and lot layout and general drainage plan, and specifying the proposed improvements

PLAN, DESIGN

A plan based on the Concept Plan for a subdivision, consisting of maps and engineering documentation in sufficient detail to verify that proposed improvements will be built that meet the standards of Knox County or the City of Knoxville

PLANNING COMMISSION

The Knoxville-Knox County Planning Commission

PLAT, FINAL

An official survey instrument to be placed in the public records of Knox County and construction drawings of roads, utilities, site development and public improvements

PUBLIC HEARING

A meeting for the review of a matter where opinions may be presented by the public. These hearings may take place during the regular Planning Commission meetings and are held according to state laws

PUBLIC SEWER SYSTEM

A central sewer system owned, operated, and maintained by a municipality, county, or utility district

PUBLIC WATER SYSTEM

A central water system owned, operated, and maintained by a municipality, county, or utility district

RECEIPT

The receipt by the Planning staff of all of the material which comprises the proper submittal of a plan or plat for administrative review or for consideration by the Planning Commission

RESERVE STRIP

A portion of land set aside to prevent and prohibit access to adjoining property or public thoroughfare

REVIEW

The Planning staff's and other administrative agencies' study (1) of the Concept Plan for conformance to the Subdivision Regulations or (2) of a Design Plan for conformance to the Subdivision Regulations and development standards of agencies having review responsibilities or (3) of a Final Plat for conformance to the approved Design Plan and of platting required by the Subdivision Regulations

REVIEWING AGENCY

An agency which has responsibility for evaluation and verification of subdivision plans, plats and/or engineering documents

RIGHT-OF-WAY

An area used as a public or private street, measured from lot boundary line to lot boundary line on opposing sides of the street, which may also accommodate public utilities

ROAD

For the purpose of these regulations, “road” shall be defined the same as “streets”

ROADWAY

The portion of the street right-of-way which contains the street pavement, curb, and gutter, and is used primarily as a channel for vehicular movement and secondarily as a drainage channel for stormwater. In these regulations where curbs are required, the pavement is measured from face to face of the curbs; without curbs, it is the measurement of the wearing surface

SANITARY SEWER SYSTEM

A public or community sewage disposal system of a type approved by the State Department of Public Health

SETBACK

The distance required to obtain the minimum front, side, and rear yards

SIGHT DISTANCE

The unobstructed distance visible to the driver of a passenger automobile, measured along the normal path of a roadway

STREET

The entire width between the boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular travel

STREET, CLASSIFIED

A street, either existing or proposed, which is assigned a functional street classification by the Major Road Plan

STREET CLASSIFICATION

Types of streets as set forth in the *Major Road Plan* for the City of Knoxville and Knox County.

SUBDIVIDER

For the purpose of these regulations, “subdivider” shall be defined the same as “developer”.

SUBDIVISION

The division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development. Subdivision also includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided

SURVEYING

Any service of work, the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence to the act of measuring and locating lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes, for the monumenting of property boundaries, and for the platting and layout of lands and subdivisions thereof, including the topography, drainage, alignment and grades of streets, and for the preparation and perpetuation of maps, record plats, field notes, records and property descriptions that represent these surveys

SURVEYOR

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

UNIT

A subsection of a total subdivision developed as a complete segment

USE

The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term “permitted use” or its equivalent shall not be deemed to include any nonconforming use

UTILITY

A service to the public, including sanitary and storm sewers, water, electric power, gas, and communication facilities

UTILITY AGENCY

A municipal department, private for-profit or not-for-profit corporation, utility district or special district, or state, federal, or local agency which provides utility service to the public

ZONING ORDINANCE

The duly adopted *Zoning Ordinance of Knoxville, Tennessee* or the *Zoning Ordinance of Knox County, Tennessee*

APPENDIX A

AMENDMENTS TO MINIMUM SUBDIVISION REGULATIONS FOR KNOXVILLE AND KNOX COUNTY

(July 31, 1992 to Present)

MAY 14, 1992

- **Section 54-42.5 - Certification of Class and Accuracy of Survey:** Certification stamp updated to reflect amended Board of Surveyors licensing requirements.

FEBRUARY 11, 1993

- **Section 44-22 – Incomplete Final Plats**: Amendment changes the deadline for submission of completed final plats.

JUNE 10, 1993

- **Section 64-24 – Access**: Under this amendment, joint permanent easement approval would no longer require a variance if certain location, construction and maintenance standards are met.

