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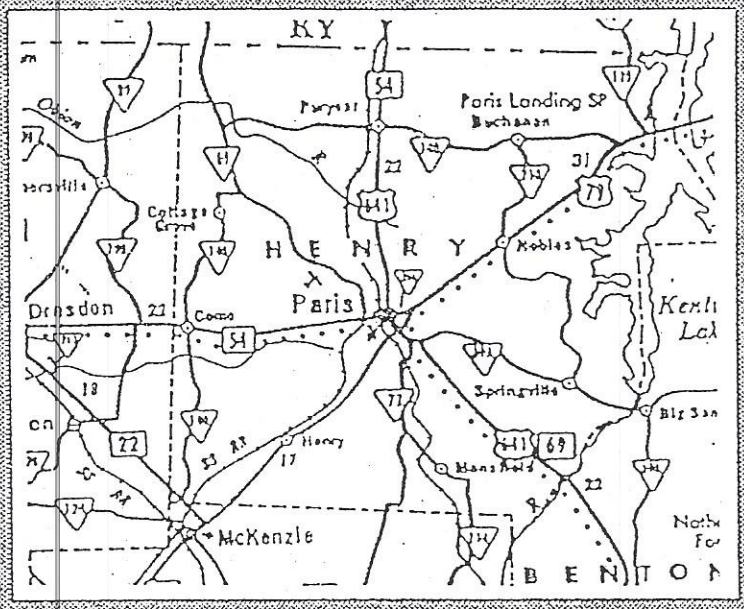
SUBDIVISION REGULATIONS



HENRY COUNTY, TENNESSEE

BY-LAWS

OF THE

HENRY COUNTY REGIONAL PLANNING COMMISSION

ARTICLE I

AUTHORITY

These by-laws are adopted under the authority of Tennessee Code Annotated and amendments thereto as set forth in Section 13-3-103 as follows: "Each regional Planning Commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record."

OBJECTIVES

The objectives and purposes of the Henry County Regional Planning Commission shall be as set forth in Sections 13-3-104 through 13-3-105 of the Tennessee Code Annotated and amendments and supplements thereto and those powers and duties delegated to the Planning Commission by the chief legislative body in accordance with the above mentioned enabling legislation.

ARTICLE II

MEMBERSHIP

Section 1. The Henry County Regional Planning Commission shall have seven (7) members the majority of whom shall hold no salaried public office or position except university positions.

Section 2. Members of the Henry County Regional Planning Commission shall be nominated in writing by the Henry County Executive and confirmed by the Director of State Planning Office as provided in Section 13-3-101 of the Tennessee Code Annotated.

Section 3. The term of any member designated from the Henry County Commission shall be coterminous with his or her term of office on the Commission. The term for all appointed members shall be four (4) years.

Section 4. The Director of the State Planning Office may remove any member for the Commission for cause specified in writing served on the member and after a hearing as provided in Section 13-3-101 of the Tennessee Code Annotated. In addition, any Planning Commission member absent from three consecutive regular meetings of the commission will be deemed to have resigned his or her position on the Commission effective upon the date of the third meeting.

ARTICLE III

OFFICERS AND THEIR DUTIES

Section 1. The officers of the Planning Commission shall consist of a Chairman, Vice-Chairman, and Secretary-Treasurer.

Section 2. The Chairman shall preside at all meetings and hearings of the Planning Commission and have duties normally conferred by parliamentary usage on such officer.

Section 3. The Chairman shall be one of the appointive members of the Planning Commission. He shall have the privilege of discussing all matters before the Planning Commission and to vote thereon.

Section 4. The Vice-Chairman shall be one of the appointive members of the Planning Commission and shall act for the Chairman in his absence.

Section 5. The Secretary shall keep the minutes and records of the Planning Commission, certify Planning Commission approval of subdivision plats and other documents acted upon by the Planning Commission, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a secretary or requested by the Chairman.

ARTICLE IV

ELECTION OF OFFICERS

Section 1. Nomination of officers shall be made from the floor and officers shall be elected at the annual organizational meeting which shall be the regular January meeting of the Commission during which time the chief elected official of the county legislative body shall act as chairman protem.

Section 2. The nominee for each office receiving a majority vote of the voting membership of the Planning Commission shall be declared elected.

