

RESOLUTION NO. 2023-01

**A RESOLUTION REPEALING THE MARYVILLE  
SUBDIVISION REGULATIONS AS ADOPTED ON APRIL 15,  
2013, AND ALL AMENDMENTS TO THAT DOCUMENT AND  
ADOPTING NEW SUBDIVISION REGULATIONS.**

**WHEREAS.** the City Council, being the chief legislative body of the City of Maryville, has established a municipal planning commission as authorized in *Tennessee Code Annotated* § 13-4-101; and,

**WHEREAS.** the Maryville Municipal Planning Commission adopted a major street plan on November 21, 2016, said plan being filed with the Blount County Register of Deeds and,

**WHEREAS.** *Tennessee Code Annotated* § 13-4-303 enables the Planning Commission to adopt regulations governing the subdivision of land within the municipality for which it has jurisdiction; and,

**WHEREAS.** the Maryville Municipal Planning Commission wishes to adopt revised regulations governing the subdivision of land; and,

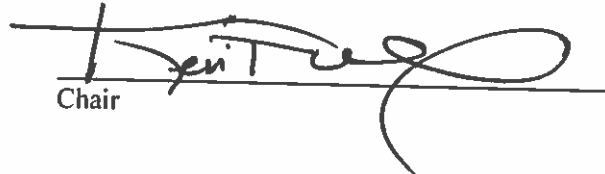
**WHEREAS.** in accordance with *Tennessee Code Annotated* § 13-4-303, a public hearing on the proposed subdivision regulations was held on February 20, 2023, with notice of the hearing being advertised in the Daily Times on January 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE MARYVILLE MUNICIPAL  
PLANNING COMMISSION** as follows:

**SECTION 1.** The document attached to this resolution titled *Subdivision Regulations* is hereby adopted by the Maryville Municipal Planning Commission as regulations governing the subdivision of land as authorized by *Tennessee Code Annotated* § 13-4-303.

**SECTION 2.** This resolution shall become effective immediately upon adoption by the Maryville Municipal Planning Commission.

Adopted this 20<sup>th</sup> day of February, 2023.

  
Chair

ATTEST:

  
Secretary



# **SUBDIVISION REGULATIONS**

**MARYVILLE PLANNING COMMISSION  
CITY OF MARYVILLE, TENNESSEE  
February 20, 2023**

# Prepared and adopted by the Maryville Municipal Planning Commission

Keri Prigmore, Chair

Suzette Donovan  
Vice Chair

Dan Monat  
Secretary

Tom Hodge

Steve Greene

Fred Metz  
City Council Representative

Greg McClain  
Mayor's Designee

Adopted February 20, 2023

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**ARTICLE I**  
**GENERAL PROVISIONS**

**SECTION 1: SHORT TITLE**

These regulations shall be known and may be cited as the Maryville Subdivision Regulations or as the Subdivision Regulations.

**SECTION 2: AUTHORITY**

- (a) These regulations are adopted pursuant to the authority contained in Title 13 Chapter 3 and more specifically Section 13-4-303 of the Tennessee Code Annotated.
- (b) Whenever any provision of these regulations refers to or cites a section of the Tennessee Code Annotated and that section is later amended or superseded, the regulations shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

**SECTION 3: JURISDICTION**

These regulations shall be effective throughout the City of Maryville's ("City") corporate limits and any areas subsequently annexed into the City of Maryville.

**SECTION 4: EFFECTIVE DATE**

These regulations were originally adopted and became effective on May 15, 2006 superseding the prior subdivision regulations of the City.

**SECTION 5: RELATIONSHIP TO EXISTING SUBDIVISION RELATED ORDINANCES**

To the extent that the provisions of these regulations are the same in substance as the previously adopted provisions that they replace in the City's zoning, subdivision, land development and flood control ordinances and regulations, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided.

**SECTION 6: RELATIONSHIP TO PLANNING DOCUMENTS**

It is the intention of the Maryville Planning Commission ("Planning Commission") that these regulations implement the planning policies for the City, as reflected in this and other planning documents. While the Planning Commission reaffirms its commitment that these regulations and its commitment that any amendment to these regulations shall be in conformity with

adopted planning policies, the Planning Commission hereby expresses its intent that neither these regulations nor any amendment to them may be challenged on the basis of any alleged nonconformity with any planning document.

## **SECTION 7: RELATIONSHIP TO ZONING AND LAND USE ORDINANCE AND OTHER LAND DEVELOPMENT REGULATIONS**

Whenever a conflict exists between the Subdivision Regulations, the Zoning and Land Use Ordinance or other land development regulations which the City of Maryville has adopted, the more restrictive standard shall apply. Regardless of the content of the Subdivision Regulations, no subdivision may be approved which conflicts with the Zoning and Land Use Ordinance without proper relief from said ordinance under the processes therein.

## **SECTION 8: FEES**

Reasonable fees sufficient to cover the costs of administration, inspection, publication of notice and similar matters may be charged to applicants for subdivision plat submittals and other applications to the Maryville Planning Commission and City staff relating to matters under the province of Planning Commission. Such fees shall be set by the Maryville City Council and adopted in the same manner as other fees set by the city.

## **SECTION 9: SEVERABILITY**

It is hereby declared to be the intention of the Planning Commission that the sections, paragraphs, sentences, clauses and phrases of these regulations are severable, and if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of these regulations, since the same would have been enacted without the incorporation into these regulations of such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.

## **SECTION 10: COMPUTATION OF TIME**

Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day should be excluded in the computation.

## **SECTION 11: LOTS TO BE BUILDABLE**

All lots approved under the provisions of the Subdivision Regulations shall be buildable upon the time of final plat approval, excluding usable open space areas, subject to the provisions herein and the established processes of the City of Maryville.

## **SECTION 12: LAND-USE ADMINISTRATOR**

Except as otherwise specifically provided, primary responsibility for administering and enforcing these regulations may be assigned by the City Manager and/or Planning Commission to one or more individuals. The person or persons to whom these functions are assigned shall be referred to in these regulations as the "land-use administrator" or "administrator". The term "staff" or "planning staff" is sometimes used interchangeably with the term "administrator".

## **SECTION 13: DEPUTY DIRECTOR OF DEVELOPMENT SERVICES**

The Deputy Director of Development Services, or her/his designee, is the administrative head of the planning section. As is authorized in Article V, the director is authorized to certify final approval of major and minor subdivision plats to the Planning Commission for endorsement.

## **SECTION 14: VARIANCES**

Where the applicant/owner can demonstrate that a portion of these regulations would cause unnecessary hardship if strictly adhered to, and when, because of the topographical or other conditions peculiar to the site, in the opinion of the Planning Commission, a departure may be made from the regulations without destroying the intent of the provisions, the commission may authorize a variance. Any variance authorized and approved by the commission shall be stated in writing and reported in the minutes of the Commission.

The Planning Commission shall not authorize deviations to these regulations unless they shall find based upon the evidence presented and reviewed for each specific case that one or all of the following conditions apply:

- (1) Because of topographical conditions, surroundings, shape, or size of a specific tract or parcel involved, a particular hardship to the applicant or owner would result as distinguished from mere inconvenience.
- (2) The conditions upon which the request for a variance is based are particular to the property for which the variation is sought and generally are not applicable to other properties in the immediate area and have not been self-imposed.

Development costs or economic reasons alone are not grounds for a variance.

**SECTION 15: MISCELLANEOUS**

- (a) As used in these regulations, words importing the masculine gender include the feminine and neuter.
- (b) Words used in the singular in these regulations, include the plural and words used in the plural include the singular.



## **ARTICLE II**

### **BASIC DEFINITIONS AND INTERPRETATIONS**

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in these regulations. Definitions included in Title 14 of the Maryville Municipal Code, the Zoning and Land Use Ordinance, are incorporated by reference into the Subdivision Regulations.:

**City** means the legal entity of the City of Maryville, Tennessee as incorporated under the laws of Tennessee.

**City Council.** The City Council of the City of Maryville.

**Corner Clearance.** At an intersecting street or highway, the distance measured along the edge of the traveled way between the intersection of right-of-way lines and the tangent projection of the nearest edge of the driveway.

**Developer.** A person who is responsible for any undertaking that requires an approval under these regulations.

**Development.** That which is to be done pursuant to an approval under these regulations.

**Development Services – Planning.** The planning section of the City of Maryville which is responsible for administering land use regulations and performing current and long-range planning duties for the City.

**Dwelling Unit.** An enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use as a permanent residence by one family.

**Flag lot.** A lot having a narrow portion of which fronts on a public/private street and where access to the public/private street is across that narrow portion (the flag stem) for the exclusive use of that lot only. Flag stems shall be no less than 30' in width for their entire length.

**Lot.** A parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purposes of transfer of title.

If a public body or any authority with the power of eminent domain condemns, purchases, or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a parcel of land otherwise characterized as a lot by this definition, or a public road is created across a parcel of land otherwise characterized as a lot by this definition, and the interest thus obtained or the road so created is such as effectively to prevent the use of this parcel as one lot, then the land on either side of this strip shall constitute a separate lot.

**Lot Area.** The total gross lot area circumscribed by the boundaries of a lot which is to be legally conveyed.

Lot Frontage that part of the lot (a lot line) abutting on a street whether private or public.

Lot Line means the legal boundary for a lot.

