

**SUBDIVISION REGULATIONS**  
**FOR**  
**WASHINGTON COUNTY,**  
**TENNESSEE**

**DATE ADOPTED**  
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**AS AMENDED THROUGH**  
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Prepared for  
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SUBDIVISION REGULATIONS  
OF THE  
WASHINGTON COUNTY, TENNESSEE  
REGIONAL PLANNING COMMISSION

(HEREAFTER REFERRED TO AS THE 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, and 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 planning region; to secure a coordinated layout and adequate provision for light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under the authority granted by Sections 13-301, through 13-311 of the Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in these acts as prerequisite to the adoption of such regulations. A certified copy of the Washington County Major Thoroughfare Plan was filed in the office of the Registrar of Washington County, Tennessee.

C. Jurisdiction

These regulations shall govern all subdivision of land within the planning region of Washington County as now or hereafter established, and within the Washington County 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 or more lots, sites or divisions for the purpose whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or area subdivided. Any owner of land within this area wishing to subdivide land shall submit to the Washington County Regional Planning Commission a plat of the subdivision according to the procedures outlined in Article II., this 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 three separate steps. The initial step is the early informal consultation with the planning commission technical staff for advice and assistance. The second step is the preparation and submission to the planning commission of a preliminary sketch plat of the proposed subdivision. The third step is the preparation and submission to the planning commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the office of the county register when duly signed by the secretary of the planning commission.

### A. General

1. Any owner of land lying within the Washington County Planning Region wishing to divide such land into two or more lots, sites or divisions, for the purpose, either immediate or future of sale or building development, or wishing to resubdivide for this purpose, shall submit a plan of such proposed subdivision to the Washington County Regional Planning Commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. This plan shall meet the standards of design for the subdivision of land as set forth in Article III. of these regulations and shall be presented in the manner specified in the following section of this article. No plat of a subdivision of land within the Washington County Planning Region shall be filed or recorded by the Registrar of Washington County without the approval of the planning commission as specified herein.
2. In order to secure review and approval of the planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a preliminary sketch plat as provided in Section C, below. On approval of said preliminary sketch plat, he may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C and the improvements set forth in Article IV.
3. A subdivision 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 C of Article II.
  - b. The subdivider has consulted informally with the planning commission technical staff for advice and assistance before the preparation of the final plat and its formal application for approval.

### B. Informal Consultation

The subdivider shall consult early and informally with the planning commission technical staff for advice and assistance before the preparation of the preliminary sketch plat and its formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Thoroughfare Plan and other official plans or public improvements which might effect the area. Such informal review should prevent unnecessary and costly revisions.

### C. Preliminary Sketch Plat

1. At least fifteen (15) days prior to the meeting at which it is to be considered, the subdivider shall submit to the secretary of the planning commission four (4) copies of a preliminary sketch plat of the proposed subdivision in order to allow the planning commission technical staff and utilities heads time to review and prepare recommendations to the planning commission. The subdivision plat shall be drawn to a scale of not less than one inch equals one hundred (100) feet. At the time of such submission the secretary of the planning commission shall issue a receipt acknowledging said submission. Neither the submission of the preliminary sketch plat to the secretary of

the planning commission or the receipt issued by the secretary of the planning commission shall constitute submission of the preliminary sketch plat for consideration by the planning commission.

2. The preliminary sketch plat shall be presented to the planning commission at its next meeting by the secretary or the acting secretary of the planning commission for the consideration for approval, disapproval or approval subject to modification. Failure to present the preliminary sketch plat by the secretary or the acting secretary shall not relieve the planning commission of its responsibilities to consider said plat.
3. 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 of the designer of the plat who shall be an 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, building, water course, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public easements, the present zoning classifications, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.
  - d. A construction plan which shall include: (2) 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-ways 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. The distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing streets or roads and to an original corner of the original survey of which it is a part or a key map showing relation of subdivision to well-known streets, railroads, and water courses in all direction to a distance of at least one-half mile. Suggested scale: One inch equals 2,000 feet.
  - f. Plans of proposed utility layouts (sanitary and storm sewers, water, and electricity) showing feasibility of connections to any existing or the proposed utility system. 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 feet, except when specifically not required by the planning commission.
  - i. The acreage of the land to be subdivided.
  - j. Actual closure computations for the boundary traverses. Such boundary traverses shall close to an accuracy of at least one (1) part in five thousand (5,000).

