

MINIMUM REGULATIONS  
FOR  
SUBDIVISION DEVELOPMENT  
WITHIN  
THE KINGSPORT, TENNESSEE  
PLANNING REGION

ADOPTED  
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**MINIMUM REGULATIONS  
FOR  
SUBDIVISION DEVELOPMENT  
WITHIN THE KINGSPORT, TENNESSEE PLANNING REGION**

**ARTICLE I  
PURPOSE, AUTHORITY AND JURISDICTION**

**1-1 PURPOSE AND INTENT**

The purpose and intent of these regulations is as follows:

- A. To encourage the development of sound, healthful, and economically stable residential, commercial, industrial, and public areas.
- B. To coordinate land developments to ensure that future physical growth will be orderly, efficient, and conducive to a minimum outlay of private and public expense in providing services to new growth areas.
- C. To minimize fire hazards, provide for safe, convenient and efficient traffic circulation, and provide for light and air in habitable structures.
- D. To provide for the overall harmonious development in conformance to the adopted comprehensive plan.

**1-2 AUTHORITY**

These regulations are adopted pursuant to the authority established in the Tennessee Code Annotated, Title XIII, Section 13-3-401 through 13-3-411 and Section 13-4-301 through Section 13-4-309. From and after the passage of these regulations the Planning Commission shall be the official planning authority and no plat or plan of land subdivision shall be recorded by the County Register of Sullivan or Hawkins County unless said plat has received final approval in writing by the Planning Commission.

**1-3 JURISDICTION**

These regulations shall govern all subdivision of land within the corporate limits of the City of Kingsport and within the Kingsport Planning Region.

1-4 ADMINISTRATION

It shall be the duty of the Director of Planning designated by the City of Kingsport, Tennessee, to administer and establish the procedures for the proper implementation of these regulations.

1-5 APPLYING HIGHEST STANDARD

Whenever the provisions of these regulations and those of any other regulation, ordinance, rule or other provision of law apply to the same subject matter, whichever provisions are more restrictive or impose higher standards shall govern and hold true for all provisions of these regulations.

ARTICLE II  
DEFINITIONS

2-1 THE MEANING OF WORDS AND TERMS

Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the context. The terms "shall" and "will" are always mandatory, and the word "may" is permissive. When not inconsistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the future. The word "person" includes a firm, partnership or corporation as well as an individual. The word "lot" includes the words "plot" or "parcel." The word "building" includes the word "structure."

The Planning Commission's interpretation shall be final, absent to any appeal to the proper Court of this State, as to the meaning of any definition, statement, requirements, symbol, and/or abbreviation used in connection with these regulations or application thereof.

2-2 DEFINITIONS

**ARCHITECT** - An individual licensed and registered by the State of Tennessee to practice architecture in the State of Tennessee.

**BUILDING SETBACK** - A line beyond which no foundation wall or part of the structure of any building shall project with the exception of open walkways and the sub-surface projection of footings.

**BUILDING** - Any structure used or intended for supporting or sheltering any use or occupancy.

**BIKEWAYS** - A facility that is explicitly provided for non-motorized bicycle travel.

**COMMUNITY SEWER SYSTEM** - A central sewage system which is owned, operated, and maintained by a private corporation or non-profit property owners' association.

**COMPREHENSIVE PLAN** - The comprehensive plan for the Kingsport Area approved by the Planning Commission which may consist of such elements as major street and road plan, major thoroughfare plan, general land use plan, and other maps, data, and descriptive matter for the physical development of the urban area or any portions thereof, including any amendments, extensions, or additions thereto as adopted by the Planning Commission.

COUNTY ROAD COMMISSIONER - (Appropriate) County Road Commissioner.

COUNTY REGISTER'S OFFICE - (Appropriate) County Register of Deeds office.

DEDICATION - The setting aside of land and/or improvements for a particular use.

DESIGN MANUALS - The manuals adopted by Sullivan County and City of Kingsport, Tennessee for design and specifications of roads, water mains, sanitary sewers, storm drains, culverts, and any amendments thereto.

DEVELOPER - See "SUBDIVIDER."

EASEMENT - A grant by the owner of land for the use of such land by others including the public for a limited and specifically named purpose or purposes.

ENGINEER - The individual licensed and registered by the State of Tennessee to practice engineering in the State of Tennessee.

ENGINEERING OFFICIAL - The engineering official for the City of Kingsport, Tennessee.

HEALTH DEPARTMENT - Tennessee Department of Environment and Conservation and Public Works Department for the City of Kingsport.

HIGHWAY DEPARTMENT - (Appropriate) County Highway Department.

INDIVIDUAL SEWAGE TREATMENT FACILITY - A sewage disposal system developed to function on an individual lot basis.

KINGSPORT GEODETIC REFERENCE NETWORK (KGRN 1990) - That network of control monuments established across the Kingsport Planning Region in 1990, each of which were located within the Tennessee State Plane Coordinate System by First Order GPS (Global Positioning System) methods and for which an elevation has been established by field-run levels to meet Second Order, Class I specifications.

LOT - A portion of land separated from other portions by description as on a subdivision plat or record of survey map as described by metes and bounds and intended for transfer of ownership or for building development. For the purposes of the regulation, the term does not include any portion of a dedicated right-of-way.

LOT, CORNER - A lot on which two or more adjoining sides abut on a public street.

LOT, DOUBLE FRONTAGE - A lot which runs through a block from street to street.

LOT, INTERIOR - A lot other than a corner lot.

LOT REVERSE FRONTAGE - A double frontage lot which has its vehicular access point limited to the back of the lot rather than having access on its front.

LOT WIDTH - The mean horizontal distance across the lot measured at right angles to the depth.

MAJOR STREET AND ROAD PLAN - See "COMPREHENSIVE PLAN."

MINOR SUBDIVISION - A subdivision consisting of ten lots or less having all required improvements available.

PERMANENT EASEMENT - An easement providing legal access from one or more lots to an existing highway, street, or thoroughfare. Maintenance of such permanent easements shall not be the responsibility of Municipality or County.

PLANNING COMMISSION - Kingsport Municipal/Regional Planning Commission.

PLANNING REGION - For the purpose of these regulations the area composed of territory of the Kingsport, Tennessee, municipality together with its Urban Growth Boundary.

PUBLIC WATER SYSTEM - A central water system owned, operated and maintained by a municipality, county, or utility district.

PLAT - The map, drawing or chart upon which the plan of subdivision is presented to the Planning Commission for approval.

**PUBLIC USAGE** - Public parks, schools, administrative, cultural or service buildings not including public land or buildings devoted solely to the storage and maintenance of equipment or material.

**PUBLIC UTILITY** - Any person, firm, corporation or municipal department or board duly authorized to furnish under federal, state or municipal regulations to the public electricity, gas, communications, transportation, water or sewer.

**RESERVE STRIP** - A portion of land set aside to limit and/or prohibit access.

**RIGHT-OF-WAY** - A portion of land being used or in the future dedicated to use as a street, road, thoroughfare or crosswalk, pipeway, drainage canal, and/or similar use and designated by means of a right-of-way line.

**ROAD** -See "STREET."

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

**SANITARY SEWERAGE SYSTEM** - A municipal or community sewage disposal system of a type approved by the Tennessee Department of Environment and Conservation.

**SECRETARY** - A person designated by the Kingsport Municipal/Regional Planning Commission as the secretary.

**SINKHOLE** - A structure in which drainage collects and is consequently funneled to a subsurface formation by means of a throat. A drainage well is a bored, drilled, driven, dug, or naturally occurring hole with a depth greater than the largest surface dimension; used to drain surface fluid, primarily storm runoff, into a subsurface formation.

**STAFF** - The employees of the City of Kingsport Planning Department.

**STREET** - A general term used to describe a right-of-way which provides a channel for vehicular or pedestrian movement between certain points in the community, which may provide for vehicular and pedestrian access to properties adjacent to it, and which may also provide space for the location of underground and aboveground utilities. **STREETS** are classified by functions as follows:

Freeways and Expressways - A freeway is a limited access facility designed for traffic requiring relatively high operating speeds and having relatively long operating distances.

Arterial Streets - Arterial streets are used primarily for the movement of vehicles, but may provide for vehicular access to adjacent property. When access to adjacent property is permitted, it should be by means of a marginal access type of street to serve several properties rather than permitting each property owner to have his own private driveway access point.

