

**SUBDIVISIONS REGULATIONS
OF
PIGEON FORGE, TENNESSEE
AND THE
PIGEON FORGE PLANNING REGION**

PIGEON FORGE REGIONAL PLANNING COMMISSION

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Prepared by

LOCAL PLANNING ASSISTANCE OFFICE
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Knoxville, Tennessee 37919
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Including Amendments through October, 2009

WHO'S INVOLVED

IN LAND SUBDIVISION STANDARDS

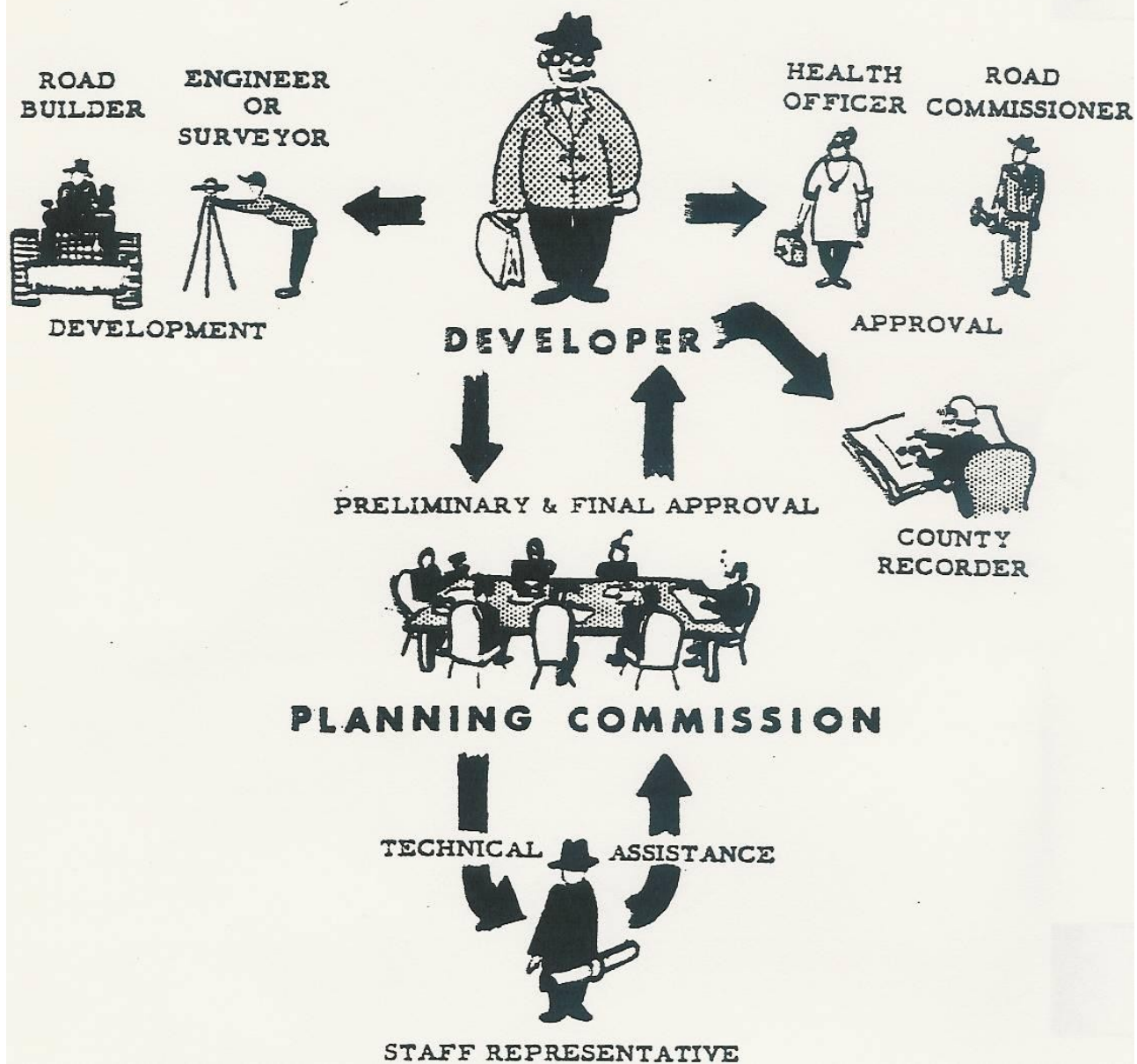


TABLE OF CONTENTS

ARTICLE

ARTICLE I.	PURPOSE, AUTHORITY AND JURISDICTION	5
	A. Purpose	5
	B. Authority	5
	C. Jurisdiction	5
ARTICLE II.	PROCEDURE FOR PLAT APPROVAL	6
	A. General	6
	B. Preliminary Plat	7
	C. Final Plat	13
ARTICLE III.	GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN	17
	A. Streets	17
	B. Blocks	23
	C. Lots	27
	D. Public Use and Service Areas	29
	E. Suitability of the Land	30
	F. Large Tracts or Parcels	33
	G. Group Housing Developments	33
	H. Mobile Home Subdivisions	34
	I. Variances	35
	J. Zoning or Other Regulations	35
ARTICLE IV.	DEVELOPMENT PREREQUISITE TO FINAL APPROVAL	37
	A. Required Improvements	37
	B. Guarantee in Lieu of Completed Improvements	43
ARTICLE V.	REGULATIONS FOR REVIEW AND APPROVAL OF MINOR SUBDIVISIONS	44
ARTICLE VI.	ENFORCEMENT AND PENALTIES FOR VIOLATIONS	45
	A. Enforcement	45
	B. Penalties	46
ARTICLE VII.	ADOPTION AND EFFECTIVE DATE	47
<u>APPENDICES</u>		48

APPENDIX A	PERFORMANCE BOND FORM	49
APPENDIX B	LETTER OF CREDIT FORM	51
APPENDIX C	FORMS FOR FINAL PLAT CERTIFICATION	55
APPENDIX D	TALBOT'S FORMULA FULL CIRCLE DRAINAGE TABLE	57

SUBDIVISION REGULATIONS
OF THE
PIGEON FORGE REGIONAL PLANNING COMMISSION

ARTICLE I. PURPOSE, AUTHORITY AND JURISDICTION

A. Purpose

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

The following subdivision regulations guiding the planning commission are designed to provide for the harmonious development of the planned region; to secure a coordinated layout and adequate provision for traffic and also to secure adequate provisions for light, air, recreation, transportation, water, drainage, sewer and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under authority granted by Sections 13-4-01 through 13-4-309 and Sections 13-3-401 through 13-3-411, Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations. A certified copy of the Pigeon Forge, Tennessee, Major Street and Road Plan has been filed in the Office of the Registrar of Sevier County, Tennessee, on _____.

C. Jurisdiction

These regulations shall govern all subdivision of land within the corporate limits of Pigeon Forge, Tennessee, as now or hereafter established and within the Pigeon Forge, Tennessee, Planning Region as established by resolution of the Local Government Planning Advisory Committee. Within these regulations the term "subdivision" shall mean the division of a tract or parcel of land into two (2) or more lots, sites or other divisions for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision and, when appropriate to the

context, relates to the process of subdividing or to the land or area subdivided, provided, however, that "subdivision" does not include a division of any tract or parcel of land into two (2) or more tracts or parcels when such parts or parcels are five (5) acres or larger in size. The term "road" shall mean, relate to and include roads, streets, highways, avenues, boulevards, parkways, lanes or other ways or any part thereof. The term "plat" shall mean plat, plan, plot or re-plot. The term "planning commission" shall mean any regional planning commission established by the state planning office as provided by law, and includes any municipal planning commission designated by the state planning office as the regional planning commission of a planning region composed of the territory of a single municipality together with the territory adjoining but outside of such municipality. Any prospective developer owning land located within the Pigeon Forge Planning Region shall submit his/her subdivision plat to the Pigeon Forge Planning Commission. The plat is to be submitted according to the procedures outlined in Article II, which plat shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV of these regulations.

ARTICLE II. PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of two separate steps. The initial step is the preparation and submission of a preliminary plat of the proposed subdivision to the planning commission. The second step is the preparation and submission to the planning commission of a final plat together with required certificates. The final plat becomes the instrument to be recorded in the office of the county registrar when duly signed by the secretary of the planning commission.

A. General

1. Any owner of land lying within the area of jurisdiction of the planning commission wishing to divide such land into two or more lots, sites, or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to re-subdivide for this purpose, shall submit a plan of such proposed subdivision to the planning commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following section of this Article. No plat of a subdivision of land within these areas of jurisdiction shall be filed by the county registrar without the approval of the planning commission.
2. The developer should consult early and informally with the planning commission and its technical staff for advice and assistance before the preparation of the preliminary plat and its formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Street and Road Plan and other official plans or public improvements

which might affect the area. Such informal review should prevent unnecessary and costly revisions.

3. A developer may omit the submission of a preliminary plat, submitting only a final plat if the following conditions are met:
 - a. All public improvements as set forth in Article IV are already installed. Any construction, installation, or improvements of any public improvements shall require the submission of a preliminary plat as prescribed by Section B of Article II.
 - b. The plat contains no more than ten lots, tracts or sites.
4. All subdivision plats and the traverse on which they are based shall meet the requirements established in the "Standards of Practice" adopted by the Tennessee Board of Examiners for Land Surveyors.

A. Preliminary Plat

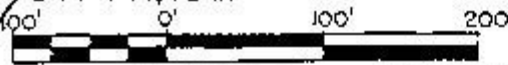
1. At least twenty-one (21) days prior to the meeting at which it is to be considered, the developer shall submit to the public works office, City of Pigeon Forge four (4) copies of a preliminary plat of the proposed subdivision in order to allow the planning commission technical staff time to review and prepare recommendations. . The plat shall contain the following information. The subdivision plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet. At the time of such submission, the secretary or a designated representative shall issue a receipt acknowledging said submission. Neither the submission of the preliminary sketches plat to the secretary or the receipt issued by the secretary shall constitute submission of the preliminary sketch plat for consideration by the planning commission.
2. The sketch plat which shall meet the minimum standards of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV shall give the following information insofar as possible.
 - a. The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plat who shall be a licensed or certified engineer or surveyor approved by the planning commission.
 - b. Date, approximate north point, and graphic scale.
 - c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements, the present zoning

classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdividers.

- d. A construction plan which shall include: (1) a complete drainage plan showing all improvements including all proposed streets, easements, storm sewers, swales, ditches, reserved areas and lot drainage; (2) a plan and profile of all streets showing typical cross sections of proposed roadways, swales and ditches as well as both existing and proposed finished grades of paved rights-of-way and special ditches, and details of all structures which are part of the physical improvements in the subdivision. All proposed drainage structures including manholes, catch basins, junction boxes, pipe storm drains, ditches, and other drainage facilities including headwalls shall be shown on the plan and profile.
- e. A location map showing relation of subdivision to well-known highways, railroads, and water courses in all directions to a distance of at least one-half (1/2) mile. Suggested scale: one (1) inch equals two thousand (2,000) feet.
- f. Plans of proposed utility layouts showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the county health department.
- g. The names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines and utilities.
- h. Contours at vertical intervals of not more than five (5) feet except when specifically not required by the planning commission.
- i. The acreage of the land to be subdivided.
- j. Surveyor's seal and certification as to the class of survey and the ratio of precision of the unadjusted survey (up to 1:7,500).

THE
PRELIMINARY PLAT
SHALL SHOW:

PRELIMINARY SKETCH
WESTVIEW ADDITION SECTION "A"
TENNACITY, TENN. G.O. WEST OWNER



SCALE

FRANK T. SQUARE
ENGINEER

Name, location, owner and designer.

Date, north point and graphic scale

Location of property lines, roads, existing utilities, etc.