Lot Width is the length of a straight line drawn between the points where any street setback line cuts the lot lines adjacent to and intersecting that street line from which the setback is measured. In the case of uses for which required lot width exceeds required lot frontage, lot width may be similarly measured along any line parallel to the street setback line and located farther from the centerline than the street setback line is located. Lot width requirements shall be applied for each separate lot frontage.

Person. An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

Planned Unit Development (PUD). A development constructed on a tract under single ownership, planned and developed as an integral unit, and may consist of a combination of residential and nonresidential use on land within a PUD.

Planning Commission. Created in accordance with the appropriate provisions of Title 13, Public Planning and Housing, of the Tennessee Code Annotated, with jurisdiction in the corporate limits of the City of Maryville.

Planning Jurisdiction. The area within the Maryville city limits and any areas subsequently annexed into said limits.

Platted Residential Subdivision. A residential subdivision approved and platted as a singular development whether platted in phases or as a single development.

Public Water Supply System. The City of Maryville, City of Alcoa, South Blount Utility District and other public utilities providing water to dwelling units or businesses or any combination thereof.

Road. Means, relates to and includes roads, streets, highways, avenues, boulevards, parkways, lanes or other ways or any part thereof.

Street. A public street or a street with respect to which an offer of dedication has been made and acceptance of dedication has been made by the City of Maryville.

Street Line. Separates the lot from a street

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

Subdivision, Major. Any subdivision which requires new utility or road construction to make the

lots buildable or any subdivision consisting of five lots or more.

Subdivision, Administrative. A subdivision that does not involve any of the following:

- (a) the creation of more than four additional lots;
- (b) the creation of any new public streets;
- (c) the extension of a public water or sewer system; or
- (d) the installation of drainage improvements through one or more lots to serve one or more other lots.
- (e) A variance from any requirement of the Subdivision Regulations or other adopted rules and regulations.

Tract. A lot. The term tract is used interchangeably with the term lot, particularly in the context of subdivisions, where one "tract" is subdivided into several "lots".

Utility Facilities. Any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose by T.C.A. and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil or electronic signals. Excepted from this definition are utility lines and supporting structures located within a public right-of-way.

## **ARTICLE III**

### **PLAT APPROVAL PROCEDURES**

#### **SECTION 1: PHYSICAL IMPROVEMENTS IN LAND TO BE SUBDIVIDED**

Physical improvements to land to be subdivided may not be commenced except in accordance with a preliminary plat approved by the Planning Commission.

#### **SECTION 2: NO OCCUPANCY, USE, OR SALE OF LOTS UNTIL REQUIREMENTS FULFILLED**

Issuance of a preliminary plat approval authorizes the developer to commence work designed to construct, erect, move, or substantially alter improvements for a subdivision in accordance with the site plan approval procedures and other land development permits of the City of Maryville. However, no lots may be conveyed until all of the requirements of these regulations and all requirements of the City Code and all additional requirements imposed pursuant to the issuance of a preliminary plat approval, or any special exception permit have been complied with or as otherwise provided by law. Further regulation regarding the sale of lots without approval of the applicable plat and regarding false representations regarding certain improvements to a subdivision are found in T.C.A. 13-4-306.

#### **SECTION 3: WHO MAY SUBMIT PLAT APPLICATIONS**

- (a) No plat shall be submitted to or approved by the Planning Commission unless it is submitted by the owner of the property to be subdivided by the plat. "Owner", for the purpose of this section, means the legal or beneficial owner or owners of all the land proposed to be included in the proposed subdivision or the holder of a written option or contract to purchase the land, or the attorney or authorized representative of any of the aforementioned.
- (b) The administrator may require an applicant to submit evidence of his authority to submit the application in accordance with Subsection (a) whenever there appears to be a reasonable basis for questioning this authority.

#### **SECTION 4: APPLICATIONS TO BE COMPLETE**

- (a) All applications for preliminary plat approval must be complete before the permit-issuing authority is required to consider the application.
- (b) Subject to Subsection (c), an application is complete when it contains all the information that is necessary for the permit-issuing authority to decide whether or not the

development, if completed as proposed, will comply with all of the requirements of these regulations.

- (c) All detailed or technical design requirements and construction specifications relating to various types of improvements (streets, sidewalks, etc.) shall be in accordance with any public works standards adopted by the City, or in accordance with specifications outlined by the City Director of Engineering and Public Works or his or her designee. It is not necessary that the application contain the type of detailed construction drawings that would be necessary to determine compliance with the standards, so long as the plans provide sufficient information to allow the Planning Commission to evaluate the application in light of the substantive requirements. However, whenever these regulations require a certain element of a development to be constructed in accordance with other specifications, separate and apart from this document, then no construction work on such element may be commenced until detailed construction drawings have been submitted to and approved by the appropriate department within the City. Failure to observe this requirement may result in permit revocation, denial of final subdivision plat approval, or other penalty.
- (d) Requirements set forth in the requirements of the city's ordinances and regulations must be addressed and met. However, it is recognized that each development is unique, and therefore the permit-issuing authority may allow less information or require more information to be submitted according to the needs of the particular case.

## **SECTION 5: STAFF CONSULTATION BEFORE FORMAL APPLICATION**

- (a) To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of these regulations and the applicable City ordinances, pre-application consultation between the developer and the planning staff is encouraged or required as provided in this section.
- (b) Before submitting an application for a preliminary plat, the developer should submit to the administrator a sketch plan of such subdivision to an appropriate scale. The sketch plan shall contain:
  - (1) the name and address of the developer
  - (2) the proposed name and location of the subdivision
  - (3) the approximate total acreage of the proposed subdivision
  - (4) the tentative street and lot arrangement
  - (5) topographic lines, and
  - (6) any other information the developer believes necessary to obtain the informal opinion of the planning staff as to the proposed subdivision's compliance with the requirements of these regulations. The administrator shall meet with the developer as soon as conveniently possible to review the sketch plan.

## **SECTION 6: STAFF CONSULTATION AFTER APPLICATION SUBMITTED**

- (a) Upon receipt of a formal application for preliminary plat or administrative plat approval, the administrator shall review the application and confer with the applicant to ensure there is understanding of the planning staff's interpretation of the applicable requirements of these regulations and of the applicable City rules, regulations and ordinances, that the applicant submits all of the information that they intend to submit, and that the application represents precisely and completely what they propose to construct and develop on a particular piece of property.
- (b) An application is deemed to be complete if it meets the submittal requirements included herein along with the necessary application, fee and supporting documents. An application will be deemed incomplete if these items are not submitted and such request will not be placed on the Planning Commission agenda.

## **SECTION 7: COMPLETING DEVELOPMENTS IN PHASES**

- (a) If a subdivision is constructed in phases or stages, then a phasing plan shall be submitted along with the preliminary plat for approval by the Planning Commission.
- (b) If a development that is to be built in phases or stages includes improvements that are designed to relate to, benefit, or be used by the entire development (such as a swimming pool or tennis courts in a residential development) then, as part of their application for development approval, the developer shall submit a proposed schedule for completion of such improvements. The schedule shall relate completion of such improvements to completion of one or more phases or stages of the entire development. Once a schedule has been approved by the Planning Commission, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the approved schedule.
- (c) Each phase is considered a new subdivision and the Commission is not required to continue what was started before as obligatory or precedent setting.

## **SECTION 8: APPROVAL OR DISAPPROVAL OF PLATS**

- (a) The Planning Commission shall review and approve or disapprove a final plat within the time limits established by TCA 13-4-304 otherwise such plat shall be deemed to have been approved (for recording purposes) and a certificate to that effect shall be issued by the Planning Commission on demand. However, the applicant for the commission's approval may waive this requirement and consent to an extension or extension(s) of the applicable time period.
- (b) "Plat," as used in the above referenced sections of TCA, refers only to the final approval of the plat (the recordable plat). Preliminary plats are not subject to the time limits

noted above because of their conceptual nature and the comprehensive review that often involves other governmental departments, agencies and jurisdictions.

- (c) The grounds for disapproval of any plat shall be stated in the records of the commission.

## **SECTION 9: EXPIRATION**

- (a) Preliminary plat approval shall expire automatically if, within twelve (12) months after its issuance:
  - (1) the use authorized by such approval has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, or
  - (2) less than ten (10) percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such approval has been completed on the site. With respect to phased development, this requirement shall apply to each phase.
- (b) If, after some physical alteration to land or structures begins to take place, such work is discontinued for a period of one (1) year, then the approval authorizing such work shall immediately expire.
- (c) The Planning Commission may extend for a period up to twelve (12) months the date when a preliminary plat approval would otherwise expire pursuant to Subsections (a) or (b) if it concludes that: (i) the permit or approval has not yet expired, (ii) the permit or approval recipient has proceeded with due diligence and in good faith, and (iii) conditions have not changed so substantially as to warrant a new application. Successive extensions may be granted for periods up to twelve (12) months upon the same findings. All such extensions may be granted without resort to the formal processes and fees required for a new permit.
- (d) This section is subject to the provisions of Tennessee Code Annotated §13-4-310 and the vesting of development standards as described therein. When a preliminary plat's approval has expired as referenced above, the development standards in place at the time of its approval shall apply in accordance with the vesting standards of TCA §13-4-310.