DECEMBER 8, 1994

- **Section 22 – Definitions**: This amendment deleted the definition of "Composite Design Plan".
- **Section 32-25 – Composite Design Plan Approval**: This amendment eliminated the composite design plan from the design plan review process and clarified the design plan approval requirements for Final Plats.
- **Section 43-60 – Composite Design Plan**: This section was deleted to eliminate the composite design plan submission requirement.
- **Section 44-70 – Copy to be Recorded/Official Copy**: This amendment changed the required material for the recordable copy of Final Plats from clothback to mylar.
- **Section 52-10**. These amendments allow Planning Staff to administratively accept four-foot contour intervals and smaller scales on concept plans under certain circumstances.
- **Section 53-13 – Permanent Reference Markers, Monuments, and Benchmarks:** This amendment clarified monumentation requirements for design plans.

- **Section 52-20 – Digital Media**: This new section allows for the submission of Concept Plans on digital media which is compatible with the KGIS system.
- **Section 53-30 – Composite Design Plan; Section 53-31 – Acceptance**: These sections were deleted to remove references to composite design plans, which are no longer required.
- **Section 54-10 – Plat**: This amendment deleted references to the composite design plan in the description of the final plat.
- **Section 54-17 – Copy to be Recorded – Reproducible Official Copy**: This amendment changed the required material for final plats from clothback to mylar.
- **Section 54-18 – Survey Accuracy**: This new section requires all surveys to conform to the *Tennessee Land Surveyors Laws and Regulations*, and requires surveys to be of Category I accuracy.
- **Section 54-19 – Digital Media**: This new section allows for the submission of Final Plats on digital media which is compatible with the KGIS system.
- **Section 54-22 – Monument References and Survey Control Requirements**: This amendment clarified monumentation requirements for Final Plats.
- **Section 54-45.7 – City – Release of Easements**: This amendment separated the easement release endorsements of the gas and electric departments of KUB.
- **Section 74-10 – Permanent Reference Markers and Monuments**: This amendment clarified the improvements necessary for monumentation.

JUNE 6, 1996

- **Section 36-11 – Public Hearing on Appeal**: This amendment deletes specific time references as to when a public hearing must be held.

AUGUST 13, 1996

- **Section 22 – Definitions**: This amendment clarifies and adds definitions to be consistent with definitions, standards, and other related provisions included in the 1996 (*Major Road Plan*)
- **Section 62 – Streets and Roads**: This amendment makes the design standards consistent with definitions, standards, and other related provisions included in the 1996 (*Major Road Plan*).

- **Section 72 – Street and Road Improvements**: This amendment makes the design standards consistent with definitions, standards, and other related provisions included in the 1996 (*Major Road Plan*).

APRIL 10, 1997

- **Section 44 and 54 – Final Plat**: This amendment requires the submission of digital survey information with Final Plats. Plats must conform to the standards of the Technical Appendix for Digital Surveys, which is administered by Planning Staff.

APRIL 8, 1999

- **Section 54 – Final Plat**: This amendment temporarily suspends the requirement for submitting digital versions of final subdivision plats, and adds a requirement for boundary closure information. (Refer to Sections 42 and 44)

OCTOBER 12, 2000

- **Section 62-37 – Alleys**: Under this amendment, the Planning Commission may approve the use of alleys as the sole means of vehicular access.
- **Section 64-24 – Access**: This amendment requires frontage or easement for those lots approved with an alley as the sole means of vehicular access.

JULY 12, 2001

- **Section 1 - 11 – General Purpose**: This amendment makes the general purpose of the subdivision regulations consistent with the general purpose described in the state enabling legislation.
- **Section 3 – 36 and Section 4- 44**: This amendment removes references to appeals to County Commission and makes regulations consistent with the State law.

NOVEMBER 8, 2001

- Amendments dealing with requirements for determining review of a proposed subdivision as an exempt, one-lot, minor, concept plan or corrected plat; access to proposed lots by means of either public rights-of-way, permanent easements, or joint permanent easements, criteria for determining when the balance of a subdivided parcel must be included on the plat; and other related sections.
- **Section 4 – Procedure for Submission of Plat and Section 5 –Specifications for Plans and Plats were Combined to Form One New Section, Section 4 – Procedures and Specifications for Submission of Plans and Plats**

- **Section 42–20 When Concept Plans are Required**: This section amended by deleting requirement of a Concept Plan for all subdivisions served by a new joint permanent easement.
- **Section 45-31.2**: This section revised to clarify title and conditions that may warrant submission of a Concept Plan.
- **Section 64-24.3**: This section clarified to give specific reference to city and county ordinances and policies that regulate driveway width, surface material, and to add provision on determining when a lot is served by an exclusive permanent easement.
- **Section 64-24.41**: The provision identifying when a lot is served by a joint permanent easement has been moved to this section, eliminating sections 64-24.7 and 64-24.8.