Collector Streets - Collector streets are used more for movement of vehicles than for providing access to adjoining properties. Access to adjacent property should be planned and controlled so that minimum disturbance is made to the traffic-moving efficiency of the major collector street. This class of streets has an average daily traffic projection of 3,001 to 6,999.

Non-Residential Streets - Non-residential streets are to be constructed in areas appropriately zoned, or proposed to be developed for uses other than residential.

Local Streets - This class of streets is primarily a residential street that serves the internal traffic movement within an area of the City, such as a subdivision, and connects this area with a higher classification of street system. This class of streets has an average daily traffic projection of 251 to 3,000.

Residential Streets - Residential streets are used primarily for providing access to adjacent properties. Such streets usually carry no through traffic and includes short streets, dead end streets, and courts. This class of street has an average daily traffic projection of 1 to 250.

Marginal Access Streets - Marginal access streets are local or residential streets which are parallel to and adjacent to arterial streets and expressways. These streets provide access to abutting properties and protection from through traffic.

Dead End Streets - Dead End Streets are streets having only one opening and providing no access to another street. The closed end provides a turn-around for vehicles.

Alleys - Alleys are minor right-of-ways, dedicated to public use, 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.

**STREET FURNITURE** - Any improvements placed within the street right-of-way such as utility poles, street signs, benches, etc.

**SUBDIVIDER** - 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 includes "owner" or "builder", even though the persons and their precise interests may vary at different project stages.

**SUBDIVISION** - The division of a tract or parcel of land as defined by the Tennessee Code Annotated.

**SURVEYOR** - An individual licensed and registered by the State of Tennessee to practice surveying in the State of Tennessee.

TRACT - A portion of land with definite and ascertainable limits or boundaries.

TRAFFIC PROJECTIONS - For the purpose of these regulations average daily traffic projections shall be ten (10) trips for each single family residential lot, seven (7) trips for each condominium unit, and five (5) trips for each apartment unit accessing a public street.

ZONING REGULATIONS - The duly adopted zoning regulations enacted by the City of Kingsport, or appropriate County.

ARTICLE III  
PROCEDURE FOR PLAT APPROVAL

In order to secure review and approval of proposed subdivision by the Planning Commission, any owner of land lying within the City of Kingsport, Tennessee, or its Planning Region who wishes to subdivide such land shall prior to making any improvements or installations follow certain procedures as described below.

The review and approval of a Subdivision Plat consists of three separate steps. The initial step is optional and allows for submittal of a Sketch Plat and informational consultations with the planning staff. The second step involves the preparation and submission to the Planning Commission of a Preliminary Plat of the proposed subdivision. Step three is the preparation and submission to the Planning Commission of a Final Plat together with required certificates. This Final Plat becomes the instrument to be recorded in the County Register's Office when duly signed by the Secretary of the Planning Commission. The only exceptions are minor subdivisions of ten or fewer lots which do not involve the construction or opening of new streets, water or sewer facilities, or other utilities. These subdivisions shall be accepted by the Planning Commission in the form of a Final Plat.

For the purpose of these regulations, the date of the regular meeting of the Planning Commission at which consideration of approval for the subdivision shall constitute the official submittal. The statutory period required for formal approval or disapproval of the plat shall commence at this meeting.

3-1 CONCEPT PLAN SUBMISSION

The subdivider may visit the planning offices and discuss the effects of the official planning literature as well as general design standards, zoning and other related matters which might affect the proposed subdivision. In addition, the subdivider may submit pre-application plans and data for review, advice and assistance by the Planning Commission, City staff, County Road Commissioner, Health Department or appropriate utility agency. Such professional assistance at this early stage may save time and prevent costly revisions to making formal application for plat approval. The concept plan may also be submitted to the Planning Commission for approval. A preliminary plat and construction plans can be prepared and approved based on this concept plan within two years of its approval.

### 3-2 CONCEPT PLAN CONTENT

The Concept Plan should show the entire tract and contain the following:

- 2.1 The location of the proposed subdivision in relation to the neighborhood in which it is located;
- 2.2 A simple plan showing general layout of lots and streets, major drainage-ways and other features relevant to existing conditions on the site and adjoining street system;
- 2.3 General subdivision data including land characteristics, proposed community facilities and utilities, typical building sites, street widths, street cross sections, and contours where necessary.

### 3-3 PRELIMINARY PLAT SUBMISSION

The purpose of the Preliminary Plat is to safeguard the subdivider from unnecessary loss of time and expense of preparing a Subdivision Plat which does not conform to the specifications of the minimum standards for subdivision development. Public agencies having jurisdiction will review the Preliminary Plat regarding matters within their jurisdiction.

The subdivider shall submit to the Kingsport Planning staff five (5) copies of the Preliminary Plat and construction plans for distribution to reviewing agencies as determined by the location of the site. Mylar-type "as-built" plans will be required from the subdivider after construction is complete. Submission shall be on the **fifteenth** working day of the **prior** month in which the plat is to be considered by the Planning Commission. The following agencies may review the preliminary plat and construction plans.

#### City Agencies

Planning Department  
Transportation Department  
Public Works Department  
Building Department  
Engineering Department  
Fire Department  
Police Department  
Geographic Information System

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County Agencies

Health Department  
Highway Department  
Zoning Department  
Emergency Communications District (911)

Public Utilities

Power Company  
Telephone Company  
Utility District  
Natural Gas Company

3-4 PRELIMINARY PLAT AND CONSTRUCTION PLANS CONTENT

The Preliminary Plat shall be prepared by a design professional and drawn on proper material to a scale of not less than one inch (1") equals one hundred feet (100').

4.1 Required data:

- (A) Subdivision name, location map and total acreage of tract or parcel;
- (B) Subdivider and surveyor's name and address;
- (C) Date, graphic scale, and north arrow;
- (D) Location of existing physical features such as storm drains, sanitary sewers, power lines, gas lines, water lines, buildings and water bodies;
- (E) Names, location, widths, and other dimensions of streets, alleys, easements and lot lines on adjoining property;
- (F) Current zoning and building setback lines;
- (G) Names of adjoining property owners of unplatted property;
- (H) Contours at not more than 5' intervals and note stating where the contours were derived;
- (I) Boundary of Flood Fringe and Floodway as established by City or County zoning;
- (J) The proposed location of two concrete monuments;
- (K) Location of any planting strips, signage, street plantings, sidewalks, or other features proposed as part of the public right-of-way;
- (L) Typical street cross sections.

- (M) Proposed utilities to be identified such as natural gas service, electrical service designating whether an overhead or an underground system will be utilized.

[Revised 6-15-95]

The construction plans shall be submitted with the Preliminary Plat . These plans are to be prepared by a qualified professional licensed by the State of Tennessee.

4.2 Engineered Drawings - Required data:

- (A) Street Construction Plan including the following:

1. Plan and profile(s) of proposed streets.
2. Detail plans plotted on plan and profile sheets to a minimum scale of one inch (1") = one hundred feet (100') horizontal, and one inch (1") = ten feet (10') vertical.
3. Plan section including the street and right of way plotted to the proper scale with stationing shown, which should match that of the profile as nearly as possible.
4. Where conventional sections are used, the stabilization required for the roadside ditches, including the linear extent and type of stabilization required.
5. Typical roadway sections, as appropriate.
6. Profile section plotted to the same scale as identified above and including the proposed center line finish grade profile, in addition to the existing center line profile.
7. All vertical control points on or pertaining to the proposed center line profile such as P.V.C., P.V.I., P.V.T., all low points, street intersections, all percent grade and vertical curve data.