## **SECTION 10: EFFECT OF APPROVAL ON SUCCESSORS AND ASSIGNS**

Preliminary plat and final plat approvals, along with any conditions, or restrictions thereon, are transferable and apply to a new owner of the same property subject to the approved plat pursuant to the terms and conditions of these regulations.

## **SECTION 11: AMENDMENTS TO AND MODIFICATIONS OF PERMITS OR PLATS**

- (a) Insignificant deviations from the approvals issued by the Planning Commission or the administrator are permissible, and the administrator may authorize such insignificant deviations. A deviation is insignificant if it has no discernible impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
- (b) Minor design modifications or changes in approvals issued by Planning Commission are permissible with the approval of the administrator. Such permission may be obtained without a formal application, public hearing, or payment of any additional fee. For purposes of this section, minor design modifications or changes are those that have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
- (c) All other requests for changes in approved permits or plats will be processed as new applications.
- (d) The administrator shall determine whether amendments to and modifications of permits or plats fall within the categories set forth above in Subsections (a), (b), and (c).
- (e) A developer requesting approval of changes shall submit a written request for such approval to the administrator, and that request shall identify the changes. Any changes to previously granted approvals must be given in writing.

## **SECTION 12: RECONSIDERATION OF COMMISSION ACTION**

- (a) Whenever the Planning Commission disapproves a preliminary plat application on any basis other than the failure of the applicant to submit a complete application, such action shall not be reconsidered by the Commission for a period of twelve (12) months unless the applicant clearly demonstrates that:
  - (1) circumstances affecting the property that is the subject of the application have substantially changed, or
  - (2) new information is available that could not with reasonable diligence have been presented at a previous hearing.
- (b) The Planning Commission may at any time consider a new application affecting the same property as an application previously denied if the new application is one that differs substantially in the judgment of the Planning Commission from the one previously considered.

## **SECTION 13: MAINTENANCE OF COMMON AREAS, IMPROVEMENTS, AND FACILITIES**

The recipient of any preliminary or final plat approval, or their successor, shall be responsible



for ensuring the maintenance of all common areas, improvements, or facilities required by these regulations or any permit issued in accordance with their provisions, except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority. Without limiting the generality of the foregoing, this means that private roads and parking areas, water and sewer lines, and recreational facilities must be properly maintained so that they can be used in the manner intended, and required vegetation and trees used for screening, landscaping, or shading must be replaced if they die or are destroyed.

The Planning Commission will verify that a written mechanism has been established and recorded in the Blount County Courthouse for perpetual maintenance, responsibility and funding for private infrastructure, open space, and other common areas within a subdivision. All such documents will be reviewed prior to final approval of the subdivision plat by the City Attorney in order to ensure the proper written mechanisms are in place for maintenance of said facilities. Such review will be at the applicant's expense. The mechanisms shall include but are not limited to the following:

- (1) An organized property owners association set forth in the restrictions with provisions made for election of officers, directors, etc. and requiring that each lot owner belong to and participate in the property owners association.
- (2) A mechanism for the property owners association to collect funds for the maintenance and any expenses involved in common areas, including lien rights and an ability to collect for the same.
- (3) A statement about the property owners association's responsibility for common areas and a conveyance to the property owners association of such common areas for its perpetual maintenance and control.
- (4) A provision that the restrictions pertaining to the above issues cannot be amended without the approval of the Maryville Planning Commission or its successor in writing.

## **ARTICLE IV**

### **ADMINISTRATIVE AND MAJOR SUBDIVISIONS**

#### **SECTION 1: REGULATION OF SUBDIVISIONS**

Major subdivisions are subject to a two-step approval process except for the provisions outlined in Section 5 of this Article. Physical improvements to the land to be subdivided are authorized by preliminary plat approval as provided in these regulations. Conveyance of lots is permitted only after final plat approval or as otherwise provided specifically in these regulations. Administrative subdivisions require only a one-step approval process in accordance with Section 4 of this Article.

#### **SECTION 2: NO SUBDIVISION WITHOUT PLAT APPROVAL**

- (a) No land shall be subdivided except in accordance with all of the provisions of these regulations. No person may subdivide land unless and until a final plat of the subdivision has been approved in accordance with the provisions of Section 4 or Section 5 of this Article and recorded in the Blount County Register of Deeds office.
- (b) The Blount County Register of Deeds may not record a plat of any subdivision within the City's planning jurisdiction unless the plat has been approved in accordance with the provisions of these regulations.

#### **SECTION 3: PRELIMINARY AND FINAL APPROVAL FOR MAJOR SUBDIVISIONS**

- (a) A major subdivision which does not require the construction of utilities, streets or other improvements may be submitted as a combination of a preliminary and final plat application. The submitted plat must meet the requirements for a final plat as outlined in Section 5.

#### **SECTION 4: ADMINISTRATIVE SUBDIVISION**

- (a) The administrator shall approve or disapprove and the Planning Commission Secretary sign administrative subdivision final plats in accordance with the provisions of this section.
- (b) The applicant for administrative subdivision plat approval, before complying with subsection (c), may submit a sketch plan to the administrator for a determination of whether the approval process authorized by this section can be and should be utilized. The administrator may require the applicant to submit whatever information is necessary to make this determination, including, but not limited to, a copy of the tax map showing the land being subdivided and all lots previously subdivided from that tract of land within the previous five (5) years.
- (c) Applicants for administrative subdivision approval shall submit to the administrator a

copy of a plat conforming to the requirements set forth in Section 6 (as well as two prints of such plat). An administrative subdivision plat shall further contain the certificates required in Section 6.

- (d) The administrator or the applicant may at any time refer an application for an administrative subdivision to the major subdivision approval process or to the Planning Commission for a hearing and approval. In such case, the time period for approval or disapproval of the plat set forth in these regulations and in T.C.A. 13-4-304 shall restart as the application will be deemed to be resubmitted as of the date of the transfer to the major subdivision approval process.
- (e) Not more than a total of four (4) additional lots may be created out of one (1) tract using the administrative subdivision plat approval process, regardless of whether the lots are created at one time or over an extended period of time. Additional lots may only be created with approval from the Planning Commission.
- (f) Subject to Subsection (d), the administrator shall approve the proposed subdivision unless the subdivision is not an administrative subdivision as defined in these regulations or the application or the proposed subdivision fails to comply with Subsection (e) or any other applicable requirement of these regulations.
- (g) If the subdivision is disapproved, the administrator shall promptly furnish the applicant with a written statement of the reasons for disapproval and notify the applicant of their option to submit the subdivision to the Planning Commission.

#### **SECTION 5: MAJOR SUBDIVISION APPROVAL PROCESS- PRELIMINARY PLAT**

- (a) The Planning Commission shall approve or disapprove major subdivision preliminary plats in accordance with the provisions on this section.
- (b) A preliminary plat shall include: A scale drawing in a single sheet which accurately depicts the general design of improvements. The scale shall be reasonable as to adequately verify the dimensions and distances indicated on the plat. The drawing shall indicate the general road configuration, the tentative lot layout, and a general drainage plan. Seven copies of the preliminary plat shall be submitted for the commission's consideration.
- (c) Additional information to be included on the map sheet is as follows:
  - (1) Location Map. A sketch which accurately depicts the general location of the subdivision in relation to the surrounding area. The sketch should indicate the relationship of the proposed subdivision to significant natural features and major community facilities. Examples of such feature are streams, rivers, major transportation elements, schools, recreation facilities.
  - (2) Topography with contours at two-foot intervals or as determined by the planning staff.

- (3) Property Boundary. All property within the same ownership as the parcel being subdivided shall be shown.
- (4) Roads. All existing and proposed roads within and adjacent to the parcel being subdivided shall be included.
- (5) Site Characteristics. Physical characteristics of the site, including natural drainage areas, wooded area, and other prominent features.
- (6) Existing structures on the property (including utilities).
- (7) Number of lots proposed.
- (8) Total acreage of tract in same ownership, and (if different) the total acreage proposed for subdivision.
- (9) Certification of Land Surveyor. The preliminary plat and all accompanying drawings, documents and statements shall be certified as follows:

I hereby certify that I am a land surveyor, licensed to perform surveying according to the laws of the State of Tennessee. I further certify that the plan and accompanying drawings, documents and statements conform to all applicable provisions of the Maryville Subdivision Regulations and Land Development Regulations

\_\_\_\_\_  
Surveyor

\_\_\_\_\_  
Tennessee Certificate No.

- (10) Status of proposed streets. The preliminary plat shall designate the proposed status of streets to be included within the development, as public streets (i.e., to be dedicated to the City as public right-of-way) or as private streets (i.e., to be maintained by the required Property Owners or Homeowners' Association).
- (d) Additional drawings, documents, and statements that are required to be submitted with the preliminary plat as follows, unless otherwise stated.
- (1) General Drainage Plan. Existing drainage ways and the probable location of major drainage structures, including detention basins shall be provided.
  - (2) Road Profiles.
  - (3) Other required or additional improvements anticipated during development shall be provided on the preliminary plat.