4. Within sixty (60) days after submission of the preliminary sketch plat, 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.
5. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat and will not be indicated on the preliminary sketch plat.
6. Failure of the planning commission to act on the preliminary sketch plat within sixty (60) days after being presented at a planning commission meeting in accordance with subsections C.1 and C.2 of this Article will be deemed approval of this plat, and a certificate to that effect shall be issued by the commission on demand, provided, however, that the applicant may waive this requirement and consent to the extension of such period.
7. One 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.
8. The approval of the preliminary sketch plat shall lapse unless a final plat based thereon is submitted within one year from the date of such approval unless an extension of time is applied for and granted by the planning commission.
9. If the subdivision is going to be developed and submitted as final plats in portion of the preliminary plat, the portion must be designated and titled in alphabetical characters.
10. No subdivision shall use the name of an existing subdivision except as noted in Article II, subsection C.9.

D. 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 proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations. If a proposed subdivision fronts upon an existing public road, the planning commission may waive the requirements for the preliminary approval, and permit the developer to submit only a final plat.
2. In order to allow the planning commission technical staff and utilities heads time to review and prepare recommendations to the planning commission, the final plat shall be submitted to the planning commission at least fifteen (15) days prior to the meeting at which it is to be considered. The subdivider shall submit the original drawings in black drawing ink and four (4) copies (black and white prints or blue line prints), together with street profiles or other plans that may be required by the planning commission. At the time of such submission the secretary of the planning commission shall issue a receipt acknowledging said submission.
3. The final plat shall be presented to the planning commission at its next meeting by the secretary or acting secretary of the planning commission for consideration for approval or disapproval; provided that if the plat of subdivision divides the tract into no more than two (2) lots, the approval may be endorsed in writing on the plat by the secretary of the commission without the approval of the regional planning commission, upon certification by the planning staff of the regional planning commission that the subdivision complies with the Subdivision Regulations of Washington County; provided, further, that no request for a variance from said regulations has been made.
4. The plat shall be drawn to a scale of one inch equals one hundred (100) feet on sheets eighteen (18) by twenty-four (24) inches or of an approved size to correspond to local plat book dimension; provided that subdivisions containing no more than two (2) lots

may be drawn at such scale as may be required by the planning staff on a sheet eight and one half (8.5) by fourteen (14) inches and registered as an attachment to the deeds of the property and placed in the deedbooks in the Registrar's Office of Washington County. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.

5. When the final plat has been approved by the planning commission one 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.
6. The planning commission shall approve or disapprove the final plat within sixty (60) days after its submission. Failure of the planning commission to act on this final plat within these sixty (60) days shall be deemed approval of it. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the planning commission.
7. Approval of the final plat by the planning commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
8. The final plat shall show:
  - a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
  - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight, and including north point. This shall include the radius, central angle and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved street.
  - c. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
  - d. Location and description of monuments.
  - e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
  - f. Date, title, name and location of subdivision, graphic scale, and north point.
  - g. Location sketch map showing site in relation to area.
  - h. All boundary traverses including lot and block traverses shall close to an accuracy of at least one (1) part in five thousand (5,000)
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 B).
  - b. Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments (see Appendix B).
  - c. Certification by the city or county health officers when individual sewage disposal or water systems are to be installed (see Appendix B).
  - d. Certification by the County Road Commissioner that the subdivider has complied with one of the following alternatives:

1. Installation of all improvements in accordance with the requirements of the subdivision regulations, or
  2. Posting of security 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 B).

## ARTICLE III. GENERAL REQUIREMENTS AND

### MINIMUM STANDARDS OF DESIGN

#### A. Streets

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

The location and width of all streets and roads shall conform to the official Major Thoroughfare Plan which may include a Major Street Plan within the municipality and/or a Major Road Plan within the Washington County Planning Region.

##### 2. Relation to Adjoining Street System

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

##### 3. Access Streets to Subdivision Boundaries

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

##### 4. Street Widths

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.....per approved design
- b. Collector Street.....50 feet
- c. Minor Residential Streets.....40 feet

##### 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 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 fifty (50) 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 seven (7) percent. Grades on other streets may exceed seven (7) percent but shall not exceed thirteen (13) percent.