Present zoning classification

Names of adjoining properties

Proposed utility system

Names of new streets

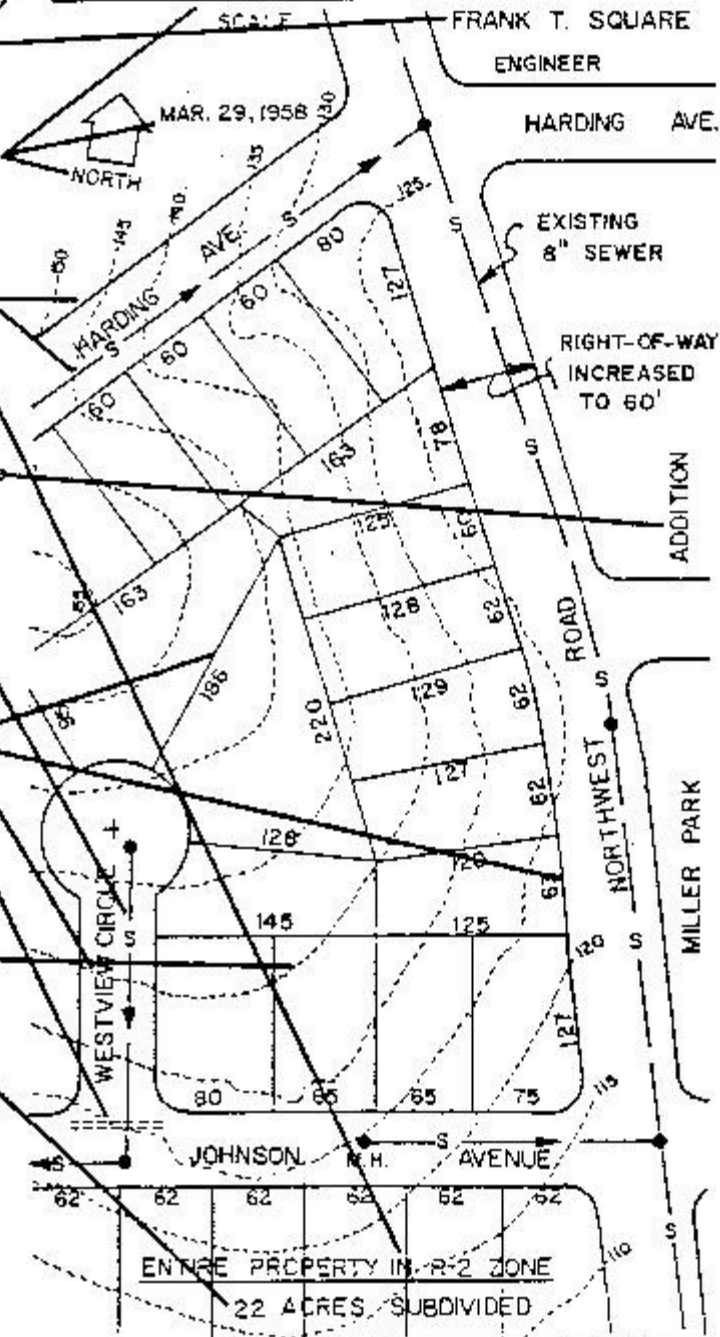
Dimensions, lot lines and building setbacks

Location of proposed culverts

Contours at 5' intervals

Acreage of land subdivided

Location sketch map.



3. Within sixty (60) days after submission of a preliminary sketch plat, located in the planning region or within thirty (30) days if located in the municipality, the planning commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications will be indicated.
4. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat.
5. Failure of the planning commission to act on the preliminary sketch plat within the specified time frame as noted in B-3 after being presented at a planning commission meeting in accordance with subsections B-1 and B-2 of this Article will be deemed approval of this preliminary plat, provided however, that the applicant may waive this requirement and consent to the extension of such period.
6. One (1) copy of the sketch plat will be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.
7. The approval of the preliminary sketch plat shall lapse unless a final plat based thereon is submitted within one (1) year from the date of such approval unless an extension of time is applied for and granted by the planning commission.
8. If the subdivision is going to be developed and submitted as final plats in portions of the preliminary plat, the portions must be designated and titled in alphabetical characters.
9. No new subdivision shall use the name of an existing subdivision except one being developed in stages.

SUBDIVISION RECORD
PRELIMINARY PLAT

Name of Subdivision _____

Location _____ Civil Dist. _____ Zoning Dist. _____

Owner _____ Address _____ Tel. _____

Agent _____ Address _____ Tel. _____

Surveyor _____ Address _____ Tel. _____

Date submitted for preliminary approval _____
Date

CHECK LIST

- _____ Copies submitted as required prior to meeting.
- _____ Drawn to required scale
- _____ Name, location, owner, and surveyor.
- _____ Date, north point, and graphic scale.
- _____ Location of all existing physical features on land and nearby properties.
- _____ Names of adjoining property owners and/or subdivisions.
- _____ Plans of proposed utility layouts
- _____ Names, locations and dimensions of proposed streets, alleys, easements parks and reservations, lot lines, etc.
- _____ Profiles of all streets at required scales.
- _____ Contours at not more than 5' intervals.
- _____ Acreage of land to be subdivided.
- _____ Conforms to general requirements and minimum standards of design

Approved _____ to proceed to final plat. Subject to following
Date

modifications: _____

Disapproved: _____ for following reasons: _____
Date

Signed: _____
Secretary of Planning Commission

10. When a subdivision is to be developed by making changes to the land contour by grading, filling, excavating, removal or destruction of topsoil, trees or vegetative covering thereon, the developer shall prepare a site plan for erosion and sedimentation control.
- a. For all proposed subdivisions, erosion and sedimentation control plans shall be presented to the planning commission and shall meet the following standards:
- i. Topography - The development plan should be fitted to the topography and the soils in order to minimize erosion potential.
 - ii. Development Coordination - Erosion and sedimentation control measures shall be coordinated with the required control measures installed prior to the start of construction.
 - iii. Sequential Control Measures - Land shall be developed in increments of workable size, on which, adequate controls of erosion and sedimentation can be provided and maintained during the construction period. Operations shall be staged so that the area being developed is not being exposed for a long period of time without stabilization and so that the initially disturbed areas are completely controlled before the next section is opened. The developer shall be required to schedule sequentially phased controls of erosion and sedimentation as coordinated with the development and construction stages, and shall specify in detail precisely which areas will be cleared first, and how long these areas will be exposed to the elements. The maximum exposure period shall not exceed 120 days.
 - iv. Runoff controls - Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during the ensuing development. Runoff must be intercepted and safely conveyed to storm drains or natural outlets where it will not erode or flood land. The drainage system for the development shall be completed and made operational as quickly as possible during construction.
 - v. Cover - Wherever feasible, natural vegetation shall be retained and protected. Temporary vegetation and/or mulching shall be used where necessary to protect exposed areas during development.
 - vi. Sediment basins (debris basins, desilting basins, or silt traps) - Sediment basins shall be installed and maintained to collect sediment from runoff waters from land undergoing development. Storm sewer inlets with debris guards and micro

silt basins shall be provided to trap sediment and avoid possible damage by blockage.

- vii. Final vegetation and structures - The permanent vegetation and structures shall be installed as soon as practical in the development.
- viii. Paved areas - Streets, parking lots, and other areas shall be paved as quickly as practical.

C. Final Plat

1. The final plat shall conform substantially to the preliminary sketch plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposed to record and develop at the time, provided, however, that such portions conforms to all requirements of these regulations.
2. The final plat shall be submitted to the planning commission at least twenty-one (21) days prior to the meeting at which it is to be considered. The subdivider shall submit four (4) copies of the drawings (blue line prints), together with street profiles or other plans that may be required (see Illustration 2).
3. The final plat shall be presented to the planning commission at its next meeting by the developer or designated representative for consideration for approval or disapproval.
4. The plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets no larger than twenty four (24) by thirty (30) inches or of an approved size to correspond to local plat book dimensions. When more than one (1) sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.
5. When the final plat has been approved by the planning commission one (1) copy will be returned to the subdivider, with the approval of the planning commission certified thereon, for filing with the county registrar as the official plat of record.

THE FINAL PLAT

SHALL SHOW:

Streets, lots, setback lines,
lot numbers, etc.

Sufficient engineering data to
reproduce any line on the
ground.

Dimensions, angles, and
bearings.

Monuments

Names of adjoining properties

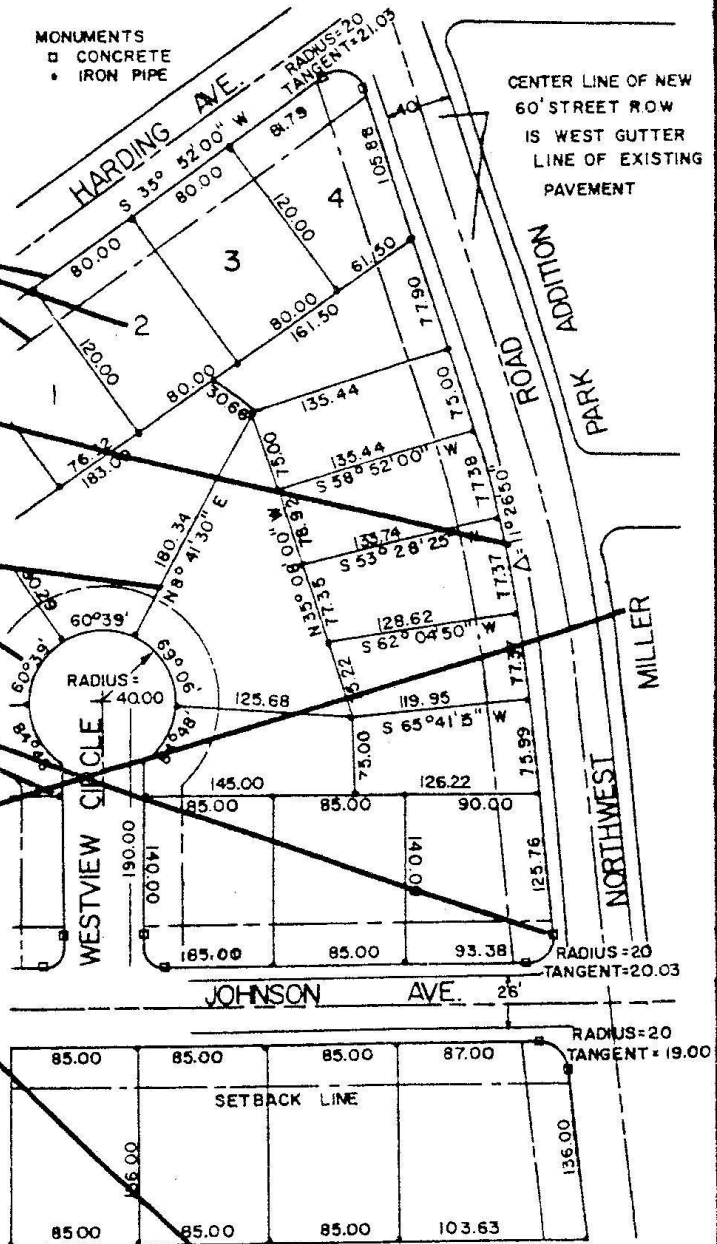
Date, title, name and location
of subdivision

Graphic scale and true north
point

Location sketch map and
certificates as required

MONUMENTS
□ CONCRETE
• IRON PIPE

CENTER LINE OF NEW
60' STREET ROW
IS WEST GUTTER
LINE OF EXISTING
PAVEMENT



SECTION "A"
WEST HILLS ADDITION
TENNACITY, TENN.