- (4) Statement(s) indicating the availability or future availability of the utilities shall be provided along with commitments from the developer if utilities will be extended by same.
- (5) Open space plan: A plan for the open space, when required, shall be submitted to the Planning Commission at the time of a preliminary plat. The plan shall detail the area of the open space and the proposed improvements or amenities to be installed in order to meet the requirements of the Subdivision Regulations. All open space improvements or amenities must be completed before the commission shall approve a final plat provided that the commission may approve phasing of open space amenities as part of the phasing of a development.
- (e) In accordance with TCA 13-4-302 (d), the Planning Commission, at the time of preliminary plat approval, may delegate to planning staff the final plat approval of up to twenty-five (25) lots. Such delegation by the Planning Commission is permissive and not mandatory. Final plats approved in this manner shall still require all signatures required for a final plat and the signature of the Planning Commission Secretary. Regardless of any delegation by the Planning Commission, planning staff may refer any final plat to the commission for approval at formal meeting. Likewise, an applicant may request such a final plat be formally heard by the Planning Commission.

## **SECTION 6: MAJOR SUBDIVISION APPROVAL PROCESS-FINAL PLAT**

- (a) The Planning Commission shall approve or disapprove major subdivision final plats in accordance with the provisions of this section.
- (b) The applicant for major subdivision plat approval shall submit to the administrator a final plat, drawn in waterproof ink on a sheet made of material that will be acceptable to the Blount County Register of Deed's office for recording purposes, and having dimensions as follows: either 8 ½" by 14", 21" by 30", 11" by 17", 18" by 24" or 24" by 36". When more than one (1) sheet is required to include the entire subdivision, all sheets shall be made of the same size and shall show appropriate match marks on each sheet and appropriate references to other sheets of the subdivision. The scale of the plat shall be reasonable as to adequately verify the dimensions and distances indicated on the plat. The applicant shall also submit seven (7) prints of the plat when all signatures have been obtained.
- (c) In addition to the appropriate endorsements as provided in subsection 7, the final plat shall contain the following information:
  - (1) the name of the subdivision which name shall not duplicate the name of any existing subdivision as recorded with the Blount County Register of Deeds,
  - (2) the name of the subdivision owner or owners and a copy of the deeds or other legal documents to verify ownership,
  - (3) the City, county, and state where the subdivision is located and a location map,

- (4) the name of the surveyor and his/her registration number and the date of survey,
  - (5) the scale according to which the plat is drawn in feet per inch or scale ratio in words or figures and bar graph, and
  - (6) all of the additional information required by the Tennessee Code Annotated.
  - (7) the following certifications on the plat from the appropriate signatory:
    - (A) Certificate of Ownership and Dedication from the property's owner(s).
    - (B) Certificate of Accuracy from a licensed surveyor.
    - (C) Certificate of Approval for Recording from the Secretary of the Planning Commission.
    - (D) Certificate of Approval of Utilities re: Electric.
    - (E) Certificate of Approval of Utilities re: water and sanitary sewer. \*
    - (F) Certificate of the Approval of Streets.
    - (G) Certificate of Approval of Road Names and Property Numbers (E-911).
    - (H) Certificate of Stormwater Utilities
    - (I) Certificate of Approval of Streets – Royal Oaks, if applicable.

\*Additional certifications may be required if different utilities provide water and sewer to the property.
  - (8) When applicable the following shall be added to a final plat:

A property owners association with duties to maintain and repair common areas including but not limited to drainage or detention facilities for stormwater will be provided for in restrictive covenants recorded by the developer for this property. A copy of such restrictive covenants shall be approved in advance by the city. The restrictive covenants as approved shall be recorded in the Blount County Register of Deeds office and a copy thereof with recording information shall be provided to the Development Services Office within five (5) days of the recordation of the plat by the Developer. Such restrictions shall be not amended as they relate to the detention facility without the written approval of the Development Services office.
- (d) In order to qualify for final plat approval during a given month, the following must occur by the deadline as set forth by the Planning Commission:
- (1) All construction and infrastructure improvements or any other improvements within a development or subdivision as required by the Planning Commission must be completed. The required completions would include utility extension, utility improvement, or utility installation requirements found in these regulations and in any and all applicable City ordinances or rules and regulations. Off-site improvements may also be required as specified in Article XI, Section 16.

The following exceptions apply:

- (A) Upon acceptance by the Planning Commission of cash or letter of credit equal to 150% of a good faith estimate of the cost of the installation of the required sidewalks (as such amount is computed by the City Director of Engineering and Public Works or his or her designee), sidewalk construction on individual lots may be exempted from the list of infrastructure improvements which must be completed prior to final plat approval if such exemption is approved by the Planning Commission. The maximum period for such bond or letter of credit shall be three (3) years. The Planning Commission may grant extensions in periods of one (1) year when exigent circumstances have been demonstrated as to why the sidewalks have not been constructed but in no case shall exceed five (5) years. In accordance with TCA 13-4-303, upon the order of the Planning Commission, the moneys shall be applied to the construction and installation of the sidewalks and no such surety shall be released without the approval of the Planning Commission.
- (B) Publicly and privately owned industrial parks within the City's planning jurisdiction may be exempted by the Planning Commission from the requirement that all construction and infrastructure improvements be complete prior to final approval, subject to appropriate guarantees, if the industrial park is phased in its development or if special circumstances warrant such exemption in the best interest of the general welfare of the community in the opinion of the Planning Commission.
- (C) The Planning Commission may accept a surety instrument for off-site improvements with the timing of such improvements to be consistent with their need based on the build-out schedule of the subdivision. All such sureties shall be in an amount equal to 150% of a good faith estimate of the cost of the improvements.
- (2) When permitted, the following types of surety instruments may be accepted by the Planning Commission:
- Letter of Credit: Only letters of credit issued by a bank with an office within thirty miles of the City of Maryville corporate limits shall be accepted.
  - Cash bond
- (3) The final subdivision plat must be submitted to the Development Services office. All signatures and certifications required by the Planning Commission shall accompany the plat. No final plat shall be approved by the Planning Commission unless all required certifications have the necessary signatures.

## **ARTICLE V**

### **HEARING PROCEDURES FOR APPLICATIONS**

#### **SECTION 1: HEARING REQUIRED ON APPLICATIONS**

- (a) Before deciding on an application for a plat approval or other request, the Planning Commission shall hold a hearing on the application.
- (b) Subject to Subsection (c), the hearing shall be open to the public and all persons interested in the outcome of the application shall be given an opportunity to present evidence and arguments and ask questions of persons who testify.
- (c) The Planning Commission may place reasonable and equitable limitation on the presentations of evidence and arguments so that the matter at issue may be heard and decided without undue delay.
- (d) The Planning Commission may continue the hearing until a subsequent meeting and may keep the hearing open to take additional information up to the point a final decision is made. No further notice of a continued hearing need be published unless a period of six weeks or more elapses between hearing dates.

#### **SECTION 2: NOTICE OF HEARING**

The administrator shall give notice of any hearing required by Section 1 as follows:

- (1) Notice shall be given to the appellant or applicant and any other person who makes a written request for such notice by mailing to such persons a written notice not later than five (5) days before the hearing.
- (2) Notice shall be given to neighboring property owners and other interested parties by:
  - Publishing an ad in the Daily Times indicating the time and date of the meeting
  - Posting the agenda for the meeting on the City of Maryville's website
  - Posting a sign on the property that an application for plat approval has been submitted for consideration by the Planning Commission.
  - For preliminary plats, a notice of the request and date of the hearing shall be mailed to property owners within 150' of the property included in the preliminary plat.
- (3) The notice required by this section shall state the date, time, and place of the hearing.
- (4) Other means of notice may be taken by the administrator or as may be required by other ordinances or law.



### **SECTION 3: EVIDENCE**

- (a) The provisions of this section apply to all hearings for which a notice is required by Section 1.
- (b) All findings and conclusions necessary to the issuance or denial of the requested plat approval or appeal shall be based upon material evidence.

### **SECTION 4: BURDEN OF PRESENTING EVIDENCE; BURDEN OF PERSUASION**

- (a) The burden of presenting a complete application to the Planning Commission shall be upon the applicant. However, unless the Planning Commission informs the applicant at the hearing in what way the application is incomplete and offers the applicant an opportunity to complete the application (either at that meeting or at a continuation hearing); the application shall be presumed to be complete.
- (b) The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the requirements of these regulations remains at all times on the applicant.

### **SECTION 5: MODIFICATION OF APPLICATION AT HEARING**

In response to questions or comments by persons appearing at the hearing or to suggestions or recommendations by the Planning Commission, the applicant may agree to modify his application, including the plans and specifications submitted.

### **SECTION 6: RECORD**

- (a) A recording may be made of all hearings required by Section 1. Accurate minutes shall also be kept of all such proceedings.
- (b) Any documents received by the Development Services Department and the Planning Commission and referenced during the hearing shall become part of the record for the hearing.

### **SECTION 7: WRITTEN DECISION**

Any decision made by the Planning Commission which requires a vote of its members shall be recorded in the minutes and copies may be provided to the public upon request.

## **ARTICLE VI**

### **ENFORCEMENT**

#### **SECTION 1: COMPLAINTS REGARDING VIOLATIONS**

Whenever the administrator receives a written, signed complaint alleging a violation of these regulations, he shall investigate the complaint, take whatever action is warranted, and inform the complainant in writing what actions have been or will be taken.

#### **SECTION 2: PLATS TO BE APPROVED BY THE PLANNING COMMISSION**

No county register shall file or record a plat of a subdivision of land, or an amendment, modification, or correction to a recorded plat of a subdivision within the municipality without the approval of the Planning Commission as required by this part. An easement or survey attached to an easement granted to the state, a county, municipality, metropolitan government, or entity of the state, county, municipality or metropolitan government, shall not constitute an amendment, modification, or correction or a recorded plat of a subdivision.