8. All horizontal control points on or pertaining to the proposed center line alignment, such as P.C., P.I., P.T., radii, and angle of intersections.
- (B) Storm Drainage Plan including the following:
1. Proposed and existing drainage structures, including inlets, catch basins, junction boxes, culverts, cross drains, headwalls, and outlet facilities with size, type and slope.
  2. The location and size of the first drainage structure downstream of the development. This may be shown on a vicinity map not less than 1"=2000'.
  3. Invert and top of grade elevations on all catch basins and inlets in addition to flow line elevations, stations, and percent grade of all cross drains and between inlets and catch basins.
  4. Hydrologic and hydraulic calculations for appropriate design conditions and facilities. When sizing tiles and cross drains the contributing drainage basin shall be delineated on appropriate topographic maps.
- (C) Grading and Erosion Control Plans including the following:
1. All cut and fill areas indicated as such, with the limits.
  2. Temporary erosion and sediment control measures to be implemented before and during construction (straw bales, silt fences, and sediment ponds).
  3. Any proposed swale ditches, channel changes, or improvements, with typical section and length of change indicated.
- (D) The following Sinkhole and Drainage Well Plan information or approval from the appropriate regulating agency must be provided prior to the alteration of the natural drainage for watershed discharging to such features as sinkholes and drainage wells.
1. Proposed onsite and offsite drainage channels that are tributary to a sinkhole throat or drainage well inlet shall be delineated, along with appropriate hydraulic calculations to define the existing and altered (if appropriate) 100-year

flood plain and to confirm that offsite flooding will not be increased.

2. Detailed contours are to be shown for all sinkholes that are to receive stormwater runoff from the site. These contours are to have a maximum interval of 2 feet and are to be verified by field surveys.
3. A geologic investigation of all sinkholes receiving stormwater runoff from the site shall be performed. The report from this investigation shall be signed and sealed by a registered professional experienced in geology and groundwater hydrology and shall contain the following:
  - a. Location and nature of aquifers.
  - b. Potential for siltation problems.
  - c. Foundation problems that may be expected around sinkholes.
  - d. Details of drainage structures to be built in sinkholes.
  - e. Any other factors relevant to the design of drainage from sinkholes.
  - f. Plans showing the 100-year flood plain.
  - g. This flood plain shall be designated as a drainage easement on final subdivision plat.
  - h. Details of plan for grading and clearing of vegetation within the 100-year flood plain.
4. Compliance with any and all conditions that may be required by the federal government or the State of Tennessee shall be documented. The Tennessee Division of Ground Water is the primary regulatory agency for sinkholes and drainage wells. Drainage into a sinkhole may require a permit for a Class V well under rules for Underground Injection Control (UIC).

5. Demonstration that development will not occur within the area flooded by the 100-year flood. The 100-year elevation may be lowered by construction of a detention pond. Calculations that document a lowering of the 100-year flood elevation shall be based on the 100-year, 24-hour storm using an appropriate safety factor for discharge into the sinkhole.

(E) Plan and Profile(s) of water and calculations;

(F) Plan and Profile(s) of sewer and calculations;

(G) Plan for underground street lighting system prepared by the appropriate power company.

**(H) Certification of notice of coverage for discharge of stormwater related to construction activity from Tennessee Department of Environment and Conservation.**

4.3 Review by Individual Agencies: No preliminary plat shall be submitted to the Planning Commission without being reviewed by the City Engineer, City Public Works Director, Health Department, County Road Commissioner, utility providers, as appropriate. These agencies shall review the preliminary plat to the extent that each has jurisdiction within 10 days of receipt. If rejected, the agency shall provide the Planning Commission with a written statement specifying all reasons for rejection.

4.4 Elapsed Time: Unless a time extension has been requested by the subdivider and granted by the Commission all final plats shall be submitted within twenty-four (24) months of the approval date of the preliminary plat.

### 3-5 FINAL PLAT SUBMISSION

A Final Plat shows all property lines and other dimensions important for the accurate and legal transfer of property, and records the location of street lines, easements, utilities, and improvements.

Subsequent to the Preliminary Plat with Construction Plan approval and installation or bonding of improvements, the subdivider shall submit to the Planning staff **seven (7)** paper copies of the final plat for distribution to reviewing

**Bold Type = Amended July 2003**

agencies as determined by the location of the site. Submission shall be on the **fifteenth** working day of the **prior** month in which the plat is to be considered by the Planning Commission. The following agencies may review the final plat.

[Revised 6-15-95]

City Agencies

Planning Department  
Transportation Department  
Public Works Department  
Building Department  
Engineering Department  
Fire Department  
Police Department  
Geographic Information System

County Agencies

Health Department  
Highway Department  
Zoning Department  
Emergency Communications District (911)

Public Utilities

Power Company  
Telephone Company  
Bloomingdale Utility District  
Natural Gas Utilities

3-6 FINAL PLAT CONTENT

The Final Subdivision Plat should be drawn to a scale of not less than one inch (1") equals one hundred feet (100') on a sheet 18 by 24 inches with a 1/2 inch border on all four sides.

[Revised 2-22-96]

6.1 Required Data:

- (A) Subdivision name, acreage of site, location map, north arrow, and subdivider's name;
- (B) A graphic scale and/or numerical scale;

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- (C) Surveyors' stamp, name and registration number;
  - (D) Streets on adjacent land;
  - (E) Name and locations of adjoining properties;
  - (F)
    - (a) Boundary lines of tract distinguished from adjacent property and length of courses to the nearest hundredth of a foot;
    - (b) In all cases where the tract being subdivided, either in whole or in part thereof, consists of less than five acres, the entire boundary of the tract, including all exterior lot lines as well as new interior subdivision lines, shall be shown on the plat to the nearest hundredth of a foot.
- Revised 7-21-94
- (G) Location and KGRN station number of any reference monument whose use may be required by any provision contained herein;
  - (H) Street names, bearings, angles of intersection, and width;
  - (I) Arc-length, radii, point of curvature, and tangent distances;
  - (J) Locations, widths, name and purpose of all easements;
  - (K) All lot line distances expressed to the nearest one-hundredth of a foot and all lot line bearings expressed to the nearest minute of arc. There shall be an indication of the origin of the bearings used. For subdivisions that lie within two thousand (2,000) feet, as measured along the nearest public right-of-way, of an existing KGRN monument, there shall be a ground distance tie to that KGRN monument. The tie may be made using KGRN bearings or KGRN coordinates of two or more points within the subdivision. If KGRN bearings are used, there must be a statement as to whether or not the tie line has been reduced to sea level distances and if a scale factor has been applied. If KGRN coordinates are used, they must be reduced to sea level and have the proper scale factor applied with accompanying notation on the plat stating that these corrections have been made.

If the subdivision lies beyond two thousand (2000) feet, as measured along the nearest public right-of-way, of an existing KGRN monument, or if the developer so wishes, the City Engineering Department will establish KGRN coordinates on the reference monuments for the proposed subdivision using global positioning at a charge to the developer of \$300 per monument due prior to Final Approval.

Revised 9-9-94

- (L) Reservations and dedications indicated as to purpose on tract;
- (M) Lot numbers and block numbers, set-back lines with dimensions or notation that all lots conform to existing zoning ordinance;
- (N) Closure error of 1/7500 or better;
- (O) One hundred year flood elevation and drawn floodway boundary as defined by FEMA.

6.2 Certifications:

- (A) Certificate of ownership and dedication;
- (B) Certificate of accuracy;
- (C) Certification of the approval of streets and utilities;
- (D) Certification of the approval of water and sewerage system; and
- (E) Certificate of Approval for recording.
- (F) Certification of approval of the street lighting system.
- (G) Certification of the Approval for 911 Addressing Assignments.

[Revised 6-15-95]

6.3 Additional information may be required where necessary.





**CERTIFICATE OF APPROVAL OF PUBLIC WATER SYSTEM**

I hereby certify that the public water utility system installed or proposed for installation fully meets the requirements of the \_\_\_\_\_ water utility system and is hereby approved as shown.

\_\_\_\_\_, 20\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorizing Agent

**CERTIFICATE OF ACCURACY**

I hereby certify that the Plan shown and described hereon is a true and correct survey to the accuracy required by the Kingsport, Tennessee Regional Planning Commission and that the monuments have been placed as shown hereon.

\_\_\_\_\_, 20\_\_\_\_\_  
Date

\_\_\_\_\_  
Surveyor

(or)

I hereby certify that this is a category \_\_\_\_\_ survey and the ratio of precision of the unadjusted survey is 1: \_\_\_\_\_ as shown hereon.

\_\_\_\_\_, 20\_\_\_\_\_  
Date

\_\_\_\_\_  
Surveyor                      TN. Reg. No.