AUGUST 12, 2004

- Housekeeping changes were made to names of city or county departments and agencies, citations to the *Tennessee Code, Annotated*, numbering, and wording previously adopted but omitted from the existing copy of the Regulations.
- **Section 2 – Definitions**: Added a definition for KGIS. The Knoxville, Knox County, Knoxville Utilities Board Geographic Information System.
- **Section 44-20, 44-89, 44-90 – Submission of Final Plat**: This amendment deleted the reference to the Technical Appendix for Digital Surveys.
- **Section 44-22 – Incomplete Final Plats**: This amendment waives the 9-day deadline with just cause for an incomplete final plat if it is presented to the Planning Commission at a scheduled meeting.
- **Section 44-101 – Subdivision Name**: This amendment requires that a subdivision divided by an expressway, major or minor arterial street, or major or minor collector street must have a different name for the subdivision located on each side of said street. It also requires that each unit of a subdivision with the same name must be connected by interior streets.
- **Section 44-111 through 44-115.10 – Certifications**: All certification stamps were updated. New engineering certifications required for Concept Plans. A new certification for street/road names required by Planning's Addressing Department. New certification from the Knoxville Engineering Division required for final plats.
- **Section 62-30 – Classification of Streets and Roads**: Street classifications were changed to agree with the 2004 (*Major Road Plan*), adopted July 8, 2004.

- **Section 62-60 through 62-85 – Grades of Streets**: This amendment revised the minimum grade of streets and the radii of property lines and curbs.
- **Section 62-91 – Street Names**: This section was amended to agree with the wording in *The Uniform Street Naming and Addressing System Ordinance*, adopted by Knox County (O-91-102) and the City of Knoxville (O-80-90).
- **Section 64-24.63 – Joint Permanent Easement**: This amendment changed the wording from "lot" to "dwelling units or buildings in non-residential developments".
- **Section 83 – Amendments**: This amendment gave approval for Planning Staff to correct and amend the Subdivision Regulations as to non-substantive matters without public notice or public hearing

JUNE 8, 2006

- **Section 44- Final Plat**: Sections 44-70.01, 44-82 and 44-87 dealing with the required copies for plat certification.

NOVEMBER 9, 2006

- **Section 43-65**: Non-Residential Designations and Section 64-24.49 amending terms such as "single-family" and "multi-family" descriptions of dwelling units, replacing them with "houses" and "multi-dwelling structures" as amended in the Zoning Ordinances.

FEBRUARY 27, 2007

- **Section 2-22**: Definitions amending terms "Right-of-Way" and "Street".
- **Sections 62-39, 62.43, 62-56, 62-89, 63-11, and 63-21**: Added new sections reflecting the streetscape design standards contained in the Knoxville South Waterfront Form Based Development Code.

MARCH 13, 2008

- **Sections 36, 42-60, 43-40, 43-50 and 44-60**: Amended these Sections regarding Appeals, deleting all reference to appeals being heard by the Planning Commission adding that appeals shall be to any Court of competent jurisdiction.

JULY 8, 2010

- **Sections 44-20, 44-70, 44-80, 46-31 and new section 46-60**: Amended these sections regarding review agencies and the number and type of copies of a final or administrative plat to be submitted for review, certification for recording and recording.

OCTOBER 13, 2011

- **Section 44-82**: Amended this section regarding scale of drawings.
- **Section 44-83**: Amended this section regarding the size of sheet allowed for submittal of a final plat.

JUNE 14, 2012

- **Sections 61, 67, 67-40, 67-41, 69 (in its entirety), and 82**: Amended these sections regarding development standards for subdivisions within the Hillside and Ridgetop Protection Areas. (City adopted Ord. # O-120-2012 on 7/24/2012; County withdrew O-12-8-101 on 8/27/2012)

OCTOBER 12, 2017

- Major restructuring of the Regulations including major changes to all articles.

FEBRUARY 8, 2018

- **Section 1.07**: Amended this section clarifying that amendments to these regulations must have a 30-day notice period.