#### **SECTION 3: APPROVED PLAT REVOCATION**

- (a) A preliminary plat approval may be revoked by the Planning Commission if the plat approval recipient fails to develop or maintain the property in accordance with the plans submitted, the requirements of these regulations or the rule, regulations and ordinances of the City, or any additional requirements lawfully imposed by the Planning Commission.
- (b) Before a preliminary plat may be revoked, notice and a hearing must be provided to the recipient. The notice shall inform the plat approval recipient of the alleged grounds for the revocation.
- (c) Any costs incurred by a developer who has his preliminary plat approval revoked shall be the responsibility of the developer and shall not be the responsibility of the City.

## **ARTICLE VII**

### **REVIEW OF DECISIONS**

#### **SECTION 1: JUDICIAL REVIEW**

Every decision of the Planning Commission granting or denying a preliminary plat or final plat approval shall be subject to review by the Chancery Court of Blount County or the Blount County Circuit Court-Equity Division by proceedings in the nature of certiorari as provided by state law.

## **ARTICLE VIII**

### **DIMENSIONAL REGULATIONS AND LOT STANDARDS**

#### **SECTION 1: MINIMUM LOT SIZE**

Lots shall have the minimum lot size as prescribed in the Zoning and Land Use Ordinance and any exceptions therein. Absent any applicable zoning regulations, the minimum lot sizes shall be as follows:

Residential – 7,000 square feet on sanitary sewer, 30,000 square feet without sanitary sewer or as may be required by the Health Department.

#### **SECTION 2: RESIDENTIAL DENSITY**

Density shall be determined by the Zoning and Land Use Ordinance and any exceptions or conditions therein with the following exception:

Within a platted residential subdivision, no lot may be created or altered below the average lot size for the development.

#### **SECTION 3: LOT CONFIGURATION**

- (a) No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impracticable to construct on it a building that:
  - (1) could be used for purposes that are permissible in that zoning district, and
  - (2) could satisfy any applicable setback requirements for that district.
- (b) Side lot lines shall be as perpendicular to the street to form right angles at the front lot line as practicable and have a consistent width throughout the depth of the lot with the exception of those fronting on cul-de-sacs. All side lot lines should be straight to the point of meeting the rear lot line.
- (c) Flag lots are discouraged. Flag stems shall not exceed 100' and no subdivision may contain greater than three (3) such lots. The Planning Commission may consider alternatives to this provision for existing developed lots with a depth greater than 200'.

#### **SECTION 4: MINIMUM LOT DIMENSIONS WHERE DEVELOPMENT CONSTRAINTS EXIST**

- (a) All lots shall meet a minimum residential lot size requirement as prescribed in the Zoning and Land Use Ordinance. These minimum lot size requirements are for lots that do not contain any development restrictions or hindrances that are physical, legal, or statutory in nature. Minimum lot sizes and dimensions where development constraints exist shall be set by the Maryville Planning Commission and the Blount County Department of Environmental Health.
- (b) Residential lots served by private subsurface septic systems and contain development constraints shall provide the minimum square footage requirements set forth in the Zoning and Land Use Ordinance plus the square footage of the area identified as a development restriction. Development constraints shall include but not be limited to any area surrounding a sink hole or enclosed depression, easements for pedestrians, utilities, or vehicle passage, streams, ditch lines (natural or manmade), wetlands, floodways, ponds or lakes, areas within the "flag stem" of a flag lot, areas geologically constrained by rock outcrops or any other geological formation, or areas of historical significance. Any other area deemed a development restriction by the Blount County Department of Environmental Health or other governmental jurisdictions shall be excluded from the minimum lot size requirement and included as additional square footage in the lot necessary for development. The square footage of the development restrictions shall be generally calculated by drawing a rectangle or circle around the designated restricted item(s) as determined by the commission or county environmental officer. However, at all times the Blount County Department of Environmental Health personnel shall determine the amount of square footage needed in the lot for the necessary operation and function of the septic system, including but not limited to the designated reserve area.
- (c) Under normal conditions and development approval processes, the footprint of a dwelling shall not be included or considered a development restriction. However, other structures, may be considered a development restriction by the Maryville Planning Commission or Blount County Department of Environmental Health and subject to the provisions stated in this section.
- (d) Areas which have been filled or contain a designated floodway or wetland area cannot be used for subsurface septic fields and shall not be calculated towards the minimum lot area requirement for lots. The area of these development constraints shall be calculated and then added to the minimum requirements needed for a developable commercial or residential lot.

#### **SECTION 5: DEVELOPMENTS IN OR NEAR SINKHOLES AND CLOSED DEPRESSIONS**

- (a) All developments both minor and major that are nearby a known or suspected sinkhole or closed depression shall be subject to those regulations found in the adopted Land Development and Public Works Standards section pertaining to sinkholes and closed depressions. These regulations and minimum standards outline processes that must be

followed, observed, and maintained in building or developing both residential and nonresidential uses in or near sinkholes or closed depressions.

- (b) The city's Land Development and Public Works Standards section on sinkholes referenced herein may also require that certain language shall be included on all plats, both preliminary and final. Depending on the findings of geotechnical studies of sink holes and closed depressions, additional language may be required and can be found in the referenced document.
- (c) Specifications, processes, and studies required in the Maryville Land Development and Public Works Standards shall be enforced by the City's Engineering and Public Works Department.

## **ARTICLE IX**

### **RECREATIONAL FACILITIES, OPEN SPACE AND TREE REQUIREMENTS**

#### **SECTION 1: USABLE OPEN SPACE**

- (a) A residential development with 25 or more dwelling units shall be developed so that at least five (5) percent of the total area of the development remains permanently as open space.

Usable open space is defined as:

- (1) An area that can reasonably be used for recreation whether passive or active.
  - (2) May include sidewalks or parking areas when constructed as part of the open space. Parking areas shall be limited to 30% of the total open space requirement.
  - (3) Legally and practicably accessible to all of the residents of the development. Practical accessibility shall be at a minimum a 5' sidewalk or other improved path.
  - (4) The following is a list of open space amenities that are required for the development. The developer may choose any number of these elements but must utilize at least one:
    - A walking trail system consisting of an improved surface such as asphalt, crushed stone, or concrete. All such surfaces must be of a nature that is not susceptible to erosion.
    - Passive recreation areas such as open fields for the congregation of the residents. Such an area must be centrally located, landscaped, and at a grade conducive to their use.
    - Playgrounds and similar recreation facilities such as pools, basketball or tennis courts.
- (b) The following areas cannot be counted towards the required usable open space:
- (1) Land encumbered with a structure unrelated to the amenities for the development
  - (2) Land devoted to a street or stormwater drainage facilities
  - (3) Land with slopes in excess of 20%
  - (4) Areas beneath powerline easements held by local, state or federal agencies or other utilities unless it is demonstrated to the commission at the time of preliminary plat approval that the area is able to be developed for usable open space.
- (c) Alternatives and reductions to usable open space requirements:
- (1) A unified trail system around and through the development consisting of at least 10' width with a paved surface. Such a trail shall connect to existing public sidewalks when present.
  - (2) If areas designated as Special Flood Hazard Areas (SFHA) on the latest adopted Federal Emergency Management (FEMA) flood maps are left undisturbed in perpetuity as indicated on the final plat, the commission may decrease the open space requirement proportional to the restricted area.

(3) A subdivision within a ¼ mile of an existing public park and in which there is an improved path to that park such as a public sidewalk, shall be exempt from open space requirements.

(4) If the development dedicates land for a *planned* public park or greenway, the open space requirement may be reduced proportional to the intended dedication.

## **SECTION 2: OWNERSHIP AND MAINTENANCE OF RECREATIONAL AREAS AND REQUIRED OPEN SPACE**

- (a) Except as provided in Section 1, recreational facilities and usable open space required to be provided by the developer in accordance with this article shall not be dedicated to the public but shall remain under the ownership and control of the developer (or his successor) or a homeowner's association or similar organization. The City Attorney shall review such documents regarding the plan for perpetual maintenance of recreational areas and required open space and such documents must be in a form approved by the City Attorney.
- (b) The person or entity identified in Subsection (a) as having the right of ownership and control over such recreational facilities and open space shall be responsible for the continuing upkeep and proper maintenance of the same.

## **SECTION 3: FLEXIBILITY IN ADMINISTRATION AUTHORIZED**

- (a) The requirements set forth in this article concerning the amount, size, location, and nature of recreational facilities and open space to be provided in connection with residential developments are established by the Planning Commission as standards that presumptively will result in the provision of that amount of recreational facilities and open space that is consistent with officially adopted City plans. The Planning Commission recognizes that the particular nature of a tract of land, or the nature of the facilities proposed for installation, or other factors, the underlying objectives of this article may be achieved even though the standards are not adhered to with mathematical precision. Therefore, the Planning Commission is authorized to permit minor deviations from these standards whenever it determines that: (i) the objectives underlying these standards can be met without strict adherence to them; and (ii) because of peculiarities in the developer's tract of land or the facilities proposed it would be unreasonable to require strict adherence to these standards.
- (b) Whenever the Planning Commission authorizes some deviation from the standards set forth in this article pursuant to Subsection (a), the official record of action taken on the development application shall contain a statement of the reasons for allowing the deviation.