SCALE IN FEET
100 0 100 200

SUBDIVISION RECORD
FINAL PLAT

Name of Subdivision _____

Location _____ Civil Dist. _____ Zoning Dist. _____

Owner _____ Address _____ Tel. _____

Pre. approval granted: _____ Submitted for FINAL approval _____
Date Date

CHECK LIST

- _____ Submitted within specified time from preliminary approval.
- _____ Copies submitted as required prior to meeting.
- _____ Drawn to a scale of 1" = 100' on sheets not larger than 18" x 24".
- _____ Date, true north point, graphic scale, name and location of subdivision.
- _____ Reservations, easements or other nonresidential areas.
- _____ Bearings of property lines and sufficient engineering data to locate all lines including
radii, angles and tangent distances.
- _____ Dimensions to nearest 100th of a foot and angles to the nearest minute.
- _____ Lot lines, alleys, building setback lines.
- _____ Lines and names of all streets and roads.
- _____ Location and description of monuments.
- _____ Lots numbered in numerical order.
- _____ Names, locations of adjoining properties.
- _____ Certificate of Ownership and Dedication.
- _____ Certificate of Accuracy.
- _____ Certificate of Approval of Water and Sewerage Systems.
- _____ Certificate of Approval of Streets and Utilities.
- _____ Proposed deed restrictions if not a zoned area.
- _____ Conforms to General requirements and Minimum Standards of Design.
- _____ Required physical improvements have been made or bond posted
in the amount of \$_____.

Approved for Recording _____ Variances granted: _____
Date

Disapproved: _____ for the following reasons: _____

Signed: _____
Secretary of Planning Commission

6. The planning commission shall approve or disapprove the final plat within sixty (60) days if located in the region and within thirty (30) days if located in the municipality after its submission. Failure of the planning commission to act on this final plat within the specified time shall be deemed approval of it. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the planning commission.
7. Approval of the final plat shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
8. The final plat shall show:
 - a. The lines of all streets and roads, alley lines, lot lines, building setbacks, lots numbered in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight, and including north point. This shall include the radius, central angle and tangent distance for the right-of-way of curved streets and curved property lines that are not the boundary of curved streets.
 - c. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and north point.
 - g. Location sketch map showing site in relation to area.
 - h. All boundary traverses including lot and block traverses.
9. The following certificates shall be presented with the final plat:
 - a. Certification showing that applicant is the land owner and dedicates streets, rights-of-way and any sites for public use (see Appendix C).
 - b. Certification by registered land surveyor to accuracy of survey and plat and placement of monuments (see Appendix C).
 - c. Certification by the city or county health offices when individual sewage disposal or water systems are to be installed (see Appendix

- C).
- d. Certification by the city engineer or other designated person that the subdivider has complied with one of the following alternatives:
 - i. Installation of all improvements in accordance with the requirements of the subdivision regulations, and utility policies, or
 - ii. Posting of security bond or cash bond in sufficient amount to assure such completion of all required improvements (see Appendix A).
- e. Certification of approval to be signed by the secretary of the planning commission (see Appendix C).

ARTICLE III. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

A. Streets

1. ***Conformity to the Major Thoroughfare Plan***

The location and width of all streets and roads shall conform to the official Major Thoroughfare Plan which includes the Major Street Plan within the municipality and the Major Road Plan within the remainder of the planning region.

2. ***Relation to Adjoining Street System***

The proposed street system shall extend existing streets or projects at the same or greater width, but in no case less than the required minimum width.

3. ***Access Streets to Subdivision Boundaries***

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

4. ***Street Widths***

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

- a. Arterial Streets and Highways 80-150 feet,
as may be required. Arterial streets and highways are those to be used primarily for fast or heavy traffic and will be located in the Major Thoroughfare Plan.

- b. Collector Streets 50-60 feet
Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets to a residential development and streets for major circulation within such a development.
- c. Minor Residential Streets 50 feet
Minor residential streets are those which are used primarily for access to the abutting residential properties and designed to discourage use by through traffic.
- d. Marginal Access Streets 40 feet
Marginal access streets are minor streets which are parallel to and adjacent to arterial streets and highways, and which provide access to abutting properties and protection from through traffic.
- e. Dead-end Streets (cul-de-sac) 40 feet
Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future.

In many cases where topography or other physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements.
- f. Loop Streets 40 feet
Loop streets are streets open at both ends and connected to only one residential street with a maximum length twelve hundred (1,200) feet or twenty-five (25) dwelling units.
- g. Rural Streets 50 feet
Rural streets are those where development density is not more than one dwelling unit per acre and where minimum street frontage is one hundred fifty (150) feet per lot.
- h. Alleys 20 feet
Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

5. ***Additional Width on Existing Streets***

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half (1/2) of the required right-of-way, measured from the center

line of the existing roadway, shall be provided. In no case shall the resulting right-of-way width be less than forty (40) feet.

6. ***Restriction of Access***

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

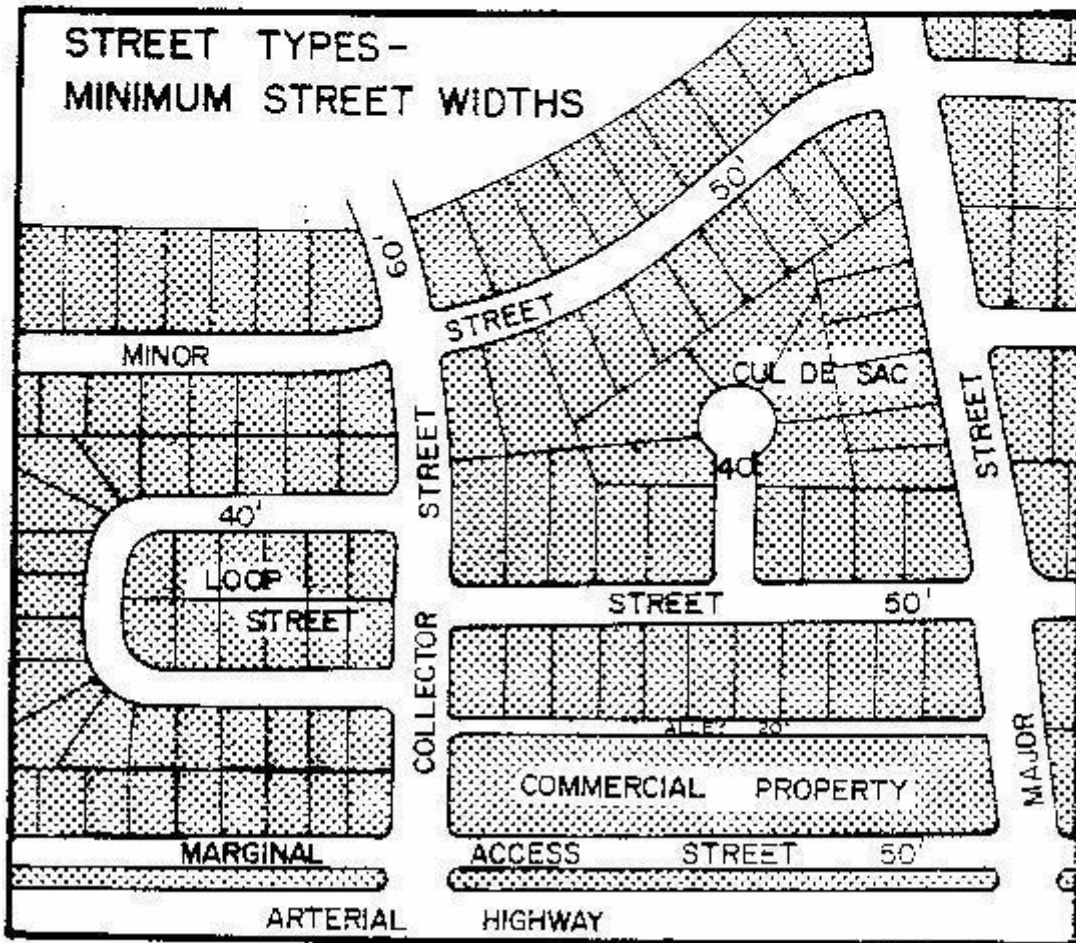
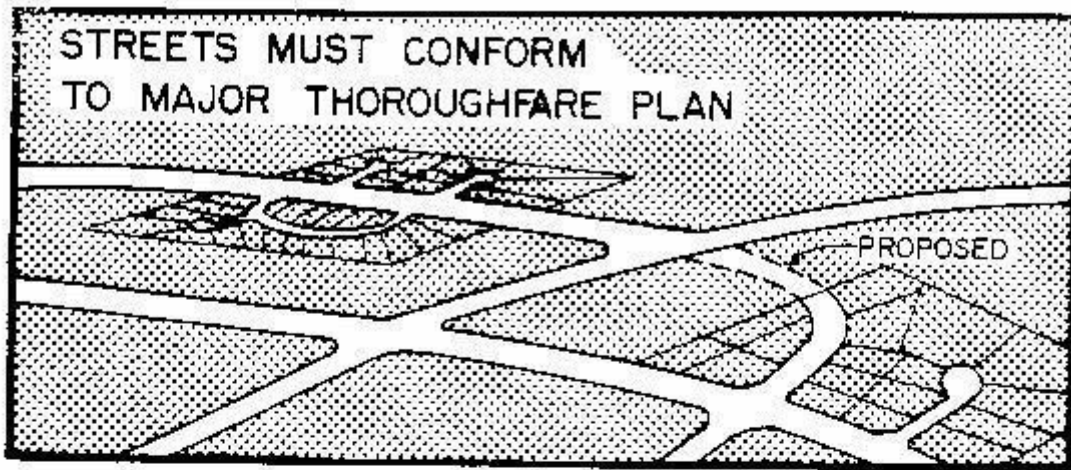
7. ***Street Grades***

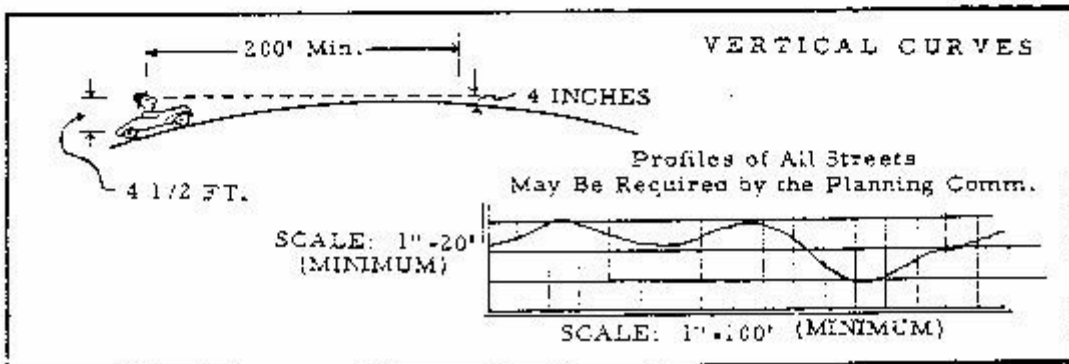
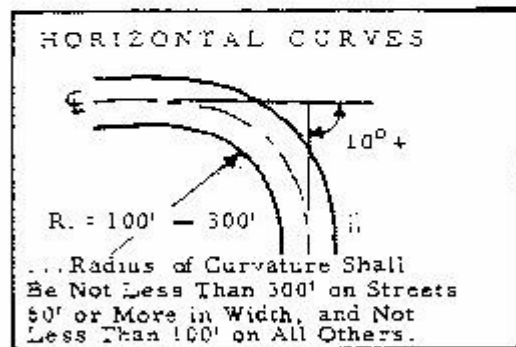
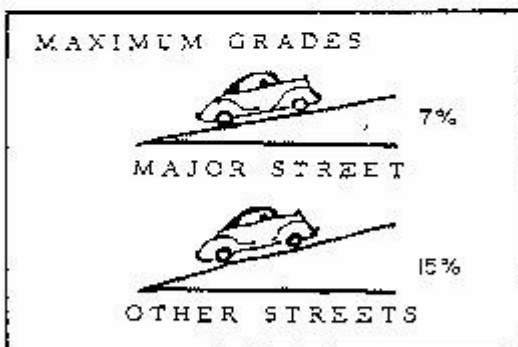
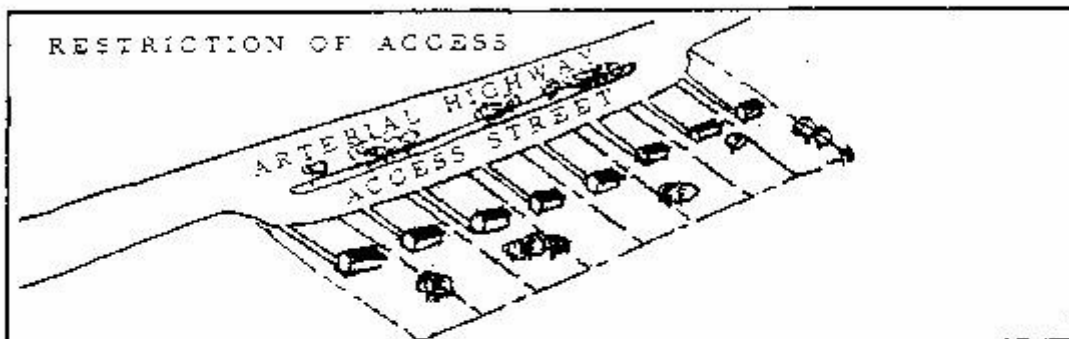
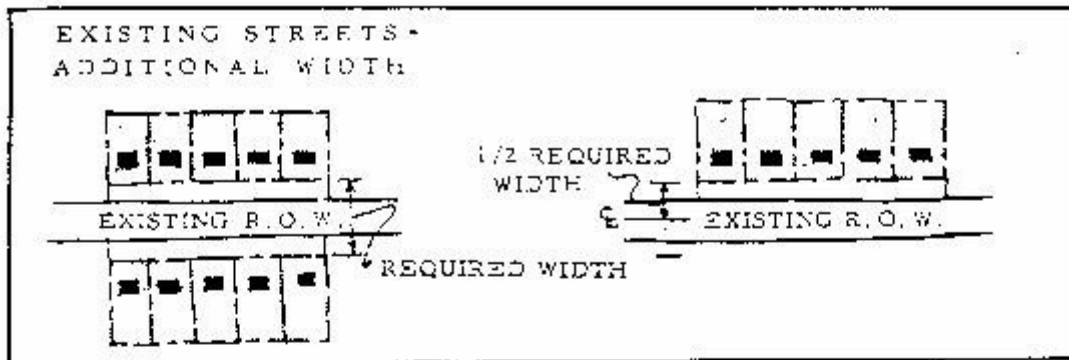
Grades on major streets shall not exceed 7 percent. Grades on other streets may exceed 7 percent but shall not exceed 15 percent.