### 3-7 MINOR SUBDIVISION PROCEDURE

Procedure for submitting Minor Subdivisions as defined in Article II is as follows:

#### 7.1 SUBMISSION

The subdivider shall submit the plat to the staff on the **fifteenth** working day of the **prior** month it is to be considered for approval by the Planning Commission. Submission shall consist of paper copies.

#### 7.2 REVIEW

The platting information shall be the same as required for final plat approval. Under special circumstances where unusual topographic problems exist the Planning Commission may require topographic information, a drainage plan, or a map showing existing utilities. If the staff determines that the Subdivision complies with such regulations governing a subdivision of land as adopted by the Planning Commission, the plat will be presented for approval.

### 3.8 TWO LOT SUBDIVISION

The staff shall review plats for subdivisions consisting of two lots within thirty (30) days of submittal. Platting information for subdivisions consisting of two lots shall be the same as required for Minor Subdivisions. If the staff determines the subdivision complies with these regulations it will certify the plat in writing to the Secretary of the Planning Commission to be signed. After recording the Final Plat, the staff shall report to the Planning Commission at the next regular meeting action relative to two lot Subdivision Plats.

### 3-9 FIELD TRIPS

The staff shall arrange for and conduct conferences with developers and field trips necessary for proper investigation of the Preliminary and Final Plats by affected City departments or area agencies and the Planning Commission.

**Bold Type = Amended July 2003**

### 3-10 NOTIFICATIONS

The staff shall notify the developer by mail of the time and place of the public meeting to consider approval of the Preliminary and Final Plats. Notification shall take place at least five (5) days prior to the meeting of the Planning Commission. The subdivider, or his representative, shall attend the meeting at which the plat is to be considered. The Commission may deny approval if the subdivider is not represented.

### 3-11 APPROVAL OR DISAPPROVAL

The Planning Commission shall receive the recommendations of its staff and approve or disapprove the plat. In the event that the Planning Commission fails to either approve or disapprove a plat within thirty (30) days if located within the City, or sixty (60) days within the Planning Region, of its presentation to the Planning Commission, such plat shall be deemed approved. If a plat is disapproved, reasons for such disapproval shall be stated in the records of the Planning Commission.

### 3-12 RECORDS

The staff shall keep a record of all plats and Planning Commission actions pertaining thereto.

ARTICLE IV  
GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

The purpose of this section is to assure that sound subdivision development will take place within the jurisdiction of the Kingsport Regional Planning Commission by establishing minimum standards for use in the design of subdivisions.

4-1 Streets and Roads

1.1 Conformity to the Major Street and Road Plan:

The subdivision of land and the design of roads servicing such land shall be undertaken in conformity with the Major Street and Road Plan adopted by the Kingsport Regional Planning Commission.

1.2 Relation to adjoining Road Systems:

The proposed road systems of a subdivision shall provide for the continuation of existing or platted streets in adjoining or nearby tracts. Where in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended to the boundary of such property. Multiple access points for subdivisions should be provided whenever possible.

1.3 Widths of rights-of-way and pavements shall be as follows:

- (A) Freeways and Expressways - As specified by the Tennessee Department of Transportation.
- (B) Arterial Streets - As specified by the Tennessee Department of Transportation.
- (C) Collector Streets - Collector streets are those shown on the Major Street and Road Plan for the Kingsport Planning Region and shall have minimum rights-of-ways and pavement widths as shown in documents recorded as part of that Plan.
- (D) Non-Residential Streets - Non-residential streets shall have a minimum right-of-way of sixty feet (60') and a minimum pavement width of thirty-two feet (32').

- (E) Local Streets - Local streets are not shown on the adopted Major Street and Road Plan. They are designed primarily for the purpose described in its definition. This type street shall have right-of-way width of fifty (50') feet and a minimum pavement width of twenty-eight feet (28') feet.
- (F) Residential Streets - Residential streets shall have a minimum right-of-way width of forty feet (40') and a minimum pavement width of twenty-four feet (24').
- (G) Marginal Access Streets - When a tract fronts on an arterial street or expressway, the Planning Commission may require such lots to be provided with frontage on a marginal access street or may require reverse frontage lots. Marginal Access Streets or Frontal Roads where required will be designed on a case by case basis.
- (H) Alleys - Alleys shall have a minimum right-of-way width of twenty feet (20') and a minimum pavement width of twenty feet (20').
  - (1) Alleys shall not be provided in residential areas except where the developer produces evidence satisfactory to the Planning Commission of the need for alleys.
  - (2) Alleys shall be provided in commercial and industrial subdivisions. The Planning Commission may waive these requirements provided that definite and assured provisions are made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.
  - (3) Dead-end alleys shall be prohibited unless a turn-around is provided.
- (I) Dead End Streets - Permanent Dead End Streets shall be no longer than one thousand two hundred fifty feet (1,250') measured along the centerline from the entrance street right-of-way to the center of the cul-de-sac. For local streets a cul-de-sac shall have a right-of-way radius of not less than fifty feet (50'), the diameter of the paved area eighty feet (80'). For residential streets the right-of-way radius shall be forty feet (40'), and the diameter of the paved area sixty-five feet (65'). A transition curve radius of not less than seventy-five feet (75') for connecting the turnaround with the end

of the street is required, and the maximum grade of the turnaround shall not exceed eight percent (8%). When unusual topographic or other conditions exist, the length of the cul-de-sac or type of turnaround may be varied by the Planning Commission. The Planning Commission may require additional rights-of-ways and roadway improvements if variances are granted.

(J) Temporary Dead End Street - Where a street is provided to give access to adjoining property, the street shall be constructed to the property line. Such streets shall be provided with a paved, temporary turn-around which will be dedicated as public. The turn-around will have a roadway diameter of sixty (60) feet. When the adjoining property is subdivided and the streets extended, that adjacent property owner shall be required to eliminate the temporary turn-around and install curbing to join the streets together. Where a street is provided to give access to adjoining property, and does not have any lots with frontage on said street, the street shall be constructed to the property line. Such streets shall not be required to provide a turn-around.

(K) Additional Width on Existing Streets - Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet minimum street or width requirements or requirements specified in the Major Street and Road Plan. The entire right-of-way shall be provided where any part of the subdivision is located on both sides of the existing street. When the subdivision is located on only one side of an existing street, one-half (1/2) of the required right-of-way, measured from the center line of the existing roadway, shall be provided.

1.4 Grades of streets and roads shall be as follows:

- (A) Freeway and Expressway Maximum Grade - As specified by the Tennessee Department of Transportation.
- (B) Arterial Maximum Grade - As specified by the Tennessee Department of Transportation.
- (C) Collector and Non-Residential Maximum Grade - The maximum grade on Collector and Industrial Streets shall not exceed twelve percent (12%).
- (D) Local, Residential and Marginal Access Maximum Grade - The maximum grade on Minor Collector, Marginal Access, and Local Street shall not exceed fifteen percent (15%).
- (E) Minimum Grade - The minimum grade of any street or road provided with curbs shall be not less than one-half of one percent (.5%).

1.5 For safety of travel, horizontal curves, and vertical curves shall be as follows:

(A)

<u>STREET</u>	<u>Speed</u>	<u>HORIZONTAL CURVE</u>	<u>VERTICAL CURVES</u>
1. Freeways & Expressways as specified by the Tennessee Department of Transportation.			
2. Collector	30 mph	250 ft. /333 ft.	Crest 19 Sag 37
3. Non-residential Street	30 mph	250 ft. /333 ft.	Crest 19 Sag 37
4. Local	25 mph	200 ft.	Crest 12 Sag 26
5. Residential	20 mph	107 ft.	Crest 7 Sag 17

(B) Tangents - All reverse curves and broken back curves shall have tangents as outlined below:

1. Tangents for Expressways and Arterial Streets - Reverse curves to broken back curves in road right-of-way shall be connected by tangents as specified by the Tennessee Department of Transportation.
2. Tangents for Reverse Curves - Reverse curves in road rights-of-way shall be connected by tangents of not less than one hundred twenty (120) feet for collector and non-residential streets, one hundred ten (110) feet for local, and fifty (50) feet for residential streets.
3. Tangents for Broken Back Curves - Broken back curves in road rights-of-way shall be connected by tangents of not less than one hundred ninety (190) feet for collector and non-residential streets, one hundred thirty (130) feet for local streets, and fifty (50) feet for residential streets.