## **SECTION 4: TREE PRESERVATION AND PLANTING REQUIREMENTS**

- (a) Existing healthy, mature trees shall be preserved to the extent practicable and



incorporated into the subdivision design.

- (b) Every residential development shall plant two trees of at least 2" caliper for every lot developed. Provided that existing, on-site, healthy, mature trees preserved following completion of the development may count towards this requirement. The Planning Commission will count the preservation of large mature trees towards a 2 to 1 caliper reduction of the tree planting requirement.

Trees preserved within required stream buffers shall not count towards this requirement.

## **ARTICLE X**

### **STREETS AND SIDEWALKS**

#### **SECTION 1: STREET CLASSIFICATION**

- (a) In all new subdivisions, streets that are dedicated to public use shall be classified as provided in Subsection (b) and according to the following regulations:
- (1) The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day.
  - (2) The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not conclusive.
  - (3) Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.
- (b) The classification of streets shall be as follows:
- (1) **Expressway.** A divided highway designed for the safe, unimpeded movement of large volumes of through traffic. It serves or is designed to serve in excess of thirty thousand (30,000) trips per day. Intersection grade separation and full access control is desired, however the roadway may contain occasional at-grade intersections. Intersection spacing is typically one mile or greater.
  - (2) **Major Arterial.** A street that provides major movement within the area, provides intercommunity connections to the local street system, and moves through traffic between activity centers. Access control is desirable. It serves or is designed to serve in excess of twenty thousand (20,000) trips per day. Intersection spacing is typically one-half (1/2) mile or greater.
  - (3) **Minor Arterial.** A street that augments the principal arterial system, carries trips of moderate length, and moves through traffic between activity centers. Access control is desirable. It serves or is designed to serve between five thousand (5,000) and twenty thousand (20,000) trips per day. Intersection spacing is typically 400 feet or greater.
  - (4) **Major Collector.** A street that primarily provides for short distance traffic movement and primarily functions to collect and distribute traffic between local streets and high volume traffic generators and arterials. It serves or is designed to serve in excess of ten thousand (10,000) trips per day. Intersection spacing is typically 300 feet or greater.

- (5) Minor Collector. A street that primarily functions to collect and distribute traffic between local streets and arterials and provides direct access to abutting land. It serves or is designed to serve between two thousand (2,000) and ten thousand (10,000) trips per day. Intersection spacing is typically 300 feet or greater.
- (6) Subcollector. A street whose principal function is to provide access to abutting properties but is also designed to be used or is used to collect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least twenty-six (26) but not more than one hundred (100) dwelling units, and is expected to or does handle between two hundred sixty (260) and two thousand (2,000) trips per day.
- (7) Local Street. A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least ten (10) but no more than twenty-five (25) dwelling units and is expected to or does handle between one hundred (100) and two hundred fifty (250) trips per day.
- (8) Minor Street. A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than nine (9) dwelling units and is expected to or does handle up to ninety (90) trips per day.

## **SECTION 2: ACCESS TO LOTS**

Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. No lot may be approved which does not meet the requirements of TCA 13-4-308.

## **SECTION 3: ACCESS TO ARTERIAL AND COLLECTOR STREETS**

- (a) Whenever a major subdivision that involves the creation of one (1) or more new streets borders on or contains an existing or proposed arterial street no direct driveway access may be provided from the lots within this subdivision onto this street.
- (b) No lot may be created whose sole access is along a collector or arterial street unless each lot has adequate space for driveways to be separated by at least 185' measured center to center. Driveway location restrictions shall be noted on the final plat. Shared drives between two lots may be allowed so long as the Planning Commission approves a joint maintenance agreement between the two properties. Connections along state highways shall be governed by the Tennessee Department of Transportation.
- (c) Direct property access shall be limited along higher classification streets whenever reasonable access can be obtained from a lower classified street.

**SECTION 4: ENTRANCES TO STREETS**

- (a) All driveway entrances and other openings onto streets within the City’s planning jurisdiction shall be constructed so that:
  - (1) vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and
  - (2) interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.
- (b) Specifications for driveway entrances shall be in accordance with those standards set forth by the City Director of Engineering and Public Works or his or her designee or in accordance with standards for access control established by the Institute of Transportation Engineers (ITE). The City Director of Engineering and Public Works or his or her designee shall be responsible for application of such standards.
- (c) Lots created at the corner of intersecting roadways (corner lots), shall be required to have adequate driveway locations outside of corner clearance areas. Corner clearance areas shall be indicated on any final plat. Corner clearance area is based on the intersecting roadways’ classification on the Maryville Major Road Plan and defined by the distances listed in the table below:

Classification of Intersecting Street	Functional Classification of Road to be Accessed by Driveway		
	Arterial	Collector	Local
Arterial	200 ft.	150 ft.	100 ft.
Collector	150 ft.	100 ft.	50 ft.
Local	100 ft.	50 ft.	50 ft.

**SECTION 5: COORDINATION WITH SURROUNDING STREETS**

- (a) The street system of a subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, “Surrounding Streets”) as provided in this section.
- (b) Collector streets shall intersect with the surrounding collector or arterial streets at safe and convenient locations.
- (c) Subcollector, local, and minor residential streets shall connect with Surrounding Streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.
- (d) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the

property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of five-hundred and fifty (550) feet may be created unless no other practicable alternative is available.

## **SECTION 6: RELATIONSHIP OF STREETS TO TOPOGRAPHY**

- (a) Streets shall be related appropriately to the topography. Streets shall be designed and constructed to facilitate the drainage and stormwater runoff objectives as determined by the City Director of Engineering and Public Works or his or her designee. Further, street grades shall conform as closely as practicable to the original topography.
- (b) The maximum road grade allowed shall be limited to 10% provided that grades between 8-10% shall be limited to a maximum horizontal distance of 250 feet in linear length. Additional roadside safety improvements such as guardrails may be required for roadways with steep grades as determined by the Director of Engineering and Public Works or his/her designee. However, in no case may streets be constructed with grades that exceed the standards for such streets as established by the American Association of State Highway Transportation Officials (AASHTO). The City Director of Engineering and Public Works or his or her designee shall be responsible for application of those standards.

## **SECTION 7: STREET WIDTH, SIDEWALK, AND DRAINAGE REQUIREMENTS IN SUBDIVISIONS**

- (a) Street rights-of-way are designed and developed to serve several functions: (i) to carry motor vehicle traffic, and in some cases, allow in-street parking; (ii) to provide a safe and convenient passageway for pedestrian traffic; and (iii) to serve as an important link in the city's drainage system. In order to fulfill these objectives, all public streets shall be constructed to meet either the standards set forth in Subsection (b) or Subsection (c).
- (b) The following classifications of streets may be constructed with six-foot-wide shoulders plus drainage swales on either side in lieu of curb and gutter, so long as the design of the swales does not promote erosion and is in accordance with specifications set forth by the Maryville Land Development and Public Works Standards. Such streets shall be constructed to meet the criteria indicated in the tables that follow as well as specifications referenced in Sections 9 and 10.

TABLE I  
(WITHOUT CURB OR CURB & GUTTER)

Street Type	Minimum Right-of-Way Width (in feet)	Minimum Pavement Width (in feet)
Major Arterial	90	See note
Minor Arterial	60	See note
Major Collector	60	36
Minor Collector	50	24
Subcollector	50	20
Local	50	18
Minor	50	18

Note: The required pavement width of arterials shall be determined by the relevant government agencies. Relevant agencies may include TDOT and the City of Maryville’s Engineering and Public Works Department.

- (c) Standard 6” concrete curb and gutter or lowered concrete curb and gutter (Type 6-30) meeting TDOT specifications shall be used along streets classified as either collectors or arterials, except when extending or altering an existing street in which case the curb type should match the existing type. Maryville Modified 89 extruded curb shall be permitted along streets classified as minor or local within residential subdivisions.

Street pavement width shall be measured from edge of pavement to edge of pavement where standard 6” concrete curb and gutter or lowered concrete curb and gutter (Type 6-30) is used and from curb face to curb face where the Maryville Modified 89 extruded curb is used.

TABLE II  
(WITH CURB OR CURB & GUTTER)

Street Type	Minimum Right-of-Way Width (in feet)	Minimum Pavement Width (in feet)	Sidewalk If required
Major Arterial	90	See note	Both Sides
Minor Arterial	60	See note	Both Sides
Major Collector	60	36	Both Sides
Minor Collector	50	28	Both Sides
Subcollector	50	28	Both Sides
Local	50	24	Both Sides
Minor	40	22	Both Sides

Note: The required pavement width for arterials shall be determined by relevant government agencies. Relevant government agencies may include TDOT and the City of Maryville’s Engineering and Public Works Department.

- (d) Sidewalks shall be required by the Planning Commission within the corporate limits of the City. Such sidewalks shall be located within the right of way and shall be dedicated to the City for public use at no charge to the City. The sidewalks required by this section shall be at least five (5) feet in width and constructed according to specifications outlined by the City Director of Engineering and Public Works or his or her designee and in accordance with other design criteria adopted by the City, except that the permit-issuing authority may permit the installation of walkways constructed with other suitable materials when it concludes that:
  - (1) such walkways would serve the residents of the development as adequately as concrete sidewalks; and
  - (2) such walkways would be more environmentally desirable or more in keeping with the overall design of the development.
- (e) Whenever the permit-issuing authority finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the developer may be required to reserve an unobstructed easement of at least ten (10) feet in width to provide such access.