8. Horizontal Curves

Where a deflection angle of ten (10) degrees or more in the alignment of a street occurs, a curve of reasonable long radius shall be introduced. On streets sixty (60) feet or more in width, the center line radius of curvature shall not be less than three hundred (300) feet; on other streets, not less than one hundred (100) feet.

9. Vertical Curves

All changes in grade shall be connected by vertical curves of minimum length in feet equal to fifteen (15) times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. The planning commission may waive the strict enforcement of this requirement if the subdivider can show that the lot layout will be adversely affected and provided that this requirement is followed as closely as possible. 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 it is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

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

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 court designed to have one end permanently closed shall be no more than six hundred (600) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred (100) feet or the planning commission may approve an alternate design such as the T or Y backaround.

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 turn-around having a roadway diameter of at least eighty (80) feet.

14. Private Streets and Reserve Strips

There shall be no 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 of all streets and roads by grading and drainage as shall be approved by the planning commission. 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. Through its index list of street names on file, the planning commission can assist the subdivider in avoiding duplication.

17. Alleys

Alleys shall be provided to the rear of all lots used for business purposes, and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

B. Blocks

1. Length

Blocks shall not be less than four hundred (400) nor more than twelve hundred (1200) 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 crosswalks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

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

C. Lots

1. Arrangement

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot less than two (2) acres in total area must front for a minimum of twenty-five (25) feet upon a public street or road; each lot greater than two (2) acres in total area must front for a minimum of forty (40) feet upon a public street or road, and which is not less than forty (40) feet in width. The planning commission may approve a smaller lot width if the subdivider can show that a smaller lot width does not destroy the intent of these regulations. (Amended 9/04)

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 public sanitary sewer is reasonable accessible, the subdivider shall connect with such sewer and provide a connection to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used, when meeting all applicable public health regulations.

- a. Residential lots served by a public sewerage system shall not be less than sixty (60) feet wide at the building setback line nor less than seventy-five hundred (7500) square feet in area.
- b. Residential lots not served by a public sewerage system shall not be less than forty (40) feet wide at the street right-of-way line and a minimum of eighty (80) feet wide at the building setback line and shall provide a minimum area of fifteen thousand (15,000) square feet.

Greater area may be required for private sewage disposal if, in the opinion of the county health officer there are factors of drainage, soil condition 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 tanks as a means of sewage disposal.

- c. The minimum size of residential lots to be served by a private source of water supply shall be determined by the county health officer after investigations of soil conditions, proposed sewerage system and depth of ground water.
- d. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- e. The size and widths of lots shall in no case be less than the minimum requirements of any zoning ordinance in effect.

3. Building Setback Lines

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 forty (40) feet from all others. Corner lots shall be fifteen (15) feet from the side street right-of-way line unless a lower standard is allowed by an existing zoning ordinance. A minimum side yard of six (6) feet on one side for all lots and a total minimum distance of fifteen (15) feet is required between building lines for interior lots.

4. Corner Lots

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

D. Public Use and Service Areas

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

1. Public Open Spaces

Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission is located in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area of water frontage of the plat, 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 easement shall be designed to adequately provide utilities and drainage for all lots in the proposed subdivision. Where drainage is proposed to cross any lot at any point other than

the size or corner of the lot, the plat shall indicate the size of the pipe necessary to carry the proposed runoff. Each Cul-De-Sac shall have the provision for fifteen (15) feet utility easement extending therefrom to prevent dead-end water mains. Easements of the same or greater width may be required along the lines of or across lots where necessary for the extension of existing or planned utilities.

b. Storm Sewers

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

3. Water Supply and Sewerage Connections

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

4. Community Assets

In all subdivisions due regard shall be shown for all natural features such as large trees, water course, historical spots, 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 the site is not suitable for platting and development purposes of the kind proposed.