1.6 Intersections, Street Offsets, and Radii at Intersections - Requirements for intersection and streets offsets shall be as follows:

- (A) Angle of Intersection - Streets shall be as nearly as possible at right angles, and in no case shall the intersection of street yield angles of less than sixty (60) degrees.
- (B) Grades at Intersections - The maximum grade of any street at the approach to an intersection shall not exceed five (5) percent for twenty-five (25) feet. This distance shall be measured from the nearest edge of pavement of the adjacent street. A vertical curve must be used to connect the five (5) percent or less grade at the approach with subsequent changes in grade, and shall begin at twenty-five (25) feet from the nearest edge of pavement of the intersecting street. The grade on the through street should remain constant.
- (C) Sight Distance at Intersections - Intersections of new streets should provide a minimum corner site distance of three hundred ten (310) feet on Arterial and Collector streets, and one hundred sixty-five (165) feet on Local, Residential streets, and non-Residential streets. Minimum corner sight distance shall be measured from a point on the minor road at least fifteen (15) feet from the edge of the major road pavement, and measured from the pavement surface

to a height of eye at 3.5 feet on the minor road to a height of object at 4.25 feet above the pavement surface or the major road.

- (D) Street Offsets - A residential or local street entering opposite another similar street shall be designed directly opposite or with a minimum offset of one hundred and twenty-five (125) feet between their center lines. Collector streets shall have an offset of two hundred (200) feet and arterials shall have an offset of three hundred (300) feet.
- (E) Radii of Property Lines at Intersections - Radii of property lines at road intersection shall not be less than twenty feet (20') for residential and local streets and thirty feet (30') for collectors and non residential streets. Where an acute angle of less than seventy-five (75) degrees occurs between roads at their intersection, the radii of property lines may be required to be increased. Property line radii at intersections for expressways and arterial streets shall be as specified by the Tennessee Department of Transportation.

1.7 Other street and road specifications:

- (A) Street Names - Streets which are in alignment with existing streets shall bear the name of the existing streets. Street names shall not duplicate or closely approximate the names of existing streets within either Sullivan County or Kingsport Water Service area. The number of characters, including spaces, should not exceed twenty (20). Suffixes for street names may include Street, Avenue, Drive, Way, Lane, Place, Court, Boulevard, Parkway, Crossing, Glen, Green, Path, Trail, Terrace, Trace, Square, Point, Loop, circle, as appropriate.

- (B) Street Lights - The City of Kingsport has an adopted set of design standards that establishes levels of illumination based on the classification of the roadway and the type of adjacent land uses. A local residential street requires a lower level of illumination than an arterial street in a commercial area that has higher vehicular volumes, higher speeds, more driveways and more median openings. These conditions are evaluated prior to requesting the preparation of a street lighting design plan. The Transportation Department will provide the desired level of illumination, type equipment to be used and other pertinent data needed, to the power company, to assist in the preparation of a design plan for the specific area.

[Revised 6-15-95]

- (C) Reserve Strips - Reserve strips controlling access to street or utilities shall be prohibited.
- (D) Permanent Easements - Permanent Easements may be used for access within Planned Developments, Condominium Projects, and Apartment Complexes. The easements shall be a minimum of forty feet (40') in width, private streets within the permanent easement shall have the same design and construction standards as public streets, and be inspected by the City Engineering Department or County Highway Department as appropriate.
- (E) Flood Elevation - Streets located within, but not crossing, a Flood Hazard area shall not be constructed lower than twelve inches below the identified 100-year flood elevation.

## 4-2 BLOCKS

The design of blocks in regard to length, width, and shape should reflect adequate provision for building sites, needs to access and circulation, and limitations created by topographic features.

### 2.1 LENGTH

Blocks shall be no less than three hundred (300) feet in length, except as the Planning Commission considers necessary to secure efficient use of land, or desired features of street pattern.

### 2.2 WIDTH

Blocks shall be wide enough to provide two (2) tiers of lots minimum depth except where abutting or adjacent to marginal access roads and major streets, or prevented by topographical conditions or size of the property.

## 4-3 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.

### 3.1 FLOOD-FREE BUILDING SITE

Each lot in a subdivision shall contain a flood-free building site outside of the limits of any existing easement and/or building setback lines as required by any applicable regulations. Building sites, and sites for drain fields shall not be traversed by water and/or drainage courses and ditches.

### 3.2 LOT ARRANGEMENT

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. The shape and orientation of lots shall be such as the Planning Commission deems appropriate for the type of development and use contemplated.

### 3.3 CONFORMANCE TO ZONING

Minimum requirements for lot size and setback requirements shall conform to those established under any zoning ordinance in effect. In no

instance shall lot frontage be less than 50 feet along a public street, road or permanent easement.

### 3.4 AREAS NOT ZONED

Those areas where no zoning is in effect shall conform as follows:

- (A) Residential lots served by a public sewerage system shall not be less than fifty (50) feet wide at the building setback line, nor less than seventy-five hundred (7,500) square feet in area.
- (B) Residential lots not served by a public sewerage system shall be at least eighty (80) feet wide at the building setback line, and shall provide a minimum area of fifteen thousand (15,000) square feet. A larger area may be required for private sewage disposal by a public or private source of water supply if, in the opinion of the County Health Officer, there are factors of drainage, soil, or other conditions to cause potential health problems.  
The Planning Commission may require submission of test data as a basis for approval of subdivisions dependent upon private sewage disposal.

### 3.5 COMMERCIAL OR INDUSTRIAL PROPERTIES

Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

### 3.6 BUILDING SETBACK LINES

The minimum depth of building setback lines shall conform to those established under the applicable Zoning Ordinance. In those areas where no zoning ordinance is in effect the front yard setback line shall be not less than thirty (30) feet from local and residential streets, and thirty-five (35) feet from all others. Minimum side yard requirements shall be not less than eight (8) feet on one side for all lots and a total minimum distance of fifteen (15) feet between building lines. Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of not less than thirty (30) feet from the side street right-of-way line to the building line.

### 3.7 DOUBLE FRONTAGE AND REVERSE FRONTAGE LOTS

Double frontage lots may be employed to prevent excessive vehicular driveway access to streets, or to separate residential areas from other areas of conflicting land use or traffic use.

### 3.8 LOT SHAPE

Excessive depth in relation to width or very irregular shaped lots may not be permitted.

### 3.9 RESERVATIONS AND DEDICATIONS ON TRACT

The accurate outline of all property which is either offered for dedication to the public use or which is reserved by covenant in the deeds for the common use of the property owners in the subdivision shall be shown on the plat with the purpose printed thereon.

### 4.0 LOT NUMBERS, BLOCK NUMBERS AND SETBACK LINES

Lot numbers shall be in numerical order. Block numbers may be assigned by the City Planning staff. The front yard setback building lines with dimensions may be shown on the plat or noted to refer to zoning designations.

Revised 06-02-96

ARTICLE V  
REQUIRED IMPROVEMENTS

These standards for the design and construction of streets and utilities are established to ensure that all proposed subdivisions are provided with adequate, safe, and sufficient services.

5-1 Street and Road Construction

1.1 Street Plans

Street construction plans shall be provided by the developer for approval by the City Engineer or County Road Commissioner. These plans will show plans and profiles of all streets (vertical and horizontal alignments), typical cross sections, natural and finished grades, vertical curves, horizontal curves, tangents, grades at intersections, angle of intersection, property line radii, street offsets, and sidewalk width and position. Plans must be approved prior to street construction.

1.2 Centerline

The centerline of proposed streets that intersect existing roadways should be marked or flagged in the right-of-way of the existing roadway prior to preliminary approval.

1.3 Grading

The subdivider shall grade or fill horizontally all streets, roads, and alleys to the full width of base construction plus seven feet which may be located on one side of the roadway. Due to special topographical conditions, deviation from the above will be allowed only with specific approval of the Planning Commission.

Preparation - Before grading is started the entire right-of-way area shall be cleared of all trees, stumps, roots, brush, and other objectionable materials.

Cuts - All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to the subgrade.

Fill - All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed six (6) inches loose and then compacted. The subgrade shall be constructed as specified in Section 207, "Standard Specifications for Road and Bridge Construction," Tennessee Department of Highways - March 1, 1981, and latest revisions thereto.