MARCH 8, 2018

- **Section 3.05.A.2:** Amended this section regarding sidewalk requirements in Knox County changing "the Planning Commission **may**", to "the Planning Commission **will**" and adding the provision that "alternative pedestrian circulation systems may be considered and approved." The effective date of this amendment is February 1, 2019.
    - The February 1, 2019 Subdivision Regulations update for this amendment also includes revisions for the name changes for the Planning Commission and Planning staff that went into effect in January 2019. The following name changes were made:
        - Knoxville-Knox County Metropolitan Planning Commission to Knoxville-Knox County Planning Commission.
        - Executive Director of the Planning Commission to Executive Director of Knoxville-Knox County Planning.
        - Planning Commission staff to Planning staff.

MAY 9, 2019

- **Articles 1 and 2**: Amended these articles to address the delegation of Final Plat review and approval to Planning staff by the Planning Commission and the changes needed to the Final Plat review procedures.

- **Article 2**: Amended this article regarding the changes in the approval responsibilities for the Knox County Health Department and utility agencies for water and sewer service.
- **Section 2.07.F**: Amended this section Time Lapse for Concept Plan to extend the initial approval for a Concept Plan from two to three years.
- **Section 2.07**: Amended this section for clarification of the Traffic Access and Impact Study requirements which also included the removal of **Appendix B. Traffic Access and Impact Study Guidelines and Procedures** from the Subdivision Regulations.
- **Section 3.02**: Amended this section regarding the standards for double frontage lots.
- **Section 3.03**: Amended this section regarding street frontage requirements.
- **Section 3.04**: Amended the section regarding minimum right-of-way and right-of-way dedication requirements.
- The effective date of these amendments is August 7, 2019.

SEPTEMBER 12, 2019

- **Article 2, Section 2.10.I Final Plat – Certifications**: Amended this section following further review of the Final Plat review procedures that were adopted on May 9, 2019 with some minor changes to the Final Plat certifications that are signed By Planning staff, the surveyor, the utility providers and property owner. A new certification has been added for the Knox County Department of Engineering and Public Works which is similar to the existing certification for the Knoxville Department of Engineering.

FEBRUARY 13, 2020

- **Section 2.07**: Amended this section regarding the reference to the Transportation Impact Analysis Guidelines.
- **Section 2.07.I. Staking Streets**: Staff administrative change pursuant to Section 1.07 Amendments, identifying when proposed streets are to be staked in the field.
- **Section 2.10.I.2.e. Certification of Accuracy of Survey**: Staff administrative change pursuant to Section 1.07 Amendments, removing the reference to the category of survey and ratio of precision due to changes in the *Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice*.
- **Section 2.10**: Amended this article regarding street naming standards and the certification stamp approval for Subsurface Sewage Disposal Systems.
- **Section 3.01**: Amended this section providing clarification on general design standards allowing for the approval of alternative design standards.

- **Section 3.03**: Amended this section on access standards to allow approval of the different access options by Planning staff through the Final Plat review process.
- **Section 3.04**: Amended this section regarding minimum street grades and grades at intersections.
- **Section 3.04**: Amended this section regarding horizontal curve standards for Knox County to allow for approval by the Planning Commission of an alternative design standard instead of requiring the approval of a variance.
- **Section 3.04**: Amended this section regarding sight distance standards for intersections and lots to address the different standards for the City of Knoxville and Knox County.
- **Section 3.04**: Amended this section regarding street naming and alley standards.
- **Section 3.05**: Amended this section regarding sidewalk standards to address recent changes by Knox County.
- **Section 5.02**: Revised the definition for Utility to remove services such as mail and garbage collection that are not utilities addressed within the Subdivision Regulations.

AUGUST 11, 2022:

- **Section 1.03.C:** Added this subsection to come into compliance with Public Chapter 1128.
- **Section 3.04.A.1 and A.3:** Corrected these sections to bring the Subdivision Regulations into compliance with Public Chapter 1128.

OCTOBER 6, 2022:

- **2.02.B.5:** Removal of requirement for verification statements confirming the Design Plan is in compliance with the final plat.
- **2.07.B:** Correction of a clerical error. This section is referring to when Planning staff can require a Concept Plan, which is Section 2.09.D (was previously cited as 2.09.C.1.b)
- **2.07.G.8:** Correction of a clerical error. This section is referring to the requirement for a plat to be certified by either a surveyor or engineer, which is Section 2.10.I.2, subsections a and b (was previously cited as 2.09.J, which does not exist).
- **2.10.C.4:** Removal of the requirement for a certified Design Plan form to be submitted.
- **2.10.D.2:** Removal of the requirement for a certified Design Plan form to be submitted.