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

Fill may not be used to raise land in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

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 the large scale construction of housing units 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 streets, lots and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

H. Variances

Variations may be granted under the following conditions:

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

I. 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 curbs, monuments, sewers, storm water inlets and water mains, in accordance with specifications established by the Washington County Planning Commission. If other specifications have not been adopted by local authorities, the planning commission will accept specifications equal to those of the F.H.A Land Planning Bulletin No. 3 Neighborhood Standards for Tennessee provided that these specifications do not conflict with the standards set forth in these subdivision regulations, 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 and exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the monuments shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other corners and points shall be marked with iron pipe or solid steel rod not less than one-half (1/2) inch in diameter and eighteen (18) inches long and driven so as to be flush with the finished grade.

##### 2. Grading

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

- a. Preparation. Before grading is started the entire right-of-way area shall be cleared of all trees, stumps, roots, brush and other objectionable materials.
- b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the 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 is approved by planning commission, the subgrade shall be constructed as specified in Section 23, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works - July 1, 1951, and latest revision thereto. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped and where water

is used to assist compaction, the water content not exceed the optimum of moisture.

- d. Inspection. Upon the completion of the rough grade and prior to the final grade work, a twenty-four (24) hour notice shall be given to the County Road Superintendent for an inspection and approval by his department.

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 size opening to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than eighteen (18) inches. Cross drains shall be built on straight line and grade, and 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 road-bed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one foot below the road-bed.

Catch basins shall be added every 400 feet or as required by the County Road Superintendent.

4. Roadway Improvements

- a. Base: A compacted base course six (6) inches deep and one and one-half (1-1/2) feet wider than the width of the pavement or curbs 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 303 Standard Specifications for Roads and Bridge Construction, (Tennessee Department of Highways January 1, 1968) and latest revision thereto. Wetting of the stone before compaction may be done at a point of origin or on the job site at the option of the contractor. In all cases the center line of a roadway shall coincide with the center line of the right-of-way dedicated for such road or street.
- b. Prime coat: A prime coat shall only be required in those areas in which no asphalt binder course and surface course will be added for a period of sixty (60) or more days.
- c. Curbs: Except on rural streets as defined above, the subdivider shall provide concrete curbs on both sides of all new streets as indicated on the subdivision plat. Where access streets to adjoining properties are provided, curbs and gutters shall be extended to the property line. In all cases the curbs shall be not less than twelve (12) inches wide at the base, six (6) inches high at the back, and three (3) inches high at the front. (See illustration 10)

Back fill shall be towards the street and be higher than the curb or street to insure drainage of surface water into the drainage system.

One-half (1/2) inch to three-fourths (3/4) inch expansion and contraction joints for the curbs shall be placed at intervals not exceeding sixty (60) feet.

- d. Binder: After a thoroughly compacted base has been established, an asphalt binder course shall be constructed in one layer not less than two (2) inches thick as specified under Section 307, Bituminous Plant Base (hot Mix) Type B, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways, and latest revisions thereto.
- e. Surface course: The surface course shall consist of a course constructed with asphaltic concrete, prepared with mineral aggregate laid hot as specified under

Section 4ll, Asphaltic Concrete Surface (hot mix) Grade E, mixed with sand. Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways, January 1, 1968 and latest revisions thereto. It shall be constructed in one layer not less than one and one-fourth (1-1/4) inches thickness.

- f. Inspections: Prior to the installation of the following: the base, prime coat, curbs, binder and surface coat, a twenty-four (24) hour notice shall be given to the County Road Superintendent for inspection and approval by his department.

5. Minimum Pavement Width

Due to the diversity of development in the Washington County Planning Region ranging from sparsely populated agricultural areas to the densely populated urban areas, required widths for the surface treatment of roadways (by the developer) will necessarily vary with the character of building development and the amount of traffic encountered. Minimum widths for surface treatment of roads and streets shall be those indicated below.

- |    |   |                     |
|----|---|---------------------|
| a. | Arterial Streets:<br>Federal, State, or County Roads  | Per approved design |
| b. | Collector Streets:<br>Streets that serve more than twelve (12) lots or that are intersected by minor residential streets. | 26 feet             |
| c. | Minor Residential Streets:<br>Streets that serve twelve (12) or fewer lot and end in cul-de-sacs or are dead end streets. | 24 feet             |

6. Installation of Utilities

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

7. Water Supply System

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

The size of water mains, the location and type of valves and hydrants, the amount of soil cover, the pipes and other features of the installation shall be approved by the planning commission, upon the recommendation of the Superintendent of Water and Light Commission or other applicable inspection agencies, and shall conform with accepted standards of good practice for municipal water systems.