#### 1.4 Base Construction

A compacted base course six (6) inches deep and four (4) feet wider than the width of the pavement, ten (10) inches deep for non-residential streets shall be provided. The types of base to be placed on roads and streets shall not be of a lower classification than TRAFFIC BOUND MINERAL AGGREGATE SURFACE ROADWAY as specified under Section 303, "Standard Specifications for Road and Bridge Construction," Tennessee Department of Highways - March, 1981, and latest revisions thereto. The center line of the roadway shall coincide with the center line of the right-of-way dedicated for such road or street.

#### 1.5 Binder

After a thoroughly compacted base has been established, an asphalt binder course shall be constructed in one layer not less than two (2) inches thick, three (3) inches for non-Residential streets, as specified under Section 307, "Standard Specifications for Road and Bridge Construction," Tennessee Department of Highways, March 1, 1981, and latest revisions.

#### 1.6 Surface Course

The surface course shall consist of a course constructed with asphaltic concrete, prepared with mineral aggregate, laid hot as specified under Section 407, "Standard Specifications for Road and Bridge Construction," Tennessee Department of Highways, March 1, 1981, and latest revisions thereto. It shall be constructed in one layer not less than one (1) inch, one and one half (1-1/2) inches for industrial streets, and provide a four inch (4") crown.

## 1.7 Curbs

Concrete curbs shall be installed on both sides of all new streets. The curbs shall be backfilled and the fill shall slope into the storm drainage system. Where access streets to adjoining properties are provided and they provide no frontage for lots, they shall be curbed to the property line. Where a temporary turnaround is provided, curbs shall end at the transition curve. In all cases the curbs shall be of no lower classification than machine formed concrete extruded curbs eight (8) inches wide at the base and seven (7) inches high and shall be installed to the specification of the City Engineer or County Highway Department.

## 1.8 Sidewalks

Sidewalks measuring four feet in width are required on both sides of all streets with the following exceptions:

1. Sidewalks are not required in minor subdivisions.
2. In residential streets with 40-foot right-of-ways, a 4-foot sidewalk is required on only one side of the street, as approved by the Planning Commission.
3. In a dead end street sidewalks shall end at the transition curve of the cul-de-sac.

Sidewalks shall be constructed of concrete having a 28-day compression strength of 4,000 PSI and shall be located in public rights-of-ways adjoining property lines. Sidewalks shall be four (4) inches thick with a two (2) inch stone leveling base. At a driveway crossing the thickness shall increase to six (6) inches, and shall be reinforced with welded wire fabric mesh or an equivalent. Expansion joints shall be spaced as needed and handicap ramps are required at all intersections.

Sidewalks may be bonded as with other subdivision improvements but are required to be installed when 30% of the Certificates of Occupancy for a subdivision have been issued.

Revised 12-13-94

- 1.9 Street Signs - Street signs shall be provided by the City's Transportation Department for subdivision within the City. If the subdivider chooses to use other than City standard street signs they must be approved by the City Transportation Department. Installation and maintenance of such signs shall be the responsibility of the subdivider. It shall be the responsibility of the subdivider to provide street signs as designated by the County Road Commissioner for subdivisions developed within the Planning Region.

[Revised 6-15-95]

## 5-2 Sanitary Sewerage Systems

### 2.1 Public Sewerage System

When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed by the developer and connected to the public system.

A sanitary sewerage plan shall be provided by the developer for approval by the City and State of Tennessee. Required are plans and profiles for all existing and proposed sanitary sewerage mains, materials, lot connections and connections with existing systems, individual package treatment plants or subsurface sewerage systems which are provided for each lot. Elevations on sanitary sewerage plans shall be based on KGRN 1990 Datum.

### 2.2 Community Sewerage System

Whenever a public sewerage system is not reasonably available and whenever acceptable to the Health Department, the developer may design the subdivision to be served by a community sewerage system.

Wherever community sewers are to be provided, they shall be designed and constructed as required by all appropriate state and local regulations and/or the Health Department. All components of the community sewerage system shall be designed to meet the same specifications as those of the public sanitary sewerage system.

### 2.3 Individual Sewerage System

Whenever a public sewerage system is not reasonably available and a community sewerage system is not feasible or is not acceptable to the Health Department, the developer may utilize subsurface sewage treatment systems provided the systems meet Health Department approval.

Wherever individual sewerage systems are to be provided, they shall be designed and constructed as required by all appropriate state and local regulations and/or the Health Department. The septic system, including associated field beds, must be located on the lot it serves.

### 5-3 Water Supply System

Every subdivision shall be provided with a complete water distribution system adequate to serve the area being developed with lines, valves, and other water facilities.

The water system design and construction shall meet the approval of the Health Department, City Engineering Department or chartered utility agency. Public water systems shall be designed and constructed in accordance with the requirements of the Bureau of Environmental Health Service, Tennessee Department of Public Health, Division of Water Quality Control.

A water system plan shall be provided by the developer which shows water mains properly connected with the public water supply system. The size of water mains, the location and types of valves and hydrants, the amount of stone cover over the pipes, and other features of the installation shall be approved by the appropriate agency and shall conform to the Tennessee Department of Health and Environment's Approved "Kingsport's Construction Standards". Water mains no smaller than six (6) inches in diameter shall be required in every subdivision served by public water supply systems. **Hydrants shall be provided by the subdivider in both the City and the Planning Region.** Water lines past fire hydrants or serving dead end streets can be served by a two (2) inch line.

### 3.1 Water System Design

In the design of the water system, the following factors will be considered:

**Bold Type = Amended July 2003**

Piping characteristics; ground elevations; type of building construction; hydraulic capability of adjacent inner-connected piping; fire flow requirements and any unusual requirements particular to the specific development. Each residence or business will be provided with a separate service line and meter. The standards of the American Insurance Association or applicable state or local fire insurance rating associations will be used as a guide in the matter of fire flow requirements and the spacing of fire hydrants. Fire hydrants will conform to applicable specifications of the American Water Works Association and/or the American Standards Association.

#### 5-4 Storm Drainage System

The standards for the design of storm drainage systems are established to forestall flooding and ponding of water on streets, lots, building sites, dwellings, and sites for drain fields of individual subsurface sewerage disposal systems and to prevent erosion. In addition, these standards are designed to prevent damage from increased storm water runoff and changed drainage patterns created by subdivision of the land.

A storm drainage plan shall be provided by the developer which includes accurate existing and finished contours based on KGRN 1990 Datum; indications of existing and proposed water courses; the system of open channels, pipes, culverts, drainage, inlets, catchbasins, and similar facilities designed to handle storm water in times of rainstorms. The calculations used in the design of such systems and plans shall clearly indicate the easements required in the construction and maintenance of the drainage system. Said easements, however, shall not be less than twelve (12) feet in width and shall be shown on the construction plans and the final plat. The minimum diameter for all storm drains shall be 18 inches. Reinforced concrete pipe shall be used under all streets while corrugated metal is acceptable in other instances. A headwall shall be used at upstream end of pipe. All storm drainage plans shall be certified by a licensed professional.

#### 4.1 Technical Guidelines and Criteria

All drainage systems shall:

- (A) Account for both onsite and offsite stormwater.
- (B) Maintain natural drainage divides.
- (C) Convey stormwater to a stream, channel, natural drainageway, or other existing facility at admissible velocities and existing locations.
- (D) Energy dispersion systems shall be used where flows will be of sufficient velocities to cause erosion damage.
- (E) The design must not adversely affect adjacent or neighboring properties.

It is the responsibility of the developer or property owner to pick up or acceptably handle the runoff as it flows onto the property from the watershed above and conduct it through his property to an adequate drainage outfall at his lower property line. The outfall must be of sufficient capacity to receive the runoff without deterioration of the downstream drainageway.

#### 4.2 Determination of Stormwater Flow Rates

A consideration of peak runoff rates for design conditions is generally adequate for conveyance systems such as storm sewers or open channels. However, if the design must include flood routing (e.g. storage basins and timing of peak runoff) a flood hydrograph is required.

In selecting the design frequency storm, the following criteria shall be used:

- (A) Longitudinal storm drains shall be designed for a 10-year frequency flood, provided that no residential or commercial structures are flooded by a 100-year frequency flood.
- (B) Roadway cross drains shall be designed for a 10-year storm frequency flood for a local street and 100-year storm frequency flood for a collector street, provided no residential or commercial structures are flooded by the 100-year frequency flood. All tiles

lying under the roadway shall be reinforced concrete pipe unless otherwise approved by City Engineer or County Road Commissioner.