## **SECTION 8: GENERAL LAYOUT OF STREETS**

- (a) Cul-de-sacs are discouraged.
- (b) To the extent practicable, driveway access to collector streets shall be minimized to facilitate the free flow of traffic and avoid traffic hazards.
- (c) Streets serving subdivisions shall connect or extend to other subdivisions when determined necessary by the Planning Commission.
- (d) All permanent dead-end streets (as opposed to temporary dead-end streets, see Subsection 5(d)) shall be developed as cul-de-sacs in accordance with the standards set forth in Subsection (e). To promote connectivity of the street network, except where no other practicable alternative is available, such streets may not extend more than five hundred fifty (550) feet (measured from the centerline of the intersecting street to the center of the turnaround).
- (e) The right-of-way of a cul-de-sac shall have a radius of fifty (50) feet. The radius of the paved portion of the turnaround (measured to the other edge of the pavement) shall be forty (40) feet.
- (f) Streets shall be laid out so that residential blocks do not exceed one thousand (1,000) feet, unless no other practicable alternative is available. However, in cases where the street may exceed this standard, the burden shall be upon the developer to incorporate in the design of the subdivision safe ingress and egress which is acceptable both to the

Engineering and Public Works Department and the Planning Commission.

- (g) All lots located on a cul-de-sac or a portion thereof, shall have thirty (30) feet of frontage on the public road unless approved under the provisions of Article XII.

## **SECTION 9: CONSTRUCTION STANDARDS AND SPECIFICATIONS**

Construction standards and specifications for public streets, sidewalks, curbs and gutters, and other physical improvements and elements of a subdivision or development within the corporate limits of the City of Maryville shall be in accordance with the Maryville Land Development and Public Works Standards, as amended. All such facilities, developments, or physical improvements to land shall be in accordance with land development regulations and the above referenced manual.

If there is any conflict between the requirements herein and the referenced Maryville Land Development and Public Works Standards, or future amendment thereof, the more restrictive application shall apply.

If it is so determined that public streets servicing a commercial or industrial park will carry more traffic than normally projected, then the City Director of Engineering and Public Works or his or her designee may require a greater standard in the thickness of construction materials.

## **SECTION 10: PUBLIC STREETS AND PERMANENT PRIVATE EASEMENTS IN SUBDIVISIONS**

- (a) Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirements set forth in Section 2. For purposes of this subsection, the term "public street" includes a pre-existing public street as well as a street created by the subdivider that meets the public street standards and is dedicated and accepted for public use. The recording of a plat which indicates a newly created public street shall constitute an offer of dedication of such street. As outlined in T.C.A. Section 13-4-305, the approval of a plat by the Planning Commission shall not be deemed to constitute any acceptance of the referenced street.
- (b) Public streets within all subdivisions serving zero lot line developments, standard single family attached or detached residential units, regardless of the number of lots or units, shall be properly engineered, designed, and constructed to public street standards outlined in the Maryville Land Development and Public Works Standards. All drainage designs and facilities shall also be in accordance with the Maryville Land Development and Public Works Standards.
- (c) A subdivision in which the access requirement of Section 2 is satisfied by a permanent private easement that meets neither the public street standards nor the standards set forth in Section 12 may be developed so long as, since the effective date of these regulations, no more than four (4) lots have been created out of that same tract. One



of the four (4) lots must front a public right of way and have direct access onto that right of way.

- (1) The intent of this subsection is primarily to allow the creation of not more than four (4) lots from one lot developed for single-family residential purposes. Only three (3) lots shall be served by the permanent private easement unless the Commission finds exceptional circumstances upon which the said easement shall serve more than the stated three (3) lots. The remaining lots must front or have direct access to a public street or way accepted or authorized by the Planning Commission. Therefore, the permit-issuing authority may not approve any subdivision served by a permanent private easement authorized by this subsection in which one or more of the lots thereby created is intended for (i) two-family, or multi-family residential use, or (ii) any other residential or non-residential use that would tend to generate more traffic than that customarily generated by three (3) single-family residences. For safety reasons, the Planning Commission may require that a lot with frontage on a public road only access off of a permanent private easement.
- (2) To ensure that the intent of this subsection is not subverted, the permit-issuing authority may, among other possible options, require that the approved plans show the types and locations of buildings on each lot or that the lots in a residential subdivision served by a permanent private easement be smaller than the permissible size of lots on which two-family or multi-family developments could be located or that restrictive covenants limiting the use of the subdivided property in accordance with this section be recorded before the final plat approval.
- (3) The width of a permanent private easement within the corporate limits and the planning region shall be no less than 30 feet. The Planning Commission may require the width of the easement to be of a greater width if the commission deems appropriate.
- (4) Within the corporate limits of the City of Maryville, the Planning Commission shall require that the improved portion within the easement be improved to a minimum of sixteen (16) feet with any of the following material: 4" of stone and 1" of asphalt; or 4" of concrete.
- (5) Two permanent private easements may not run side by side.
- (6) The area included in the permanent easement shall not be counted towards any minimum lot size requirements. For the purposes of establishing setbacks, the edge of the easement shall constitute the beginning point of the setback measurement and shall be indicated as such on the plat.
- (7) The Planning Commission may consider appropriate drainage design and improvements within the permanent private easement if the topography, grade or natural drainage pattern within the easement warrants improvements.

## **SECTION 11: ATTENTION TO HANDICAPPED IN STREET AND SIDEWALK CONSTRUCTION**

- (a) Whenever curb and gutter construction is used on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with the International Building Code, as enforced by the City Building Official.

## **SECTION 12: STREET NAMES AND HOUSE NUMBERS**

- (a) Street names shall be assigned by the developer subject to the approval of the permit-issuing authority. Proposed streets that are obviously in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the City's planning jurisdiction, regardless of the use of different suffixes (such as those in Subsection (b)).
- (b) Street names shall include a suffix such as the following:
- (1) Circle. A short street that returns to itself.
  - (2) Court or Place. A cul-de-sac or dead-end street.
  - (3) Loop. A street that begins at the intersection with one street and circles back to end at another intersection with the same street.
  - (4) Street. All public streets not designated by another suffix.
- (c) Building numbers shall be assigned by Blount County Communications Center.
- (d) Street signs shall be the responsibility of the developer or subdivider in a new subdivision. Signs shall be installed where indicated by the City Director of Engineering and Public Works or his or her designee.

In the event the street is a designated private street then those who are responsible for the maintenance of the said private street shall also be responsible for the installation and maintenance of all traffic control devices.

All devices shall conform to size, material and location criteria found in the "Manual of Uniform Traffic Control Devices".

## **SECTION 13: BRIDGES**

All bridges shall be constructed in accordance with the standards and specifications of the Tennessee Department of Transportation, except that bridges on roads not intended for public

dedication may be approved if designed by a licensed architect or engineer.

## **SECTION 14: UTILITIES**

Utilities installed in public rights-of-way or along permanent private easements shall conform to the requirements set forth in Article XI, Utilities.

## **SECTION 15: OFF-SITE IMPROVEMENTS AND TRAFFIC IMPACT STUDIES**

### (a) Off-Site Improvements:

On the recommendation from city staff, the Planning Commission may require off-site drainage, road and other improvements to mitigate the impacts of any proposed subdivision. Required off-site improvements shall be directly related to the proposed development as a means to maintain adequate levels of service or provide needed safety improvements. All such improvements shall be complete prior to final plat approval provided that the Planning Commission may accept a surety instrument for completion of improvements based on the proposed build out schedule of the development.

### (b) Traffic Impact Study:

Any proposed subdivision expected to generate more than 750 average daily trips as determined by the latest edition of the Institute for Traffic Engineers Traffic Generation manual shall be required to submit a traffic impact study when applying for preliminary plat approval. Regardless of the expected trip generation, the City Engineer may require a Traffic Impact Study upon determining that the proposed development poses traffic safety or capacity concerns. The study shall be prepared under the supervision of a qualified engineer who has specific training in transportation engineering and the study shall be signed and sealed by the supervising engineer. The developer shall be required to fund the improvements as required by the study provided that no such improvements already planned and funded by the city shall be the responsibility of the developer if such improvements are anticipated to occur within three years from the preliminary plat approval.

### (c) Impacts to the Surrounding Area

Regardless of allowable density for any given property, the Planning Commission may deny a plat based on the negative impacts to basic health and safety for an area. The Planning Commission must make one or more of the following findings to deny a plat based on the impact to the surrounding area:

- The existing public road off which the development is proposed does not have a minimum pavement width of 18'.

- Emergency services would be unable to adequately serve the development, or the development would have a negative impact on emergency service provision for the surrounding area.
- Public utilities would be unable to serve the development, or the development would have a negative impact on utility service for the surrounding area.
- Traffic generated by the development would substantially reduce the level of service or generate such a level of traffic as to create a hazard to the public safety.