8. Sanitary Sewers

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

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.

The County Road Department currently provides those as a service after the completion of the streets.

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 requirements have been constructed in a satisfactory manner and approved by the county engineer of Washington County.
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 county 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 required 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 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 a form as shown in Appendix A, said Appendix A is made part of these subdivision regulations.

3. In lieu of completed improvements or a surety performance bond, a letter of credit meeting the requirements of the County Road Superintendent shall be provided.

## ARTICLE V. ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

### A. Enforcement

1. No plat or plan of a subdivision of land into two or more lots located within the Washington County Planning Region shall be admitted to the land records of the county or received or recorded by the County Registrar of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-302, 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 and lines to a road shown on a road plan made and adopted by the commission as provided in Section 13-306, 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 13-302, 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 13-310 and 13-306, 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 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 law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties." In the case of the regional planning commission, Section 13-310 provides that the 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 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 the 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 13-311, Tennessee Code Annotated.

ARTICLE VI. ADOPTION AND EFFECTIVE DATE

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

Date adopted: March, 1981

Signed: \_\_\_\_\_  
Secretary

Approved: \_\_\_\_\_  
Chairman

# APPENDIX A

## PERFORMANCE BOND FORM

KNOW ALL MEN by these presents:

WHEREAS \_\_\_\_\_ Principal herein is the owner and developer of the \_\_\_\_\_ Subdivision located in Washington County, Tennessee and \_\_\_\_\_ a surety company authorized to do business in the State of Tennessee (hereinafter 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 Washington County Regional Planning Commission for final approval and which are referred to and made a part of this instrument, as if fully copied and set forth herein, and

WHEREAS, the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalk, curbs, and utilities, and all other improvements in the said subdivision in accordance with the plans and specifications attached hereto and made a part of this bond.

NOW, THEREFORE, \_\_\_\_\_, as Principal and \_\_\_\_\_, as Surety, do hereby firmly bind ourselves, our heirs, executors, administrators and successors unto the Washington County Regional Planning Commission and the State of Tennessee for and on behalf of Washington County, 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 and specifications attached hereto, the same to be completed on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and upon the completion thereof this obligation to the 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 attached hereto 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 up to 90 days, said extension to be granted in writing and certified by the Secretary of the Washington County Regional Planning Commission.

WITNESS our hands this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

WITNESS

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Surety

I, \_\_\_\_\_, do hereby certify that \_\_\_\_\_ is authorized to do business in the State of Tennessee as of the last date hereinabove set out.

\_\_\_\_\_  
( Agent of the Surety Company )

## APPENDIX B

### 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 plat 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 Washington County 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

\_\_\_\_\_  
County Engineer or County Road Commissioner

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown here has been found to comply with the Subdivision Regulations for Washington County, 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 C

### EROSION AND SEDIMENTATION CONTROL REGULATIONS

A RESOLUTION PROVIDING FOR THE APPLICATION OF BASIC EROSION AND SEDIMENTATION CONTROL PRINCIPLES TO PLANNED DEVELOPMENTS AND CONSTRUCTION ACTIVITIES IN WASHINGTON COUNTY, TENNESSEE BY ESTABLISHING UNIFORM STANDARDS AND GUIDELINES FOR THE PREPARATION OF SUBDIVISION PLANS AND SITE DEVELOPMENT PLANS AS THEY RELATE TO THE CONTROL OF EROSION AND SEDIMENTATION; DESIGNATING AN ADMINISTRATOR; DETERMINING ADMINISTRATIVE PROVISIONS; DEFINING CERTAIN TERMS USED HEREIN; STATING REQUIREMENTS FOR PERMITS; ALLOWING FOR METHODS OF APPEALS; AND PROVIDING FOR PENALTIES FOR VIOLATIONS.