8. ***Horizontal Curves***

Where a deflection angle of ten (10) degrees or more in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets sixty (60) feet or more in width, the center line radius of curvature shall not be less than three hundred (300) feet; on other streets, not less than one hundred (100) feet; except that on minor, low-speed streets in mountainous terrain in the unincorporated portions of the planning region, horizontal curves may be reduced to not less than fifty (50) feet if the planning commission deems such design to be compatible with public safety concerns and efficient road layout. (Amended by PC action on 8/2001)

MINIMUM STANDARDS OF DESIGN





9. ***Vertical Curves***

All changes in grade shall be connected by vertical curves of minimum length in feet equal to fifteen (15) times the algebraic difference in rates of grade for major streets and one half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one inch equals one hundred (100) feet horizontal, and one inch equals ten (10) feet vertical, may be required by the planning commission.

10. ***Intersections***

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

To permit the construction of a curb or swale having a desirable radius, property line radii at all street intersections shall not be less than twenty (20) feet. Where the angle of the street intersection is less than ninety (90) degrees, the planning commission may require a greater radius.

11. ***Tangents***

A tangent of at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.

12. ***Street jogs***

Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall not be allowed.

13. ***Dead-end Streets***

a. Minor terminal streets or courts within the city designed to have one end permanently closed shall be no more than six hundred (600) feet long unless necessitated by topography. Such streets in mountainous terrain in the unincorporated portions of the planning region may exceed six hundred (600) feet, but shall be no longer than twenty-five hundred (2,500) feet. All dead-end streets shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eight (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the planning commission may approve an alternate design such as the T or Y back-around. In cases where regional dead-end streets exceed six hundred (600) feet, the planning commission may require intermediate turn-arounds of an approved design in locations where the commission deems them necessary to promote the general public safety and convenience. (Amended by PC action on 8/2001)

b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property. Such dead-end streets shall be provided with a temporary turnaround.

14. ***Private Streets and reserve strips***

There shall be no new private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

15. ***Drainage***

All streets and roads must be so designed as to provide for the discharge of surface water from the right-of-way. Where it is the opinion of the planning commission that water cannot be adequately discharged by surface drainage, the planning commission may require the installation of a storm sewer system.

16. ***Street Name***

Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of suffix street, avenue boulevard, driveway, place, or court.

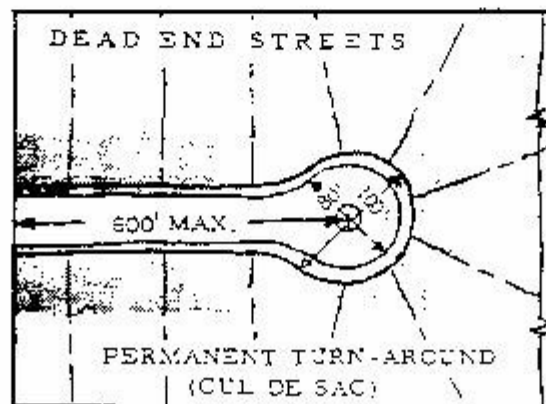
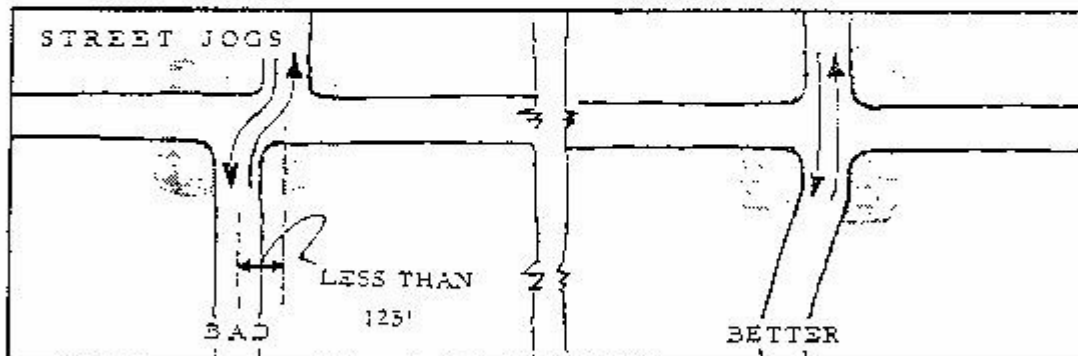
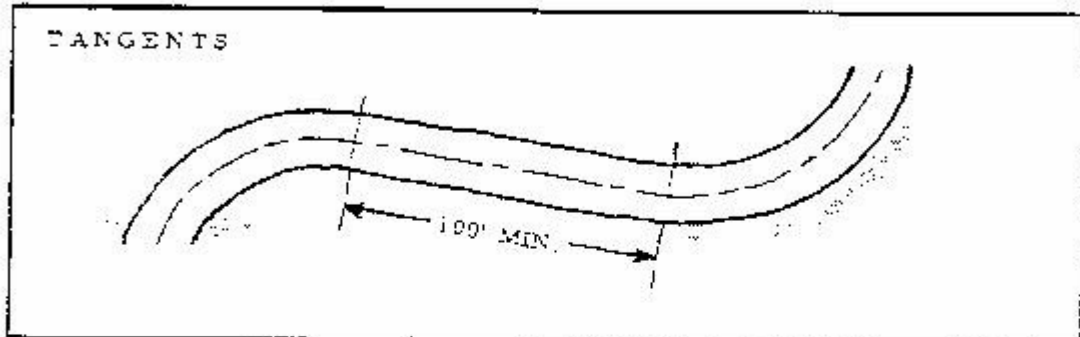
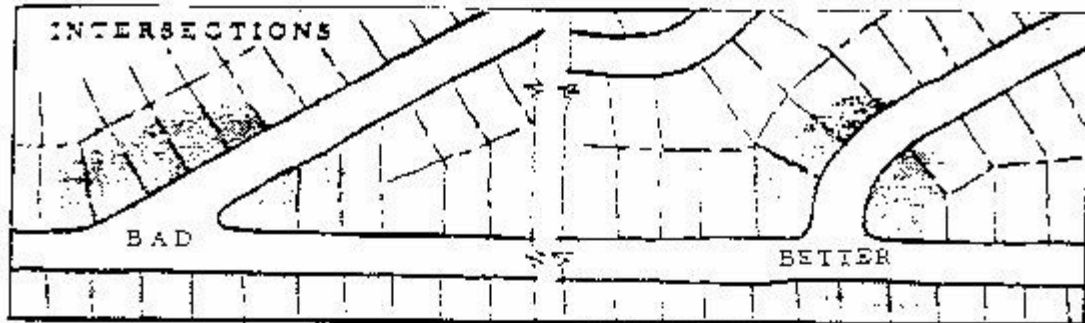
17. ***Alleys***

Alleys may be provided to the rear of all lots used for business purposes, and shall not be provided in residential blocks.

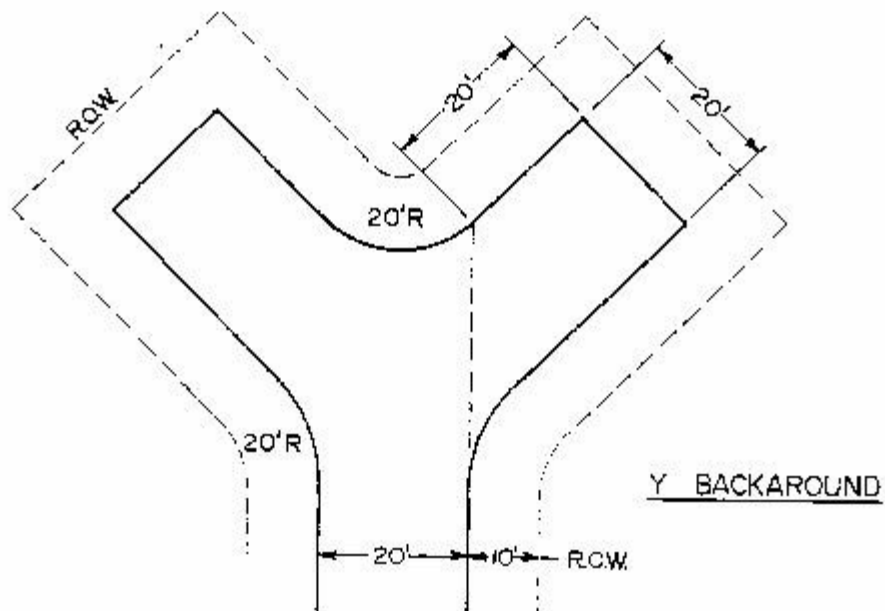
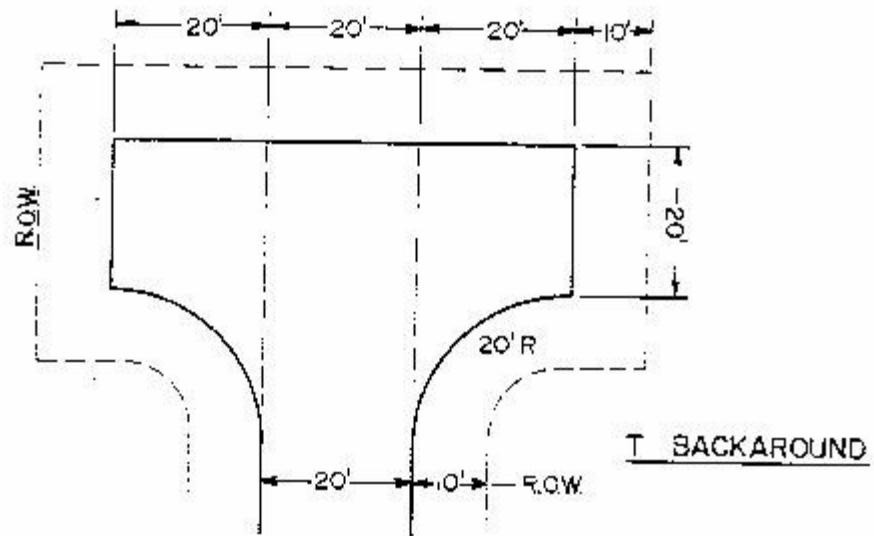
a. Blocks