Section 3. All officers shall be elected for a term of one (1) year and all officers shall be eligible to succeed themselves.

Section 4. Vacancies in offices shall be filled immediately for the unexpired term by the regular election procedure.

ARTICLE V

MEETINGS

Section 1. Meetings shall be held on the 2nd Monday of each month at 4:30 p.m. in the Henry County Courthouse or such other place and time as shall be designated in the commission agenda.

Section 2. A majority of the entire membership of the Planning Commission shall constitute a quorum. However, when one or more positions of the Planning Commission are vacant due to official resignations, a majority of the active membership may on the decision of the Chairman be designated a quorum. A quorum shall be present before any official actions may be taken.

Section 3. All plans, reports and recommendations of the Planning Commission must be approved by a majority of the voting members of the Commission.

Section 4. A record of the vote of each member on each major question shall be kept as a part of the minutes.

Section 5. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting when requested to do so in writing by a majority of the members of the Planning Commission. The notice of such a meeting shall specify the purposes of such a meeting and no other business may be considered except by unanimous consent of the Commission. The Secretary shall notify all members of the Commission in writing and provide adequate public notice in advance of such a special meeting.

Section 6. Regularly scheduled meetings may be canceled by the Chairman at his descretion. The chairman may delegate this authority to either the Vice Chairman or the Codes Enforcement Officer.

ARTICLE VI

Section 1. Items to be included on the Planning Commission Agenda shall be submitted to the County Executive ten (10) days in advance of the meeting date. Item shall not be added to the agenda after this date without the unanimous consent of the Planning Commission members present and voting.

Section 2. Only persons recognized by the Chairman may address the Commission.

ARTICLE VII

COMMITTEES

Committees may be established by the Planning Commission for any purposes and terms approved by the Commission. Committee members shall be appointed by the Chairman for one year terms.

ARTICLE VIII

EMPLOYEES

The Planning Commission may appoint or employ such staff as the Commission deems necessary in accordance with Section 13-3-103 of the Tennessee Code Annotated and may contract with the Local Planning Assistance Office, other planners, engineers or other consultants for such services as it may require.

ARTICLE IX

PUBLIC HEARING

Section 1. In addition to those required by law, the Commission may, at its discretion, hold public hearings when the Commission deems hearings will be in the public interest.

Section 2. Notice of such hearings shall be published in a newspaper of general circulation within Henry County at least ten (10) days prior to the date of such public hearings.

Section 3. A record of the hearing proceedings including a list of those persons speaking before the Commission shall be kept in the files of the Planning Commission.

ARTICLE X

PROVISIONS FOR AMENDMENT

These By-Laws may be amended by a two-thirds majority vote for the entire membership of the Planning Commission at a regularly scheduled meeting of the Commission.

PREPARED BY THE

HENRY COUNTY REGIONAL PLANNING COMMISSION

Everett Moody, Chairman

TERRY WIMBERLEY, SEC.

Jerry Bell

MARTY VISSER

Charles Perry, Secretary
Harold Bass
Hugh Tyler

Brent Greer, Mayor of Henry County

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SUBDIVISION REGULATIONS

HENRY COUNTY, TENNESSEE

ARTICLE I: PURPOSE, AUTHORITY AND JURISDICTION

A. Purpose

Land Subdivision is the first step in the process of county 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 aspects. It is therefore to the interest of the public, the developer and the future owners that subdivision be conceived, designed and developed in accordance with sound rules and proper minimum standards.

The following standards guiding the Planning Commission are designed to provide for the harmonious development of the regional area; to secure a coordinated layout and adequate provision for traffic, and also to secure adequate provision for light, air, recreation, transportation, water, drainage, sewers and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under the authority granted by Section 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 standards, having filed a certified copy of the Major Street and Road Plan in the Office of the Register of Henry County, Tennessee, on May 15, 1956.

C. Jurisdiction

These regulations shall govern all subdivision of land within the Henry County Planning Region as established by resolution of the Local Government Planning Advisory Committee as provided for in Section 13-3-101 of the Tennessee Code Annotated. This area includes all land in Henry County except the Paris corporate area and the Paris Planning Region as defined by the Local Government Planning Advisory Committee, and the corporate area of Cottage Grove, Henry and Puryear and McKenzie.