This resolution is adopted pursuant to the authority conferred by Chapter 7 Section 13-7-101 through 13-7-115 and/or Section 13-7-401 through 13-7-411 of the *Tennessee Code Annotated*. It is hereby found that erosion and siltation caused by rainfall and runoff water from inadequately protected land constitutes a hazard with harmful and/or damaging effects to neighboring and/or downhill and/or downstream properties during and after development. Further, such erosion and siltation may cause surface waters to be contaminated to such an extent as to make the water detrimental to the public health, safety and welfare, and to the health of animals, fish or aquatic life. Accordingly it is determined:

- (1) That erosion and sedimentation due to development and construction activities constitutes a public nuisance and endangers life and health, is an injury to the people of the county, and obstructs the reasonable and comfortable use of land and other resources;
- (2) That it is necessary in the interests of public health, public safety, and general welfare that the creation of erosion and sedimentation problems be prevented and;
- (3) That the prevention of these hazards be accomplished to the extent legally possible, by the exercise of police power without compensation;

Now, Therefore, Be it resolved by the Board of County Commissioners of Washington County, Tennessee:

#### SECTION I. SHORT TITLE

This resolution shall be known and may be cited as the "Erosion and Sedimentation Control Resolution."

#### SECTION II. DEFINITIONS

As used in this resolution unless the context otherwise requires:

- (1) CLEARING - means to remove trees, brush and other vegetive growth in preparation for development without the alteration of the prevailing topography.
- (2) COVER - means grass, brush, trees or any vegetive shelter and/or artificial shelter and their residues covering the ground and retarding runoff and erosion of soil.
- (3) DENUDED - means stripped of all cover.

(4) EROSION (as caused by rainfall and runoff water) - means the displacement of particles of soil and other materials on inadequately protected land and the removal of these soil particles and other materials by runoff water. Removal rates will vary in proportion to the water volume and velocity.

(5) ERODIBLE SOILS - means those soils which are by nature more susceptible to the forces of erosion.

(6) EROSION POTENTIAL - means the capability of land to be susceptible to erosion based on factors such as topography, soils, and natural and artificial cover.

(7) SEDIMENTATION - means the action of depositing the material collected by runoff water. Deposition occurs as the water slows down or spreads out.

(8) SEDIMENT BASIN- means any debris basins, desilting basins, or silt traps whose purpose is to remove particles and sediment from runoff waters.

### SECTION III. STATEMENT OF PURPOSE

In the interests of public health, public safety, and general welfare the county reserves the right to require developers to submit erosion and sedimentation control plans, where necessary. If it is the intent of a developer to make changes in the contour of any land proposed to be subdivided, developed, or changed in use by grading, filling, excavating, or the removal or destruction of the natural topsoil, trees or other vegetative covering thereon, a site plan or subdivision plat may be required to be submitted to the Washington County Regional Planning Commission, the said actions shall only be accomplished after the land owner or his agent has submitted to the commission or the zoning administrator for approval plans for erosion and sedimentation controls, or there has been a determination by the planning commission or the zoning administrator that such plans may not be necessary. In preparing a plat for approval, the designer shall include adequate measures for the control of erosion and siltation using the standards and guidelines contained herein and no development will be permitted until an erosion control plan has been approved.

Where unstable slopes or erodible soils exists on land proposed for development, subdivision, or change in use, an interpretive soil map showing areas posing special problems for urban development may be required. This analysis and resultant erosion control plan should also provide guidance to the developer as to those areas where topography, drainage and soils are most favorable for intended development and the most favorable location of roads and sewers, so as to create the minimum erosion potential.

The Washington County Regional Planning Commission or the zoning administrator shall review all plans for development as submitted, and shall take necessary steps to insure compliance by the developer with these plans as finally approved.

### SECTION IV. GENERAL REQUIREMENTS FOR APPROVAL

At each of the following stages of planning and development, the planning commission shall review the development plans and progress and take such steps as may be necessary to insure compliance with this resolution:

STAGE 1 - SUBMITTING DESIGN PLATS. Design plats for subdivision development or change in use of land may be required to clearly indicate the approximate limit of clearing, the approximate limit of grading or filling which may not be the same as for clearing, together with tentative measures for erosion and siltation control. Areas to be disturbed by clearing or filling on which unstable or erodible soils exist shall be specifically noted. Such areas will be identified by the use of the soil survey maps of

the Soil Conservation District encompassing Washington County or by the use of supplemental soils surveys prepared by a professional Soil Scientist. Assistance in acquiring soil survey maps and other information can be obtained at the office of the Soil Conservation District of Washington County and the Soil Conservation Service. The latest criteria, including but not limited to that available from the Soil Conservation Service, and/or the Washington County Soil Conservation District, will be used as a guide for interpreting the soil survey maps.