- (C) All structures or fill located in floodways designated by the Federal Flood Insurance Study shall be designed to pass a 100-year frequency flood.
- (D) Stormwater detention/retention ponds facilities shall be designed to discharge at the 10-year frequency flood rate associated with original pre-development conditions. Overflow or bypass capability shall be designed for a 100-year frequency flood. The limits of the detention area shall be recorded as a platted drainage easement.

Should the proposed development (with contributing watershed) be less than 100 acres, then the Rational and Modified Rational methods should be used to determine peak flow rates and storage requirements respectively. If the development (with contributing watershed) exceeds 100 acres, then the Soil Conservation Service Technical Release 55 (SCS TR-55 1986, Edition) should be used.

All supporting hydrologic and hydraulic calculations shall be submitted, as well as all maps and references used in calculations.

## 5-5 Other Utilities

All utility services shall be so designed as to conform with all appropriate state, local, and utility agency requirements. Underground utilities are encouraged.

### 5.1 Street Lights

Subdivisions within the City of Kingsport shall be served with street lights. The installation or payment of same shall be made prior to the granting of final approval by the Planning Commission. Prior to the submission of a subdivision plat for preliminary approval, the subdivider will determine and make known, whether the subdivision will be served with overhead or underground electrical service.

Procedures and responsibility for the installation and maintenance of street lights are as follows:

- A. Subdivisions Served With An Above Ground Electrical System - The City of Kingsport bears the financial responsibility for the installation, power and maintenance of street lighting systems in subdivisions that are served by an overhead electrical service. In these subdivisions the street lights are placed on wood poles that usually support the overhead lines providing electrical service to the subdivision.
- B. Subdivisions Served By An Underground Electrical System - When the subdivider determines that an underground electrical system will be a part of the amenities of the proposed subdivision, the decision also determines that a post-top street lighting system must be included as a part of the development requirements necessary to receive final approval by the Kingsport Regional Planning Commission. The City is responsible for the cost of power and maintenance for the system.
- C. Procedure For Design - On receipt of the approved preliminary plan, the Transportation Department will request the appropriate provider of electrical service design and provide a cost for the installation of a street lighting system in keeping with standards adopted by the City of Kingsport. The Transportation Department will inform the subdivider, in writing, of the installation cost in order that arrangements can be made to handle the financial obligations.
- D. Methods of Financing - Each power company has a different method for handling the financing of installation, power and maintenance of street lighting systems and since street lighting is a requirement of the City of Kingsport, all financial arrangements for the street lighting system will be coordinated through the Transportation Department.

### Kingsport Power Company

The subdivider is responsible for delivering to the Treasurer of the City of Kingsport an amount equal to the installation cost for the post-top street lighting system.

After receipt of payment, the Transportation Department will authorize the Kingsport Power Company to purchase and install the street light system. On receipt of a Statement from the Kingsport Power Company the previously deposited amount will be transmitted to the Kingsport Power Company to pay for the purchase and installation of materials.

Once the street light system is installed the City of Kingsport will be responsible for the operational costs for power and maintenance of the system.

### Johnson City Power Board

The Johnson City Power Board designs and prepares a cost for the installation of a post top street light system. The subdivider is responsible for delivering this installation cost to the Treasurer of the City of Kingsport. Once installed, the Johnson City Power Board will submit a monthly bill to the City of Kingsport for the cost of power and maintenance plus a percent of the capital cost. The subdivider's payment is used only to meet the cost for the purchase of materials and installation of the system. The power and maintenance portion of the monthly bill will be the responsibility of the City of Kingsport.

### Bristol, Tennessee Electric System

The Bristol, Tennessee Electric System does not make decorative post-top street lighting poles and luminaries available for subdivisions that include underground electrical service as an amenity of the proposed subdivision. For subdivisions that have underground electrical service installed, street lighting is provided by the use of wood poles, and 100 watt high pressure sodium luminaries with an average spacing of 300 feet. The Bristol, Tennessee Electric Service will determine the cost for installing the system and provide that information to the Transportation Department. The subdivider is responsible for delivering this cost to the Treasurer of the City of Kingsport. Once installed, the Bristol, Tennessee Electric System will submit a monthly bill to the City of Kingsport for the cost of power and maintenance plus a

percent of the capital cost. The subdivider's payment is used only to meet the cost for the purchase of materials and installation of the system. The power and maintenance portion of the monthly bill will be the responsibility of the City of Kingsport.

[Revised 6-15-95]

#### 5-6 Easements

Easements for new, or the continuation of existing, utilities shall be provided for all subdivisions with the width and other characteristics as required by the Planning Commission. Generally, easement widths shall be twelve (12) feet, and may run completely through one lot, or split along side or rear lot lines with six (6) feet on both sides of such common lot line. The limits of easements shall include the stated width, location and bearings and distances as necessary for the reasonable exercise and use. Easements shall be provided outside the public right-of-way for maintenance of public streets when deemed necessary by the City Engineer or County Road Commissioner.

#### 5-7 Monuments

- (a) All new subdivisions which include improvements to the infrastructure (i.e. roads, water lines, sewer lines, etc...) shall have a minimum of two (2) permanent reference monuments. These monuments shall be tied to the current KGRN reference grid by either of the methods defined in Article 3., Final Plat Content, Section 6.1, (K) of these Regulations. An alternative to these methods shall be to directly tie the required monuments by utilizing a Global Positioning System (GPS) and providing the established state plane coordinates to the City Engineer for incorporation into KGRN. Each of the set monuments must be made of concrete and must have a ferrous metal core. An alternative to these materials may be commercial cast iron or cast aluminum with imbedded magnet monuments if approved by the City Engineer prior to Final Approval. Each monument shall be at least thirty inches in length, and shall be at least four inches in diameter or four inches square. The top of the monuments shall be flush with the finished grade and shall have a disc, provided by or approved by the City Engineering Department and stamped with the appropriate KGRN station number. These monuments shall be placed after all grading and paving is complete, shall be accessible from public streets, and preferably intervisible from one another. If possible, each monument should be placed a minimum of two hundred (200) feet apart.
- (b) The proposed locations of the required monuments shall be shown on the preliminary plat.

- (c) All other corners in the subdivision which are not marked by a permanent monument shall be identified with iron pins which comply with the Minimum Standards of Practice of the Tennessee State Board of Examiners for Land Surveyors.
- (d) In the event that an existing KGRN reference monument is to be displaced by the construction of the proposed improvements, the developer shall show the monument on the preliminary plat and notify the City Engineering Department in writing prior to disturbing the monument.
- (e) Prior to Final Approval of the subdivision plat, the developer shall pay the City \$300.00 for each required new reference monument to cover the cost of locating and incorporating the monuments within the Kingsport Geodetic Reference Network (KGRN). This fee does not apply to those surveyors who established the coordinate locations of the permanent monuments using GPS themselves and providing the City Engineering Department with that information.
- (f) All required permanent reference monuments and required pins shall be in place after final grading is completed and/or prior to release of any Performance Bond established by the Kingsport Regional Planning Commission.

#### 5-8 Public Open Spaces

Where a school, park, or other use is shown on a General Community Plan and is located in whole or in part in a subdivision, the Planning Commission may require the reservation for public open space up to a total of ten (10) percent of the area of the subdivision for the City or County to purchase within a five year time period. Should the property not be purchased it would revert to the property owner.

#### 5-9 Installation of Improvements

All of the underground works and all service connections shall be installed completely, and approved by the appropriate agency throughout the length of the road and across the right-of-way section. All driveways for houses to be built by the developer shall be cut and drained. All utilities shall be developed in accordance with appropriate state, local, and utility agency requirements, and meet the design standards contained in Article IV of these regulations.

#### 5-10 Inspection of Improvements

All subdivisions shall be inspected by the City Engineer or the County Highway Department as appropriate. Sufficient inspections shall be made to ensure compliance with the specifications set forth in these regulations. The developer should notify the appropriate agency of his intention to begin work five (5) days prior to commencing. This will provide time for scheduling inspection.