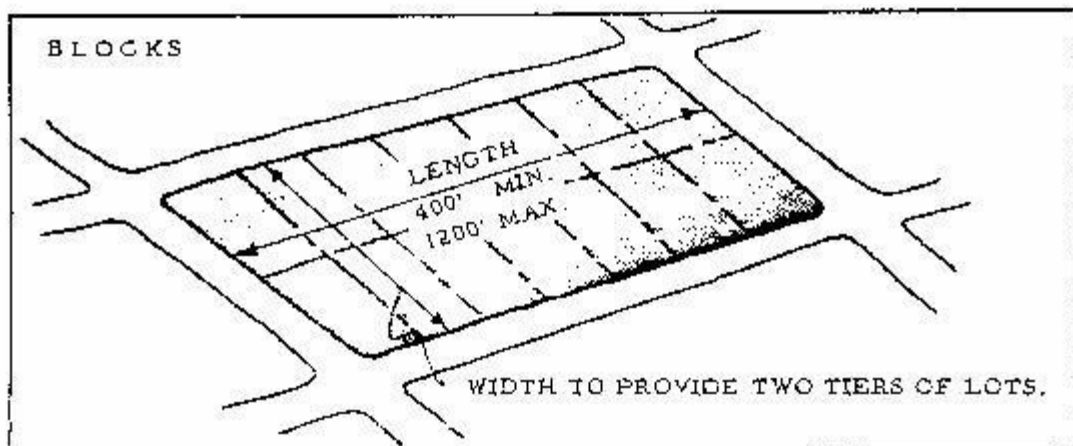
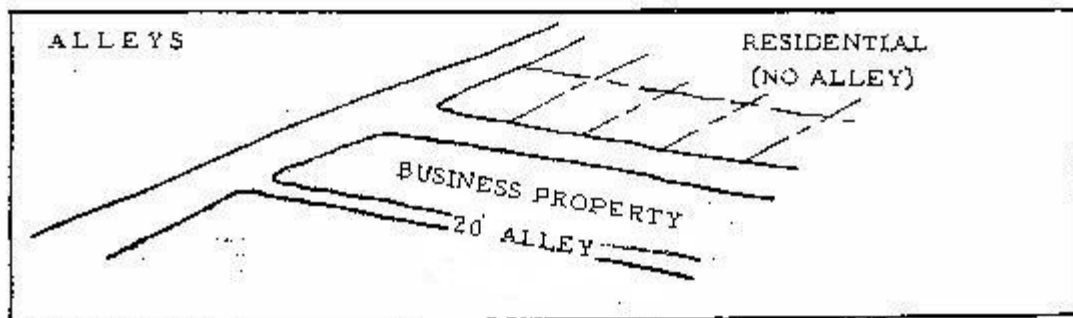
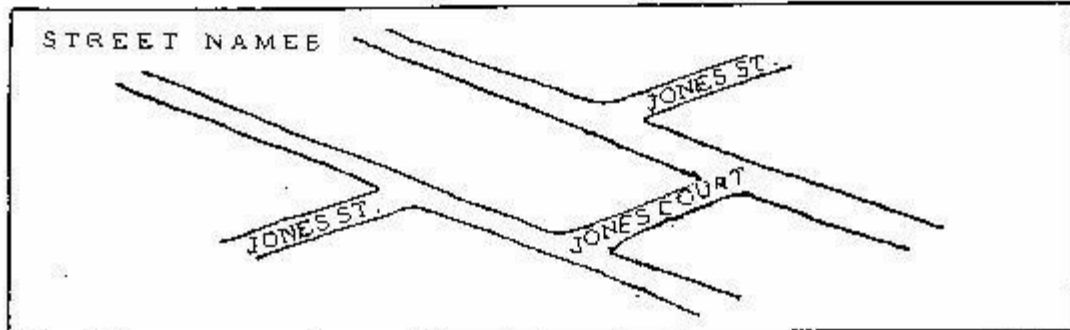
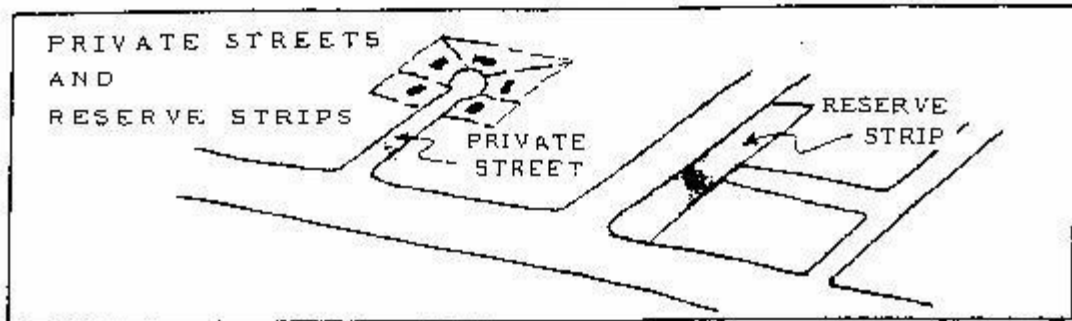
1. *Length*

Blocks shall not be less than four hundred (400) nor more than twelve hundred (1,200) feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the planning commission may require one or more public cross walks.



T & Y BACKAROUND





2. *Width*

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property.

C. Lots

1. ***Arrangement***

- a. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front for a minimum of fifty (50) feet upon a public street or road which is not less than forty (40) feet in width.

2. ***Minimum size***

The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Where a municipal sanitary sewer owned and operated by the City of Pigeon Forge is reasonably accessible, the subdivider shall connect with such sewer and provide a connection to each lot. Where, in the opinion of the Pigeon Forge Regional Planning Commission, municipal sanitary sewer service is not reasonably accessible, alternative methods of sewage disposal may be used.

Acceptable alternative methods of sewage disposal include individual septic tank and drainfield systems approved by the Sevier County Health Department, with each lot having at least a “two-bedroom” designation. Also acceptable are public “on-site” sewage disposal systems as designated and approved by the Tennessee Regulatory Authority (TRA), and on-site systems owned and operated by a public utility provider established under Tennessee law. “Common septic systems” (serving two or more lots) and private on-site systems owned or operated by property owners associations are not acceptable alternatives to Pigeon Forge municipal sewer service.

- a. Residential lots served by Pigeon Forge municipal sewers and municipal water lines shall not be less than seventy-five (75) feet wide at the building setback line nor less than seventy-five hundred (7,500) square feet in area, except mobile home lots shall be a minimum of five thousand (5,000) square feet.
- b. Residential lots not served by Pigeon Forge municipal sewers (but having an acceptable alternative means of sewage disposal as set forth above), and having municipal water service, shall not be less than eighty (80) feet wide at the building setback line, and shall contain a minimum of twenty thousand (20,000) square feet.

Greater area may be required if, in the opinion of the county health officer, there are factors of drainage, soil conditions, topography or other conditions to cause potential health problems. The planning commission may require that data from percolation tests be submitted as a basis for passing upon subdivisions dependent upon septic systems as a means of sewage disposal. Any percolation rate over 60 minutes per inch is prohibited.

- c. Lots not served by municipal water systems must obtain water from private, individual wells only, and shall not be less than one hundred (100) feet wide at the building setback line and shall contain a minimum area of one acre, regardless of the type of sewage disposal system. As in subsection "b" above, greater area may be required at the discretion of the county health officer.
- d. Tracts reserved or laid out for commercial or industrial properties must be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- e. The size and widths of lots shall in no case be less than the minimum requirements of any zoning ordinance in effect.

(Amended by PC action 9/2004, effective date 10/2004)

3. ***Building Setback Lines and Yard Requirements***

- a. The minimum depth of building setback lines from the street right-of-way line shall not be less than thirty (30) feet from minor residential and collector streets and forth (40) feet from all others. Lots in mountainous terrain in the unincorporated portions of the planning region which are served by minor residential streets may have a minimum building setback line from the street right-of-way line of not less than twenty (20) feet if the property slope from the right-of-way line exceeds thirty (30%) percent. In case of corner lots, provide a setback of fifteen (15) feet from the side street right-of-way lines unless a lower standard is allowed by the existing zoning ordinance. A minimum side yard of six (6) feet on one side for all lots and a total minimum side yard setback of fifteen (15) feet is required for interior lots. (Amended by PC action on 8/2001)
- b. In the case of electric transmission lines where easement widths are not definitely established there shall be a minimum building setback line from the center of the transmission line as follows:

Voltage of line	Minimum building setback
46 KV	37-1/2 feet
69 KV	50 feet
161 KV and over	75 feet

4. ***Corner Lots***

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

D. Public Use and Service Areas

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

1. ***Public open space***

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

2. ***Easements for utilities***

- a. Drainage and utility easements shall be provided on each side and rear lot line where deemed necessary by the planning commission. The easements shall be designed to adequately provide utilities and drainage for all lots in the proposed subdivision. Where drainage is proposed to cross any lot at any point other than the side or corner of the lot, the plat shall indicate the size of the pipe necessary to carry the proposed runoff. Each cul-de-sac shall have provisions for a fifteen (15) foot utility easement extending therefrom to prevent dead-end water mains. Easements of the same or a greater width may be required along the lines of or across to where necessary for the extension of existing or planned utilities.

b. Storm sewers

Where in the opinion of the planning commission the flow of water cannot be accommodated with surface drainage, storm sewers or

alternate system may be required. The planning commission shall determine, on the basis of the watershed and the probable runoff, the size of the storm sewers. In ascertaining the size of the storm sewers, the planning commission may call upon its technical staff or any public or private agency to assist in its determinations.

3. ***Water supply and sewerage connections***

Where a public water supply or public sewerage system is reasonably accessible, the subdivider shall indicate a connection with such water supply or sewerage system and a water and sewerage connection for each lot with such material and to such size and length as shall be approved by the planning commission. Where a public water supply or public sewerage system is not reasonably accessible or not planned for in the future, an alternate method of water supply and sewage disposal may be indicated and shall be approved in writing by the county health officer.