- **2.10.F:** Removal of the requirement for the design plan documents to be filed with the final plat application.
- **2.10.G:** Removal the reference of design plan documents needing to be filed with the final plat application.
- **2.11.I:** Added new subsection 11, which provides the exempt certification stamp for surveyors to have access to it when needed.
- **2.13.B**: Restructured sentence to clarify meaning based on feedback from surveyors who found the current language confusing. The requirement was not changed; only the wording was.
- **3.01.D.1, subsections a-e:** Add clarifying language next to each item to make it easier to understand the existing section of the Subdivision Regulations being referenced for the various alternative design standards.
- **3.01.D.2, subsections a-f:** Add clarifying language next to each item to make it easier to understand the existing section of the Subdivision Regulations being referenced for the various variances that can be approved by the Engineering Departments of the City of Knoxville and/or Knox County.
- **3.01.D.2, subsection e:** This subsection was created to provide an avenue for radius reduction variances to be granted by the City and County Engineering Departments for the agricultural, residential, and office zones.
- **3.03.B.1:** Added language to clarify that the Planning Commission may approve a reduction in lot frontage for attached dwellings in Knox County. This in recognition of the fact that the City of Knoxville Zoning Ordinance, adopted January 1, 2020, now has provisions for attached dwellings.
- **3.03.C:** Added language to clarify the uses that could be served by an EPAE, how lots should be counted, and under what conditions multiple lots can be crossed by an EPAE.
- **3.03.D:** This subsection was added to create another type of access easement. See list of amendments by issue for rationale.
- **3.03.E:** Increase the number of lots required to be served by a private right-of-way from 2 lots or more to 6 lots or more) due to the more expansive requirements of private right-of-way design.
- **3.03.E.1.i:** Struck the requirement for duplexes and multifamily developments utilizing private rights-of-way to meet the requirements of private rights-of-way serving 6 or more lots (rather than private rights-of-way serving less than 6 lots).

- **3.11.A.1:** Added the words “utility and drainage” to this section to clarify what type of easement is being referred to in the note. Additionally, Planning staff has been told that KUB utility company requires these words to be in the note or they will not sign off on the plat certification.
- **3.11.A.2:** Separated this sentence as its own line item. It was previously included in 3.11.A.1, but was consistently included in the plat note as described above even when it did not apply. This separation highlights the sentence and allows for it to be added specifically when needed.
- **3.11.A.3.a:** Expanded the circumstances under which the City and County Engineering Departments could issue a waiver from the U&D requirement.
- **4.01.D.1-2 and E:** Language clarifying when the Planning Commission could approve lot width reductions smaller than what would normally be allowed in the Subdivision Regulations (not to be confused by the lot widths required in the zoning ordinances).
- **5.02, Definition of Words:** Deleted “verification” from the glossary since it refers to approval of the design plan, which would no longer be required if these proposed amendments are approved.

MARCH 9, 2023:

- 2.09.B.2: Amendment of the general expiration date of concept plans, reducing the time of expiration from 10 years to five; formatting corrections to clarify intent
- 3.03.A: Revised language to refer to the lot frontage requirements in 3.03.B to streamline that information
- 3.03.B.1: Clarified the language so it is clear that the Planning Commission can only approve lot width in zones that do not specify a lot width. Also added language to clarify that an alternative to providing 25 ft of street frontage is to meet the standards of Section 3.03.A pertaining to access standards.
- 3.03.C: Add a sub-section (5) referencing the legal documentation required for easements in Section 3.03.I so it is clear that a maintenance agreement will be needed.
- 3.03.D.2: Reworded the language to clarify that a lot with frontage through which an easement crosses counts towards the # of lots (as a mechanism to limit the number of lots physically using the lot vs the legal issue of lot frontage).
- 3.03.D.2.a.: Add County Engineering so the criterion applies to both jurisdictions.
- 3.03.D.10: Changed the requirement that an HOA be established for an SPAE so that a maintenance agreement is acceptable.
- 3.03.E.3.a: Allow City and County Engineering Departments to reduce the width requirement for a private ROW to 40-ft if deemed sufficient or preferable.
- 3.04 J.(2): Change “shall” to “may” to allow City and County Engineering Departments to reduce the ROW radii to 25 ft without Planning Commission approval when circumstances warrant it.
- Corrected formatting errors in Section 3.03 resulting from previous amendments.