#### 5-11 Guarantee of 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 and approved by the Planning Commission. In lieu of requiring the completion of all improvements prior to final plat approval, the Planning Commission may at its discretion enter into a contract with the subdivider whereby the subdivider agrees to complete all improvements required by the subdivision regulations or otherwise specified by the Kingsport Regional Planning Commission. The subdivider shall provide, subject to the approval of the City of Kingsport Treasurer or County Road Commissioner as appropriate, one of the following guarantees:

##### 11.1 Surety Bond

The subdivider shall obtain a surety bond from a surety bonding company authorized to do business in the State of Tennessee. The bond shall be payable to the City and shall be in the amount sufficient to cover the entire cost. The duration of the bond shall be until such time as improvements are accepted by the approving agency.

##### 11.2 Escrow Account

The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, either with the City, or in escrow with a federally insured financial institution. The use of any instrument other than cash, and in the case of an escrow account, the federally insured lending institution with which the funds are to be deposited shall be subject to the approval of the Kingsport Regional Planning Commission. The amount of the deposit shall be at least equal to the cost, and approved by the City Engineer/County Road Commissioner, of installing all required improvements. In the case of an escrow account, the subdivider shall file with the Kingsport Regional Planning Commission an agreement between the federally insured financial institution and the Kingsport Regional Planning Commission guaranteeing the following:

- (A) That the funds of said escrow account shall be held in trust until released by the Kingsport Regional Planning Commission and may

not be used or pledged by the subdivider as security in any other matter during that period;

- (B) And that in the case of a failure on the part of the subdivider to complete said improvements, the federally insured financial institution shall immediately make the funds of said account available to the Planning Commission for use in the completion of those improvements.

### 11.3 Irrevocable Letter of Credit

The subdivider shall provide, from a federally insured financial institution, an irrevocable letter of credit. This letter of credit shall be deposited with the Kingsport Regional Planning Commission and shall certify the following:

- (A) That the creditor does guarantee funds in an amount equal to the cost, as estimated by the subdivider and approved by the City Engineer or County Road Commissioner of completing all required improvements.
- (B) That in the case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the Planning Commission immediately and without further action, such funds as necessary to finance the completion of the improvements up to the limit of credit stated in the letter.
- (C) That this letter of credit may not be withdrawn or reduced in amount until released by the Kingsport Regional Planning Commission.

### 11.4 Use of Performance Bond

The Commission may utilize the Performance Bond, in lieu of completion of required improvements and previous to the final approval of the plat for an assessment or other method, draw upon the Performance Bond whereby the municipality or county is put in an insured position to do the work and make the installation at the cost of the owners of the property within the subdivision. Release of the Performance Bond shall be by the Planning Commission.

5-12 Time Limits

Prior to granting final plat approval the subdivider and the Kingsport Regional Planning Commission shall agree upon a deadline of the completion of all required improvements, such a deadline not to exceed two years from the date of final approval. The Planning Commission shall have the power to extend that deadline for one (1) year increments where the subdivider can present substantial reasons for doing so, and agreement from the bonding company.

[Revised 5-10-05]

5-13 Forfeiture of Guarantee

If any portion of the required improvement shall fail to be accepted for dedication within the allocated time period, either for reasons of incompleteness or for reasons of substandard construction, the subdivider will be notified that one of the following actions will be taken:

13.1 Declaration of Forfeiture

Where improvements have been guaranteed under provisions of the subdivision regulations, the Kingsport Regional Planning Commission shall declare whatever security has been pledged as a guarantee to be forfeited.

13.2 Possession of Securities

Where the Kingsport Regional Planning Commission is not already in possession of said guarantee it shall immediately take the actions necessary to obtain it. Upon receipt of these securities the Planning Commission shall use them or receipts from their sale if that is necessary to finance the completion of the contract and improvements for the rebuilding of such improvements to proper specifications.

13.3 Unused Securities

Unused portions of these securities shall be returned to the subdivider, bonding company or crediting institution as is appropriate.

5-14 Reduction of Guarantee

In cases where partial improvements have been made under provisions of the subdivision regulations the amount of the guarantee may be reduced upon compliance with the inspections and certifications by the City Engineer or County

Road Commissioner and the dedication of a portion of the required improvements. The amount of the reduction shall not exceed the percentage of the improvements which have been completed. In no case, however, shall the Kingsport Regional Planning Commission reduce the improvement guarantees to less than 15% of the original amount until all work is complete.

5-15 Release of Guarantee

The Planning Commission shall formally release the guarantee once all required improvements are installed and approved by the appropriate agency.

ARTICLE VI  
GENERAL PROVISIONS

6-1 Area of Jurisdiction

These regulations shall govern all subdivisions of land within the corporate limits of Kingsport and within the Kingsport Planning Region.

6-2 Increased Standards

The Planning Commission may require standards above the minimum contained herein whenever it feels the public health, safety and welfare justifies such increases.

6-3 Variances

Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, it may, after written application by the developer, grant variances to the regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variances shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall not grant variances to these regulations unless they shall make findings based upon the evidence presented to them in each specific case that:

3.1 Physical Surroundings

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

3.2 Unique Conditions

The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property, and have not been created by any person having an interest in the property. A variance shall not be based exclusively upon a desire for financial gain.

### 3.3 Detriment to Public Safety

The granting of the variance 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.

### 6-4 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.

### 6-5 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. The following procedures are provided in the Tennessee Code Annotated for the enforcement of subdivision regulations:

#### 5.1 Recording

No plat or plan of a subdivision of land into two or more lots located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the County Register of Deeds until said plat or plan has received final approval in writing by the Planning Commission as provided in Section 13-4-302 and Section 13-3-402, Tennessee Code Annotated.

#### 5.2 Acceptance of Streets and Utilities

No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission, or on a street plan made and adopted by the Planning Commission as provided in Section 13-4-303 and Section 13-3-403, Tennessee Code Annotated. Acceptance of a new street shall not be complete until approved by the Planning Commission on a subdivision plat and approved by the Board of Mayor and Aldermen or County Commission by resolution.

## 6-6 Penalties

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

### 6.1 Recording

No county register shall receive, file, or record a plat of a subdivision within the planning region without the approval of the Planning Commission as required in Section 13-4-302 and Section 13-3-402, Tennessee Code Annotated; and any county register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

### 6.2 Transfer or Sale of Land

Section 13-3-410 and Section 13-4-306, Tennessee Code Annotated provides that whoever being the owner, or agent of the owner, of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required before such plat is recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The municipality, through its solicitor or their official designated by its chief legislative body and/or the county attorney or other officials designated by the County Commission, may enjoin such transfer or sale or agreement by action or injunction.

### 6.3 Erection of Structures

Any building or structure erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the Building Official or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-3-411 and Section 13-4-308, Tennessee Code Annotated.

6-7 Fees

The subdivider shall, at the time of submission of the preliminary plat, pay a Review Fee of fifty (\$50.00) dollars plus five (\$5.00) dollars per lot. Final plats, minor, and two-lot subdivision plats shall have a plat Review Fee of twenty-five (\$25.00) dollars. The subdivider shall also pay a filing fee to cover the actual cost incurred by the City in connection with the review and recording of the plat in the appropriate Register of Deeds Office or cover the expense. Additional fees may be charged to cover the expense, if required, of making prints of the original plat and for distribution to the appropriate officials and agencies.

6-8 Separability

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.

6-9 Repealer

All regulations in conflict with the provisions of these requirements are hereby repealed; except that all plats having preliminary approval prior to the adoption of these regulations will be governed by all previous regulations for a period of twelve (12) months from the date of preliminary approval. At the end of that period all preliminary approvals granted will be subject to the requirements of these regulations.

6-10 Public Hearing, Adoption, and Effective Date

Before adoption of these regulations, a public hearing as required by Sections 13-4-303 and 13-3-403, Tennessee Code Annotated, was afforded any interested person or persons and was held on January 20, 1994. Notice of said hearing was announced in the Kingsport Times News, being a newspaper of general circulation in Sullivan and Hawkins Counties and within the Kingsport Planning Region. These formal regulations shall be in full force and effect from and after their adoption and effective date.

**Adopted:** February 17, 1994

**Revised:** August 18, 2005

*Alan Webb*

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Alan Webb, Secretary  
Kingsport Regional Planning Commission

[sub-reg.a]