4. ***Community Assets***

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

E. Suitability of the Land

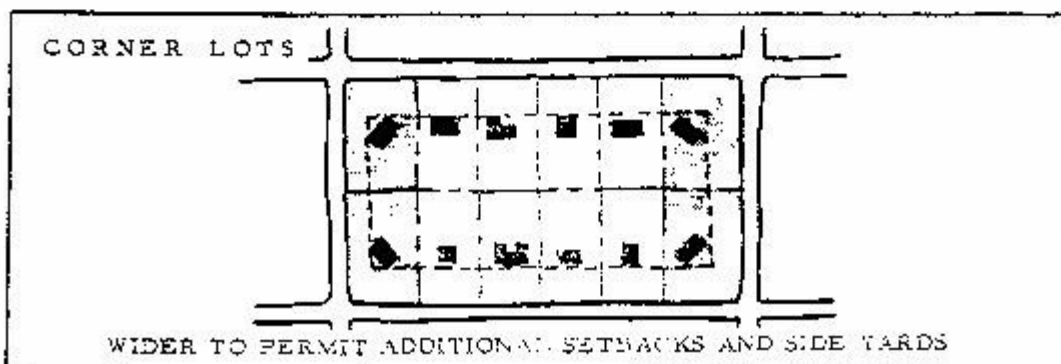
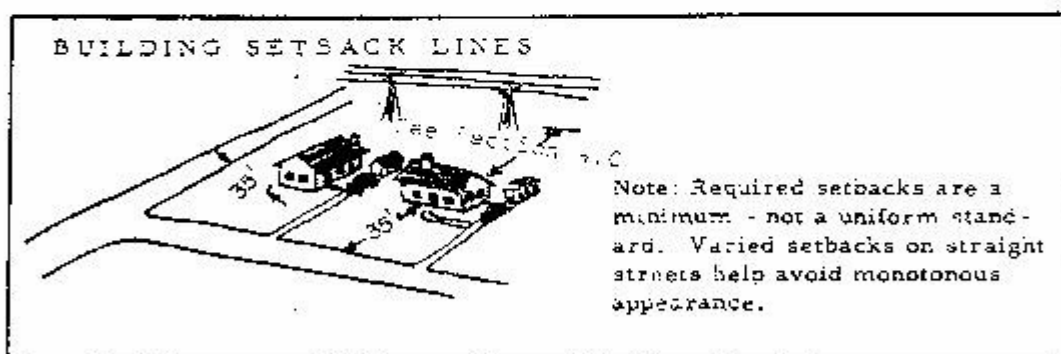
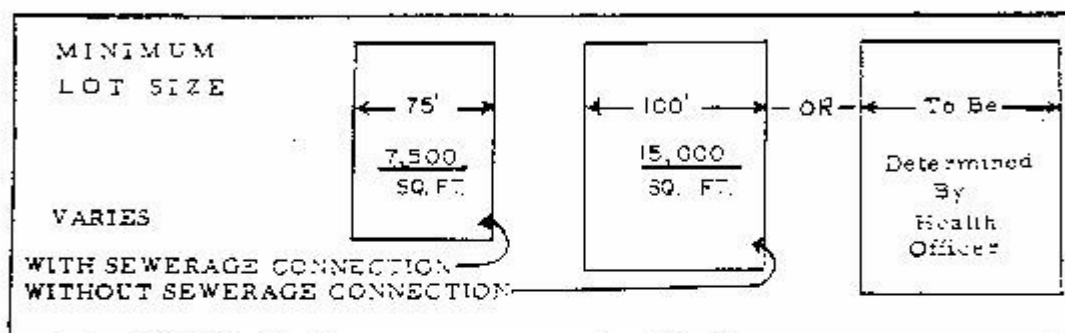
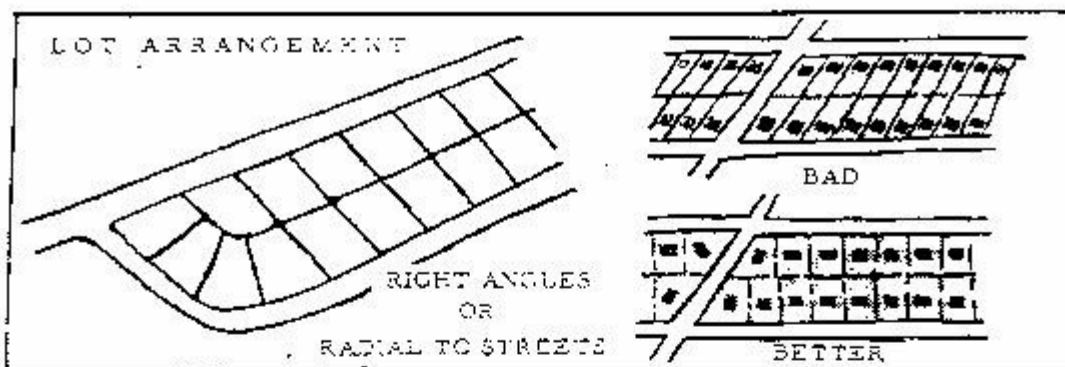
The planning commission shall not approve the subdivision of land, if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public and site is not suitable for platting and development purpose of the kind proposed.

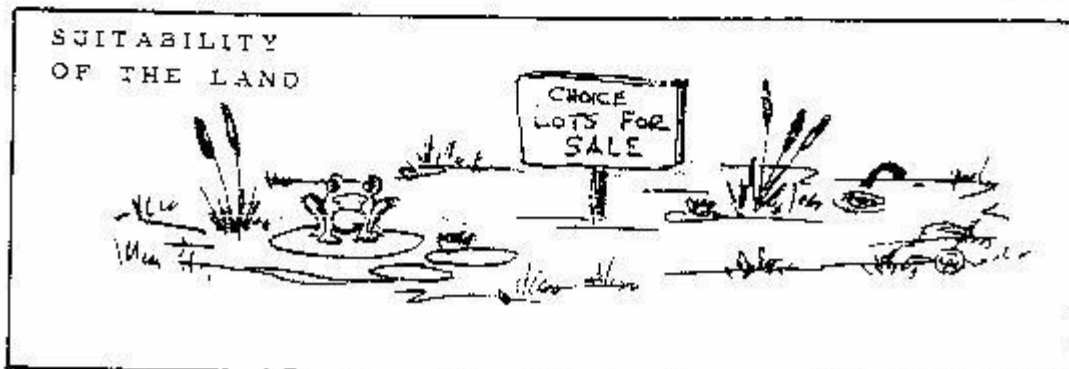
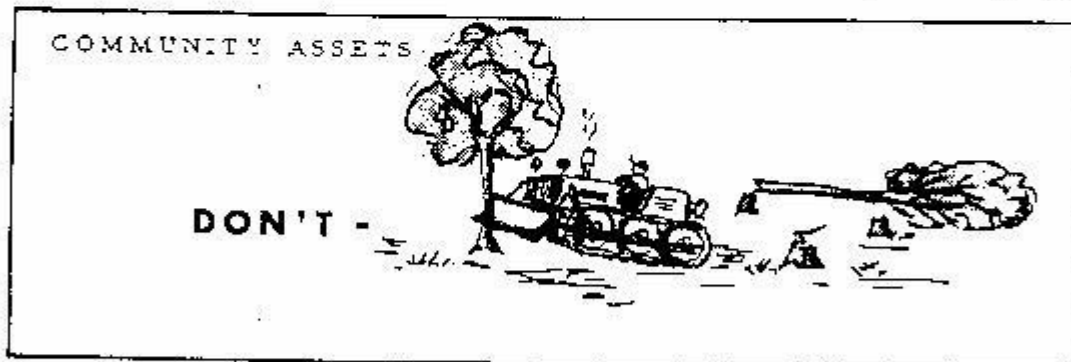
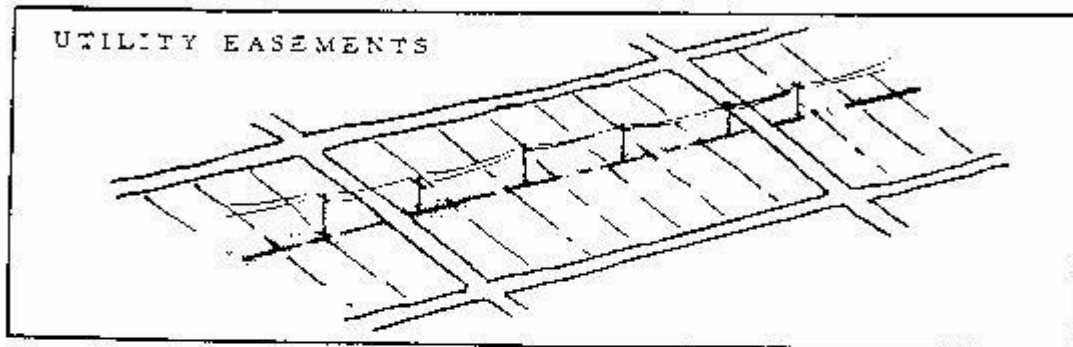
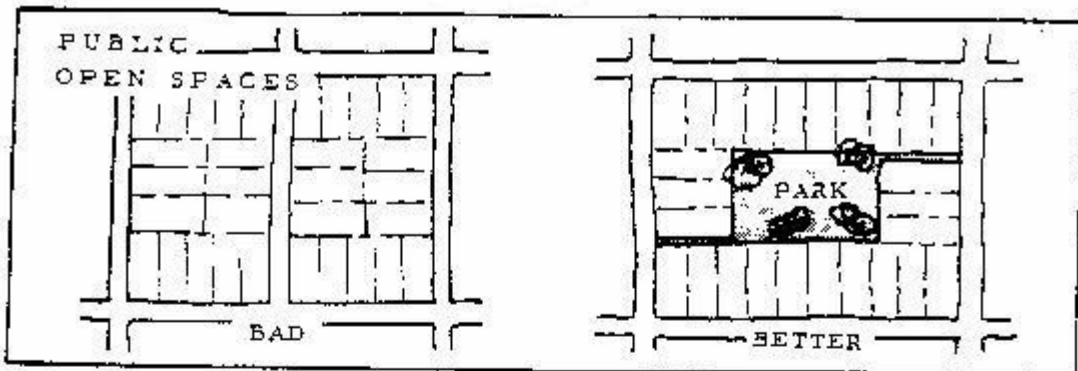
1. ***Flood Control Measure***

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

- a. Fill may not be used to raise land in areas where the fill would increase flood levels.
- b. All proposed developments containing land shown on the flood maps of Pigeon Forge and Sevier County shall identify the floodway and flood fringe area on the proposed development plan and the location of structures and improvements shall be subject to flood restrictions.

- c. All development proposals shall have all public utilities and facilities located and constructed to minimize flood damage.
- d. All development proposals shall have adequate drainage provided to reduce exposure to flood hazards.





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F. Large Tracts or parcels

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

G. Group Housing Developments

A comprehensive group housing development, including large scale construction of housing units and mobile home sites together with necessary drives and ways of access, may be approved by the planning commission, although the design of the project does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

1. *Planned Unit Development*

For the purpose of these regulations, a planned unit development shall be a planned residential, commercial, or industrial development professionally designed as a unit on a parcel of land that may have separate ownership of, or acceptable lease arrangements and property in joint ownership. A planned unit development shall have ample open space provisions for the benefit and use of the residents. The open space shall be permanent and established in an appropriate manner. Planned unit developments shall include condominiums, mobile home parks, and similar group building developments formally or informally divided for development.

- a. Planned unit developments shall generally comply with the standards established in these regulations, however, the uniqueness of each proposed development may require special consideration of these standards and they may be modified by the planning commission to achieve appropriate design arrangements.
- b. The final site plan shall contain the location of proposed structures, roads, drives, parking, utilities, drainage, open space areas and all other requirements established for final approval.
- c. A planned unit development plat shall show appropriate subdivision of properties.
- d. No free standing building shall be closer than twenty (20) feet to any other free standing building and no closer than twenty-five (25) feet to any exterior property line.
- e. Each development shall have a pedestrian circulation system plan and the walkways shall be improved a minimum of four (4) feet in width.

- f. Any planned unit development within the corporate limits shall meet all requirements of the municipal zoning ordinance.
- g. All planned unit developments shall be served by a municipal water system and a public sanitary sewer system. (Amended by PC action on 8/2006)
- h. A final landscaping plan shall be required. Landscaping shall be designed to lessen noise, improve the visual appearance and create a pleasing environment.
- i. A final open space plan shall be required. The open space shall be permanent and established through appropriate legal documents which shall be submitted with the plan. The documents shall show the manner or way in which the open space is owned and how it will be maintained. The open space plan shall also show all open space improvements such as swimming pools, tennis courts, golf courses, and similar open space uses.
- j. Changes and modifications in the final planned unit development plan shall be submitted to the planning commission as a revision request of the approved planned unit development.

2. ***Mobile Home Parks***

A proposed mobile home park shall be considered as a development informally dividing a land parcel into mobile home sites or spaces for the purpose of renting or leasing and it shall be considered as a planned unit development and plats shall be submitted to the planning commission for preliminary and final approval.

H. Mobile Home Subdivisions

The planning commission may approve a subdivision with lots designed and established EXCLUSIVELY for mobile homes. These developments shall comply with the standards and those established herein.