#### STAGE 2 - SUBMITTING EROSION AND SEDIMENTATION CONTROL PROPOSAL.

Plans for the control of erosion and sedimentation shall be submitted to the Washington County Regional Planning Commission or the zoning administrator at the time development, subdivision, or change in use plans are submitted.

STAGE 3 - FINAL EROSION AND SEDIMENTATION CONTROL PLANS - Final plans for the sequentially phased control of erosion and sedimentation and for the control measures and practices approved shall be a part of these plans, compliance with which is assured by subdivision or development agreement and bond approved by the county attorney. Said plans shall provide for a reasonable time in which the area will be left denuded between the initial grading and the installation of permanent ground cover. In the event such a maximum period is exceeded and any such areas remain exposed without cover or surface, the county may (in the event the developer does not) install such ground cover or other stabilizing devices and/or material to the minimum extent necessary to achieve erosion and sedimentation control equal to that which would have been furnished by the permanent cover shown on approved plans. The cost of any such measures taken by the county shall be a charge against the siltation escrow amount. The bonding requirements for subdivision, development or changes in use shall include a cash escrow guarantee which would assure the county that emergency measures could be taken by the county at the developers expense if he did not initiate such action within the period as determined by the planning commission or the zoning administrator. The final plat shall be approved only after the agreement or bond has been approved by the county attorney.

STAGE 4 - CONSTRUCTION. During actual construction activities further consultative technical assistance may be furnished, if necessary, by the Soil Conservation Service, Soil Conservation District office, the planning commission, or the zoning administrator. The zoning administrator shall enforce compliance with the approved plans.

## SECTION V. STANDARDS

The following standards are established for erosion and sedimentation control in Washington County:

1. Topography - the development plan should be fitted to the topography and soils in order to create the least erosion potential.
2. Development Coordination - Erosion and sedimentation control measures shall be coordinated with the required steps in construction, and appropriate control measures installed prior to the start of construction.
3. 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. Operation shall be staged so that the area being developed is not exposed for a long period of time without stabilization and so that the first disturbed areas are 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.

4. Runoff Controls - Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during and following 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.
5. Cover - Wherever feasible, natural vegetation shall be retained and protected. Temporary vegetation and/or mulching shall be used to protect areas exposed during development where necessary.
6. Sediment Basins (Debris basins, desilting basins, or silt traps) - Sediment basins shall be installed and maintained to remove sediment from runoff waters from land undergoing development. Storm sewer inlets with debris guards and micro-silt basins to trap sediment and avoid possible damage by blockage shall be provided.
7. Final Vegetation and Structures - The permanent vegetation and structures shall be installed as soon as practical in the development.
8. Paved areas - streets, parking lots, and other areas shall be paved as quickly as possible.

#### SECTION VI. ADMINISTRATIVE AGENCY

It shall be the duty of the Washington County Regional Planning Commission and the zoning administrator to administer and enforce the regulations prescribed herein.

#### SECTION VII. JUDICIAL REVIEW

Any person aggrieved, or taxpayer affected, by any decision of the Washington County Regional Planning Commission or the zoning administrator, as it relates to this resolution, may have the said decision reviewed by the Board of County Commissioners of Washington County by writ of certiorari in the manner provided by statute.

#### SECTION VIII. PENALTIES

Each violation of this resolution or any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not less than proscribed by law, and each day a violation continues to exist shall constitute a separate offense.

#### SECTION IX. CONFLICTING REGULATIONS

Where there exists a conflict between any of the regulations or limitations prescribed in this resolution and any other regulations applicable to the same areas, the more stringent limitation or requirement shall govern and prevail.

#### SECTION X. SEVERABILITY

If any of the provisions of this resolution or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions of applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

SECTION XI. EFFECTIVE DATE

That this resolution shall take effect fourteen days from and after the date of its passage, the public health, public safety, and general welfare requiring it.

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County Executive

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Clerk