**ARTICLE XI**  
**UTILITIES AND DRAINAGE FACILITIES**

**SECTION 1: UTILITY OWNERSHIP AND EASEMENT RIGHTS**

- (a) In any case in which a developer installs or causes the installation of water, sewer, electrical power, telephone, cable television, or stormwater facilities and appurtenances and intends that such facilities shall be owned, operated, or maintained by the public utility or other entity other than the developer, the developer shall transfer to such utility or entity the necessary ownership and/or easement rights to enable the utility or entity to operate and maintain such facilities.
- (b) Drainage and utility easements shall be five (5) feet in width along interior boundary lines of lots in a subdivision and shall be ten (10) feet in width along all exterior lot lines where adjoining lot or property is not subject to a similar easement at least five (5) feet in width. A ten (10) foot utility and drainage easement shall exist along platted rights-of-ways and be determined by this document to be an exterior lot line. Such dedication shall be noted on the final plat of a subdivision, unless otherwise required by the appropriate reviewing agency.

**SECTION 2: LOTS SERVED BY GOVERNMENTALLY OWNED WATER OR SEWER LINES**

- (a) Whenever it is legally possible and practicable in terms of topography to connect a lot with a City water or sewer line by running a connecting line not more than three hundred (300) feet from the lot to such line, then no use requiring water or sewage disposal service may be made of such lot unless connection is made to such line.
- (b) Connection to such water or sewer line is not required if, in order to make connection with such line by a connecting line that does not exceed three hundred (300) feet in length, it is necessary to run the connecting line over property not owned by the owner of the property to be served by the connection, and, after diligent effort, the easement necessary to run the connecting line cannot reasonably be obtained.
- (c) For purposes of this article, a lot is "served" by a City-owned water or sewer line if connection is required by this section.

**SECTION 3: SEWAGE DISPOSAL FACILITIES REQUIRED**

- (a) Every principal use and every lot within a subdivision shall be served by sanitary sewer as provided in Section 2 of this Article or by a properly permitted subsurface sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations. Costs associated with construction of necessary sanitary sewer facilities shall be at the expense to the developer and built according to specifications of the city.

- (b) For purposes of complying with all local health department regulations, if the lot uses a subsurface sewer disposal system and is served by a public water supply, there shall be a minimum of 30,000 square feet of usable lot area for lots developed for residential purposes. If a lot is developed for residential purposes and sanitary sewer and public water are not available to the lot, then the minimum lot area per unit shall be 35,000 square feet. Additional lot size may be required as determined by the Blount County Department of Environmental Health or the Tennessee Department of Environment and Conservation.
- (c) On subdivision plats with property where existing subsurface sewage disposal systems exist, it shall be required that the plat contain the following disclaimer in addition to any additional language the Planning Commission deems necessary:

In accordance with the policies of the Tennessee Department of Environment and Conservation, the Blount County Department of Environmental Health has not evaluated the existing subsurface sewage disposal system (SSDS) on the lot(s) represented on this plat. In approving this plat for recordation, the Maryville Planning Commission makes no representation as to the performance of the existing SSDS.

#### **SECTION 4: WATER SUPPLY SYSTEM REQUIRED**

Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations. In accordance with Section 2, any necessary extensions shall be the responsibility of the developer in accordance with the policies and procedures of the appropriate utility.

#### **SECTION 5: LIGHTING REQUIREMENTS**

All public streets, sidewalks, and other common areas or facilities in subdivisions created after the effective date of these regulations shall be sufficiently illuminated to ensure the security of property and the safety of persons using such streets, sidewalks, and other common areas or facilities.

#### **SECTION 6: ELECTRIC POWER**

Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision. Compliance with this requirement shall be determined as follows:

- (a) If the use is a subdivision or is not located on a lot served by an existing power line or a substantial internal distribution system will be necessary, then the electric utility service provider must review the proposed plans and certify to the City that it can provide service that is adequate to meet the needs of the proposed use and every lot within the

proposed subdivision.

## **SECTION 7: UNDERGROUND UTILITIES**

- (a) All electric power lines (not to include transformers or enclosures containing electrical equipment including, but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, and cable television lines in residential and commercial subdivisions constructed after the effective date of these regulations shall be placed underground in accordance with the specifications and policies of the respective utility service providers. This requirement shall not apply to industrial developments or lots along existing public streets with overhead service.

## **SECTION 8: UTILITIES TO BE CONSISTENT WITH INTERNAL AND EXTERNAL DEVELOPMENT**

- (a) Whenever it can reasonably be anticipated that utility facilities constructed in one development will be extended to serve other adjacent or nearby developments, such utility facilities (e.g., water or sewer lines) shall be located and constructed so that extensions can be made conveniently and without undue burden or expense or unnecessary duplication of service.
- (b) Whenever it can be reasonably accomplished, when a development is constructed or phased over time and underground utility facilities are used in the initial stages of development, the remaining portions of the development or subdivision shall be serviced with underground utilities.
- (c) All utility facilities shall be constructed in such manner as to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements or facilities located within the development.

## **SECTION 9: DRAINAGE FACILITIES**

- (a) Drainage facilities such as stormwater retention and detention ponds must be separated from the boundaries of any subdivision by at least 15' as measured to the toe of the slope for a pond above grade of the adjoining property or to the top of the berm for ponds below grade of the adjoining property.
- (b) When adjoining a property not part of the subdivision, an opaque buffer shall be installed between the pond and adjoining property consisting of landscaping or other means. No such buffer shall interfere with downstream conveyances. The buffer shall be maintained in perpetuity.
- (c) Discharge from any stormwater facility must be demonstrated to not be detrimental to adjoining property owners during the site plan review process for any development. Off-site improvements may be required to adequately receive drainage from a

subdivision.

## **SECTION 10: AS-BUILT DRAWINGS REQUIRED**

When a developer installs or causes to be installed any utility line in any public right-of-way or easement, the developer shall, as soon as practicable after installation is complete, and before acceptance of any water or sewer line, furnish the City with a copy of a drawing that shows the exact location of such utility lines. Such drawings must be verified as accurate by the utility service provider. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing such development. As-built drawings shall further be provided for stormwater lines, ponds or any associated infrastructure in the stormwater system. Such as-built drawing shall be approved by the City prior to acceptance by the City of such infrastructure.

## **SECTION 11: FIRE HYDRANTS**

- (a) Every subdivision shall include a system of fire hydrants sufficient to provide adequate fire protection for the buildings located or intended to be located within such development.
- (b) The presumption established by these regulations is that to satisfy the standards set forth in Subsection (a), fire hydrants must be located so that all parts of every building within the development may be served by a hydrant by laying not more than five hundred (500) feet of hose connected to such hydrant. However, the Fire Chief may authorize or require a deviation from this standard if recognized fire safety standards would allow another arrangement more satisfactory which would comply with the standards set forth in Subsection (a).
- (c) The Fire Chief shall determine the approximate location of all fire hydrants, subject to the other provisions of this section. In general, fire hydrants shall be placed six (6) feet behind the curb line of publicly dedicated streets that have curb and gutter.
- (d) The Water and Sewer Department and Fire Chief shall determine the design standards of all hydrants within the City
- (e) Water lines that serve hydrants shall be designed and sized according to the requirements of the Water and Sewer Department or other applicable utility





**ARTICLE XII**  
**PLANNED UNIT DEVELOPMENTS**  
**RESERVED FOR FUTURE USE**



**ARTICLE XIII**  
**RESERVED FOR FUTURE USE**

## **ARTICLE XIV**

### **AMENDMENTS**

#### **SECTION 1: AMENDMENTS TO SUBDIVISION REGULATIONS**

Amendments to the text of these regulations are to be made by majority vote of the Planning Commission.

#### **SECTION 2: HEARING REQUIRED; NOTICE**

- (a) No subdivision regulation that amends any of the provisions of these regulations may be adopted until a public hearing has been held on such regulations.
- (b) Before adoption of any amendment to these regulations a public hearing shall be held by the Planning Commission, fifteen (15) days notice of time and place of which shall be given by one (1) publication in a newspaper of general circulation.
- (c) The planning staff shall also take any other action deemed by the staff to be useful or appropriate to give notice of the public hearing on any proposed amendment.



**FINAL PLAT CERTIFICATIONS**

The following certifications are required for all final plats. The appropriate utility certifications shall be included depending on the provider of service to the property.

Certificate of Ownership and Dedication:

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

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Owner  
\_\_\_\_\_  
Owner

Certificate of Accuracy:

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

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

Certificate of Approval for Recording:

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations of the City of Maryville, with the exception of such variances. If any, are noted in the minutes of the planning commission, and that it has been approved by that body of recording in the offices of the county register.

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Secretary, Planning Commission

Certification of Approval of Utilities:

I hereby certify that electrical improvements have been or will be installed in an acceptable manner and according to the specifications of the Maryville Subdivision Regulations in the subdivision shown hereon, provided the developer makes proper provisions and pays the required fees to the City of Maryville pursuant to the rules and regulations of the city pertaining to extensions of the electrical system.

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Engineer/Manager, Maryville/Alcoa  
Electric Department





Certification of the Approval of Utilities

I hereby certify that the sewer improvements have been or will be installed in an acceptable manner and according to the specifications of the Royal Oaks Property Owners Association, Inc., in the Subdivision shown hereon.

\_\_\_\_\_

Date

\_\_\_\_\_

Representative of the Royal Oaks Property Owners Association

Certification of the Approval of Streets

I hereby certify that the streets and other improvements have been installed in an acceptable manner and according to the specifications of the Royal Oaks Property Owners Association, Inc., in the subdivision shown hereon.

\_\_\_\_\_

Date

\_\_\_\_\_

Representative of the Royal Oaks Property Owners Association



**APPENDIX**