- a. The minimum land parcel to be considered for a proposed mobile home subdivision shall be two (2) acres.
- b. The minimum lot size for proposed developments with individual septic tank sewage disposal systems or other similar systems shall be ten thousand (10,000) square feet. For developments with lots serviced by a sanitary sewer system, the minimum lot size shall be five thousand (5,000) square feet. However, within the corporate

limits lot size will be determined by the density provisions in the zoning ordinance.

- c. The minimum setbacks and yard requirements shall be the same as those established in these regulations.
- d. Appropriate certificates shall be affixed to the final plat and appropriate legal documents shall be recorded to assure the planning commission that the proposed development shall be developed and utilized as mobile home lots exclusively.

I. Variances

Variances may be granted under the following conditions:

- 1. Where the subdivider can show that strict adherence to these regulations would cause unnecessary hardship, or
- 2. Where the planning commission determines that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized and the reasons therefore shall be stated in writing in the minutes of the planning commission.

J. Zoning or Other Regulations

No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms with such ordinance.

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standard shall apply.

ARTICLE IV. DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

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

A. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install needed curbs, monuments, sewers, storm water inlets and water mains in accordance with specifications established by the Pigeon Forge Regional Planning Commission. Where specifications adopted by local authorities conflict with standards as set forth in these subdivision regulations, the higher set of standards, as determined by the planning commission, shall govern.

1. *Monuments*

- a. Concrete monuments four (4) inches in diameter or square, three (3) feet long, with a flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision and at angle points and points of curb in each street. The top of the monuments shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other corners and points shall be marked with iron pins.

2. *Grading*

All streets, roads and alleys shall be graded or filled horizontally to the full width of their rights-of-way by the subdivider or developer. Due to special topo-graphical conditions, deviation from the above will be allowed only with special approval of the planning commission.

- a. Preparation. Before grading is started, necessary parts of the right-of-way area shall be cleared of all trees, stumps, roots, brush and other objectionable materials.
- b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below subgrade.

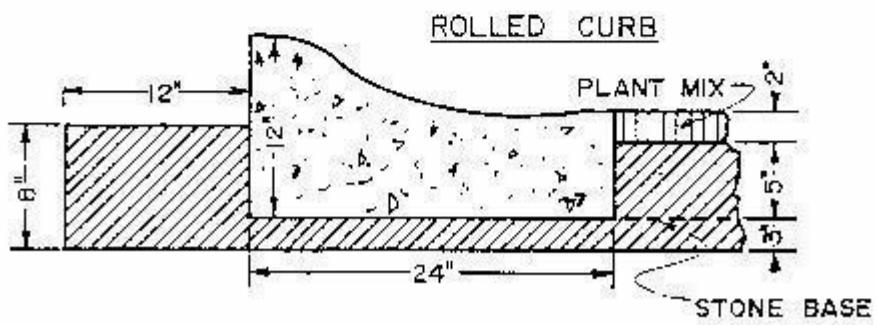
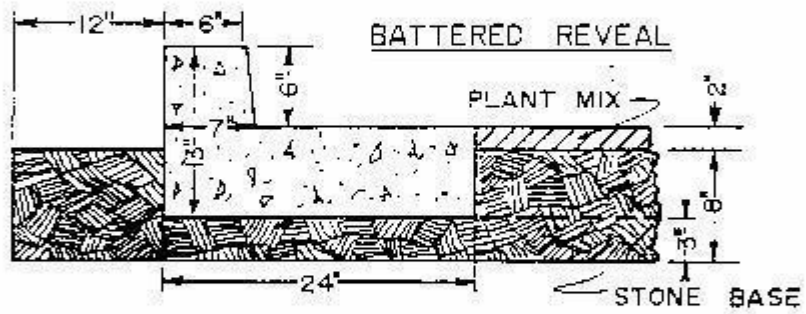
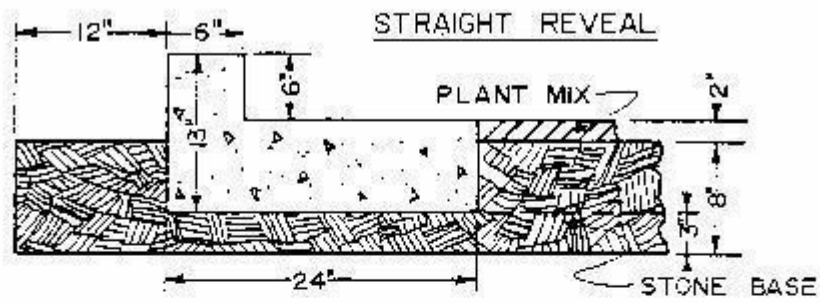
- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a sheep's foot roller. Unless another method of preparation of the subgrade shall be constructed as specified in Section 203, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works - January 1, 1968, and later revisions thereto. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, and where water is used to assist compaction the water content shall not exceed the optimum of moisture.

3. ***Storm drainage***

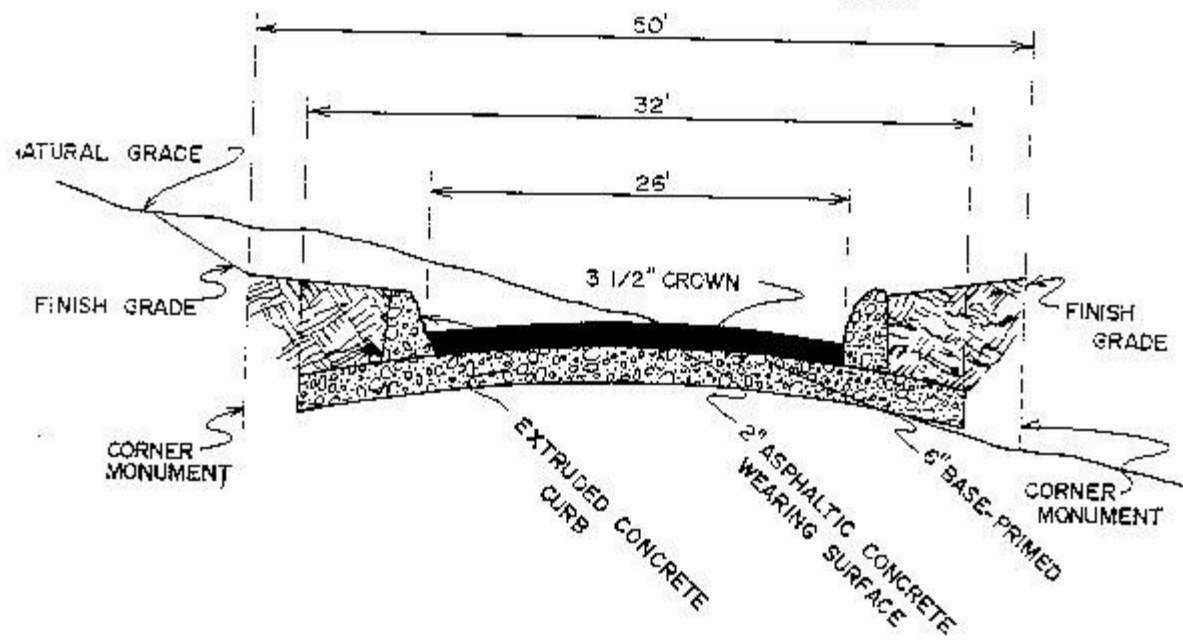
An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The site openings to be provided shall be determined by Talbot's formula (in Appendix D), but in no case shall the pipe be less than fifteen (15) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the roadbed.

4. ***Roadway improvements***

- a. Base: compacted base course six (6) inches deep and three (3) feet wider than the width of the pavement on each side of the street shall be installed on all streets, including cul-de-sacs, temporary turn-arounds and access streets to adjoining properties, according to the method specified in Section 33, Standard Specifications for Roads and Bridge Construction, Tennessee Department of Highways and Public Works - January 1, 1968, and latest revisions thereto. Wetting of the stone before compaction may be done at a point of origin or on the job site at the option of the contractor.



TYPICAL ROADWAY CROSS SECTION



b. Curbing

The subdivider shall provide curbs of no lower classification than machine formed concrete extruded curb, nine (9) inches wide at the base and seven and one-half (7 1/2) inches high. The curb shall be installed after the prime coat is applied to the base. Back fill shall be towards the curb to insure drainage of surface water into the drainage system.

In lieu of curbs as the drainage system on cul-de-sacs and loop streets in the planning region, the planning commission may accept one of two alternatives: (1) swales may be used on streets where the finished grade does not exceed 2 percent; (2) streets with an inverted crown may be used provided that the drainage area of the street does not exceed five (5) acres.

One-half (1/2) inch to three-fourth (3/4) inch expansion and contraction joints for the curbs and gutters shall be placed at intervals not exceeding forty (40) feet.

- c. Prime Coat: After a thoroughly compacted base has been established, a prime coat shall be applied as specified in Section 402, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works - January 1, 1968, and latest revision thereto.

- d. Wearing Surface: The wearing surface shall consist of a surface course constructed with asphalt concrete, prepared with mineral aggregate, laid hot as specified under Section 411, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works - January 1, 1968, and latest revision thereto. It shall be constructed in one layer not less than two (2) inches thick to conform to the lines, grades and cross sections indicated on a plan approved by the inspecting engineer.

5. ***Minimum Street Improvement Widths***

Due to the diversity of development in the planning region ranging from sparsely populated agricultural areas to the densely populated urban areas, required street improvement widths will necessarily vary with the character of building development and the amount of traffic encountered. Minimum widths for surface treatment of roads and streets shall be those indicated below.

- a. Arterial streets.....(not paved by developer).

- b. Collector streets..... 32 feet
- c. Minor residential streets.....26 feet
Most minor streets in residential developments involve parking and/or considerable traffic.
- d. Marginal access.....20 feet
Maximum length 1,200 feet or 25 dwelling units.
- e. Loop streets.....20 feet
Maximum length 1,200 feet or 25 dwelling units.
- f. Dead-end streets (cul-de-sacs).....18 feet
Maximum length 600 feet or 15 dwelling units.
- g. Minor dead-end streets (cul-de-sacs).....16 feet
Maximum length 300 feet or five dwelling units.
- h. Rural streets.....20 feet
Without curbs - minimum of one acre lots and 150 feet frontage.
Pavement widths of 20 feet may be accepted on loop and dead-end (cul-de-sac) rural streets meeting the above standards of maximum length and dwelling units.

6. ***Installation of utilities***

After grading is completed and approved and before any base is applied, all of the underground works - water mains, gas mains, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.

All driveways for houses to be built by the developer shall be cut and drained.

7. **Water supply system**

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

The size of water mains, the location and type of valves and hydrants, the amount of soil cover the pipes and other features of the installation shall be approved by the planning commission upon the recommendation of the Superintendent of Water Department or other applicable inspection

agencies, and shall conform with accepted standards of good practice for municipal water systems.

8. ***Sanitary sewers***

- a. Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the county health officer.
- b. All lots connected to the city sewerage system shall meet all requirements of the water and sewer board.
- c. All lots connected to a sewer system shall be approved by the utility operating the system. They shall meet all requirements of the state health department and shall be approved by the Sevier County Health Department.
- d. Subdividers shall supply all data required for the installation and or operation of the sewerage system to the water and sewer board, Sevier County Health Department and the Tennessee State Department of Health.

9. ***Street name signs***

Appropriate street signs also add sales value to land subdivisions and enable strangers, delivery concerns and even potential lot buyers to find their way around. Street names should appear at all intersections. Upon request the planning commission will aid the subdivider with specifications for the construction, placing and setting of such signs.

B. Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the planning commission or accepted for record by the County Registrar of Deeds until one of the following conditions has been met:

1. All required improvements have been constructed in a satisfactory manner and approved by the City of Pigeon Forge, Tennessee.
2. The planning commission has accepted a security or performance bond in an amount equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city in the event of default of the subdivider. The conditions of such security or performance bond shall provide for the installation of the improvements covered by such bond within a period of not

to exceed one (1) year; provided, however, that such period may be extended by the planning commission with the consent of the parties thereto if the planning commission finds that the public interest will not be adversely affected by such extension. If the planning commission shall decide at any time during the performance bond that the extent of the building development that has taken place in the subdivision is not sufficient to warrant all the improvements covered by such performance bond, that required improvements have been installed as provided in this Section in sufficient amount to warrant reduction in the face amount of said bond, or that the character and the extent of such development require additional improvements for any or all such improvements, the face value of such performance bond shall thereupon be reduced or increased by an appropriate amount so that the new face amount will cover the cost in full of the amended list of improvements.

Performance bonds which are submitted in lieu of the installation of required improvements shall be in cash or made by a surety company authorized to do business in the State of Tennessee. In the case of a surety company, the performance bond shall be prepared according to the form as shown in Appendix A, said Appendix A is made a part of these subdivision regulations.

ARTICLE V. REGULATIONS FOR THE REVIEW AND APPROVAL OF MINOR SUBDIVISIONS

This article sets forth procedures designed to expedite the review and approval process for minor subdivisions. Due to the nature of minor subdivisions, no development other than the platting process is required. Therefore, Article IV of the Pigeon Forge Subdivision Regulations does not apply to minor subdivisions.

A. Definition

In order to be considered a minor subdivision the tract or parcel of land to be subdivided shall be located in an existing open public road that has been accepted and is being maintained by the county or state highway departments and shall be situated in a manner that there are no changes in existing streets, no new streets or easements of access, and no excavation, grading or physical development needed and the property must be adequately provided with existing community facilities to the extent that no extensions of water, sewer or gas lines are required.

B. General Requirements

All requirements and design standards including requirements for the preparation of subdivision plats will be the same as set forth in Article I through III of the Pigeon Forge Subdivision Regulations.

Minor subdivisions will be considered for official approval at each regularly scheduled meeting of the Pigeon Forge Planning Commission. In the event that it places an extreme and undue hardship on the developer or selling agent a special review committee may review the subdivision prior to the regular monthly meeting. The special review committee may grant tentative approval and permission to sell pending official approval by the Pigeon Forge Regional Planning Commission. The following procedures and policies shall govern the review and approval of minor subdivisions:

1. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the secretary of the planning commission or the planning commission technical staff four (4) copies of the subdivision plat.
2. Requests for special review and approval due to hardship must be accompanied by a statement explaining the nature of the hardship and reasons why special review is necessary.
3. Preliminary approval may be granted prior to health department approval (includes layout design of the subdivision and development requirements).
4. Permission to sell subject to final approval may be granted by the full commission or the minor subdivision committee.
5. Permission to see cannot be granted unless the plat has received health department approval.
6. Subdivisions must be properly marked at all corners and survey points with iron pipe or solid steel rods not less than one half (1/2) inches in diameter and twenty-four (24) inches in length.
7. If permission to sell is granted, the sale is made subject to any changes or additional requirements requested by the planning commission for final approval and buyers of the property shall be properly informed of this condition by the person or persons selling the property.

ARTICLE VI. ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

A. Enforcement

1. No plat or plan of a subdivision of land into two (2) or more lots located within the Pigeon Forge Planning Region shall be admitted to the land records of

the county or received or recorded by the County Registrar of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-3-402, Tennessee Code Annotated.

2. No board, public officer, or authority shall light any road, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any road located within the planning region unless such road shall have been accepted, opened or otherwise received the legal status of a public road prior to the adoption of these regulations, or unless such road corresponds in its location and lines to a road shown on a subdivision plat approved by the planning commission, or on a road plan made and adopted by the commission as provided in Section 13-3-406, Tennessee Code Annotated.

B. Penalties

1. No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-3-402, Tennessee Code Annotated, and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. Sections 13-3-410 and 13-4-306, Tennessee Code Annotated, provides that "Whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the planning commission and obtained its approval as required by this Act and before such plat be recorded in the office of the county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by the law; and the description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from such penalties." In the case of the regional planning commission, Section 13-3-410 provides that the county through its county attorney, or other official designated by the quarterly county court may enjoin such transfer or sale or agreement by action or injunction.
3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the building commissioner or the solicitor of the municipality or other official designated by the chief legislative body and/or county attorney or other official designated by the quarterly county court may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-3-411, Tennessee Code Annotated.

ARTICLE VII. ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the planning commission; thirty (30) days' notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in each county lying wholly or partly in the planning region.
- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adopted _____

Effective _____

Signed _____

Secretary
Pigeon Forge Regional Planning
Commission

APPENDICES

APPENDIX A

PERFORMANCE BOND FORM

KNOW ALL MEN by these presents:

WHEREAS _____ Principal herein is the owner and developer of the _____ County, Tennessee, and _____, a surety company authorized to do business in the State of Tennessee (hereafter called the "surety"). and

WHEREAS, the plans and specifications of said subdivision showing the location, construction and installation of streets, roads, curbs and utilities and other improvements therein have been filed with the Pigeon Forge Regional Planning Commission for final approval, and which are referred to and made a part of this instrument, as if fully copies and set forth therein, and

WHEREAS, the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, and utilities, and all other improvements in the said subdivision in accordance with the said plans and specifications now on file, pending final approval by the said planning commission.

NOW, THEREFORE, the _____, as Principal and _____, as Surety, do hereby firmly bind the Pigeon Forge Regional Planning Commission for and on behalf of Pigeon Forge, Tennessee, in the sum of \$_____ conditioned upon the performance by the Principal of its undertaking herein, and its completion of said _____ Subdivision in the construction of all the streets, sidewalks, roads, curbs, and all other improvements therein called for by the plans thereon and same to be completed on or before the _____ day of _____, 19____, and upon the completion thereof this obligation to be null and void, otherwise to remain in full force and effect.

If the Principal fails to complete the construction, and the improvements of said subdivision as shown and provided for by said plans and specifications herein referred to within the time herein specified, the Commission may in its discretion extend the time for

the completion of said work by order duly made and entered by the said Commission for a period of from thirty (30) days to ninety (90) days.

WITNESS our hands this the ____ day of _____. 20_____.

WITNESS:

Principal

Surety

APPENDIX B

AGREEMENT

This Agreement entered into at Pigeon Forge, Tennessee, on this the ____ day of _____, 19____, by and between _____ hereinafter referred to as Bank, and Pigeon Forge Regional Planning Commission, hereinafter referred to as Commission.

RECITALS

1. Whereas, Developer desires to develop a subdivision known as _____ to be located within the jurisdiction of Commission;
2. Whereas, Bank desires to finance the development of said subdivision, and to provide credit which shall secure the completion of improvements to said subdivision required by Commission;
3. Whereas, Commission desires security for the completion of improvements to said subdivision in accordance with specification and time schedule authorized by Commission.

WITNESSETH:

1. Developer agrees that the itemized list of specifications for improvements to said _____ attached hereto and marked Exhibit "A" are those specified by the Commission and that the timetable for completion thereof attached hereto and marked Exhibit "B" have been established by the Commission, and hereby reaffirms its agreement to complete said improvements in accordance with the specifications of the Commission and within the time schedule established by the Commission.
2. The parties hereto agree to the amount of _____ as appropriate to establish as security for the completion of said improvements.
3. Bank hereby agrees that it has and is hereby reaffirming an irrevocable line of credit to Developer to secure the completion of the hereinabove described improvements in accordance with specifications and the time schedule established by the Commission, and does hereby agree to honor the assignment stated hereinbelow from the Developer to the Commission of any and all funds necessary to complete said improvements in accordance with Commission specifications and time schedule, up to the amount of _____. Bank agrees and warrants to Commission that said line of credit will be sufficient to complete said improvements by Commission up to the maximum amount stated.
4. By affixing their authorized signatures to this agreement, Bank and Developer do hereby agree that the line of credit extended by Bank to Developer for the amount described herein above is irrevocable by either Bank or Developer until a written release is received by Bank and Developer.
5. Developer does hereby make to Commission an irrevocable assignment of the proceeds of a line of credit from Bank to Developer described hereinabove for the completion of said improvements to the extent necessary to complete said improvements

in accordance with the specifications of the Commission and in accordance with the time schedule established by Commission.

6. Developer agrees that it shall make no attempt to revoke said assignment at any time prior to the receipt of a written release from Commission.

7. It is agreed between the parties that the hereinabove described assignment is made by Developer by affixing his signature hereto, but that said assignment shall be exercised by Commission only in the event the hereinabove described improvements are not completed in accordance with Commission specifications and/or in compliance with the time schedule established by the Commission.

8. Bank hereby agrees that it will honor said assignment and provide to Commission any and all funds necessary to complete said improvements in accordance with Commission specification and time schedule up to the maximum amount of _____ upon written notification from Commission of the failure of Developer to comply with said specifications and/or said time schedule.

9. As between Bank and Commission, it is agreed that said notification is conclusive of noncompliance, and Bank shall take no action to delay or deny its agreement to honor said assignment from Developer to Commission.

10. Bank agrees that any and all funds paid to Commission in accordance with the assignment made between Developer and Commission herein shall be debited against the credit of Developer, and Bank will in no event attempt to hold the Pigeon Forge Regional Planning Commission liable under any legal or equitable principal for the repayment of said funds.

11. Commission agrees that it shall give Developer five (5) days written notice of its intent to exercise its assignment described hereinabove, and the specific reasons therefore. If Developer makes no written reply to commission within said five (5) days, developer hereby agrees it shall take no action, legal or otherwise, to interfere with said assignment, and by its failure to respond within said five (5) days, shall be deemed to acknowledge noncompliance with the specifications of Commission and/or the time schedule as specified in the notice received by Developer, and to the amount of the assignment.

12. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, administrators, and assigns, and shall not be modified or terminated without the written agreement of all parties hereto.

DEVELOPER

BY: _____
President

Pigeon Forge REGIONAL Planning
Commission

BY: _____

EXHIBIT "A"

SUBDIVISION

PIGEON FORGE, TENNESSEE

The following itemizations have been approved by the Pigeon Forge Regional Planning Commission:

EXHIBIT "B"

SUBDIVISION

PIGEON FORGE, TENNESSEE

All the improvements listed in Exhibit "A" are to be completed no later than one (1) year from the date of execution of this Agreement.

APPENDIX C

FORMS FOR FINAL PLAT CERTIFICATIONS

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

_____, 19____
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 Pigeon Forge Regional Planning Commission and that the monuments have been placed as shown hereon, to the specifications of the Subdivision Regulations.

_____, 19____
Date

Registered Engineer or Surveyor

CERTIFICATION OF THE APPROVAL OF WATER AND SEWERAGE SYSTEMS

I hereby certify that the private water supply and/or sewage disposal utility system or systems installed, or proposed for installation, fully meet the requirements of the Tennessee State Health Department, and are hereby approved as shown.

_____, 19____
Date

County Health Officer or
His Authorized Representative

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) that streets, utilities and _____ have been installed in an acceptable manner and according to specifications, or (2) that a surety bond in the amount of \$_____ has been posted with the Planning Commission to assure completion of all required improvements in case of default.

_____, 19____
Date

City Engineer

CERTIFICATE OF APPROVAL FOR RECORDING

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

_____, 19____
Date

Secretary, Planning Commission

APPENDIX D

TALBOT'S FORMULA

FULL CIRCLE DRAINAGE TABLE

This chart is based on Talbot's Formula for determining correct culvert sizes for the area to be drained.

Diameter of Culvert in Inches	Area of Waterway Opening in Sq Ft	Acres of Mountainous Country	Acres of Rolling Country	Acres of Level Country
12	.785	.75	3	6
15	1.227	1	6	11
18	1.767	2	9	18
24	3.142	5	20	39
30	4.909	8	36	71
36	7.068	14	59	115
42	9.621	20	89	175
48	12.566	29	125	250
54	16.000	40	175	345
60	19.635	55	230	455
66	23.760	70	295	585
72	28.274	85	375	735
78	33.183	105	460	910
84	38.484	130	560	1110