These regulations shall govern the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of four point nine (4.9) acres or less 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 resubdividing or to the land or area subdivided.

Any owner of land within the area wishing to subdivide land shall submit to the Planning Commission, a plat of the subdivision according to the procedures outlined in Article III and IV, which plat shall conform to the minimum requirements set forth in Article VI. Improvements shall be installed as required by Article VIII of these standards.

ARTICLE II: DEFINITIONS

Except as specifically defined herein, all words used in the regulations have their customary dictionary definitions where not inconsistent with the text. The term "shall" is mandatory. When not inconsistent with the content, words used in the singular include the plural and those in the plural include the singular. Verbs in the present tense include the future.

Block: A tract of land bounded by streets, roads and by a combination of street and roads.

Bond: Any form of security including a case deposit, surety bond, collateral, property, or instrument or credit in an amount and form satisfactory to the Planning Commission.

Henry County Environmental Offier: The director of the county health department having jurisdiction over the community health, or his duly authorized representative.

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

Multi-family Development: A group of buildings in which each building is designed for occupancy by three (3) or more families, each of which lives independently from each other.

Planned-Development-Subdivision: The division of properties which have been proposed or constructed as a "planned development" and, while individual lots may not meet minimum lot standards as set forth in these regulations, the entire development will meet the density and yard requirements of these regulations and may provide for commonly owned properties and facilities while meeting all current public health and road construction standards and utility standards.

Plat: A map, drawing or chart upon which the subdivider's plan of the subdivision is shown.

Regional Planning Commission: The Henry County Regional Planning Commission as established under authority granted by Section 13-1-106 of Tennessee Code Annotated, and includes any municipal planning commission designated by the Local Planning Assistance 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, no part of which is more than five (5) miles beyond the limits of such municipality.

Road: A way for vehicular traffic, including both right-of-way and improved areas whether the road is designated as an avenue, arterial, collector, boulevard, road, highway, street, expressway, lane, alley or other way, and for the purpose of these regulations "roads" are divided into the following categories.

a. Arterial Streets - A major street used primarily for heavy through traffic which will be so designated on the Henry Count Major Road Plan.

b. Collector Street: A street designed to carry traffic from minor streets to the major road system including the principal entrance streets to a residential development and the streets for major circulation within such a development. Collector streets are usually designated as such on the Henry County Major Road Plan.

c. Cul-de-sac. A local street with only one outlet for which there are no plans for extension and no need for extension.

d. Marginal Access Street - A minor street which is constructed parallel and adjacent to an arterial street for the purpose of providing access to abutting properties and protection from through traffic.

e. Minor Residential or Local Street - A neighborhood or commercial area street used primarily for access to the abutting properties.

f. Alley - A minor way used primarily for service access to the back or side of properties otherwise abutting on a street.

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

Major Subdivision: All divisions of land into lots, buildings sites or other divisions for the purpose, whether immediate or future, of sale or building development; and including all division of land into two (2) or more lots involving a new street, or a change in existing streets; or divisions of land involving the extension of water, sewer or gas lines and includes re-subdivision and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

Minor Subdivision: All divisions of land into lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development, and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided. The following are not included within the definition.

All subdivisions of land involving a new street and/or change in an existing street, or the extension of water, sewer or gas lines.

THE

PRELIMINARY PLAT

'ALL SHOW:

Name, location, owner and designer

Date, north point and graphic scale

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

Names of adjoining properties

Proposed utility system

Names of new streets

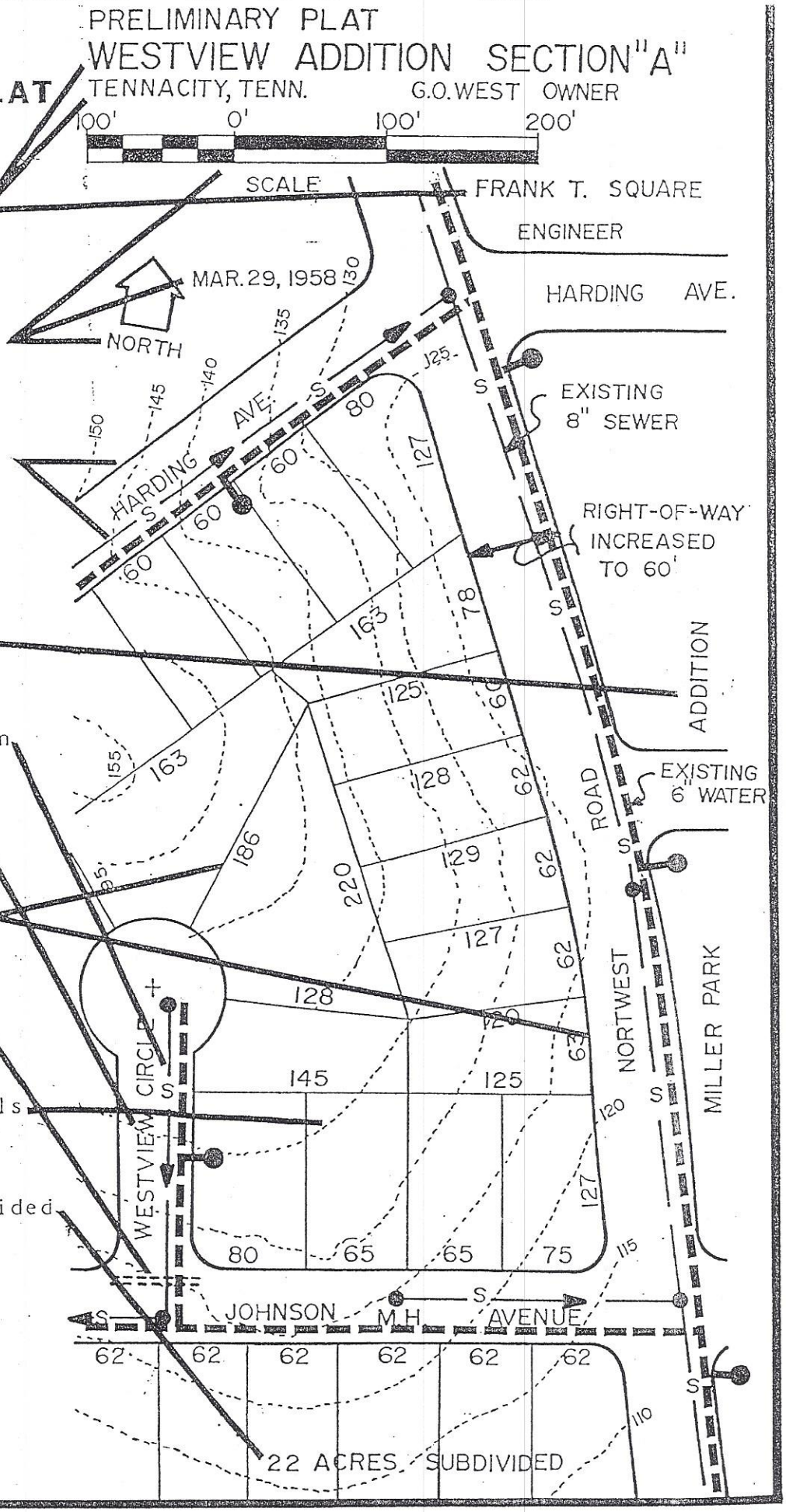
Dimensions, lot lines and building setbacks

Location of proposed culverts

Contours at 10' intervals

Acreage of land subdivided

Location sketch map.



ARTICLE III: PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of two (2) separate steps except as set forth in Article IV. The initial step is the preparation of and submission to the Planning Commission of a preliminary design plat for the proposed subdivision. The second step is the preparation and submission to the Planning Commission of a final plat, with required certificates. This final plat then becomes the instrument to be recorded in the Office of the County Register when duly signed by the secretary of the Planning Commission.

The subdivider should consult early and informally with the Planning Commission and its technical staff and the Road Supervisor for advice and assistance before the preparation of the preliminary design plat and his formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Thoroughfare Plan and other official planning on public improvements which might affect the area. Such formal review should prevent unnecessary and costly revisions.

A. General

1. Any owner of land lying within the area of jurisdiction of the Planning Commission wishing to subdivide land shall submit a plan for the proposed subdivision to the Planning Commission for approval and shall obtain such approval prior to the filing of his subdivision. The subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article VI and VII of these regulations and shall be presented in the manner as specified in the following section of this article and Article IV. No plat of a subdivision of land within the area of planning jurisdiction shall be filed or recorded by the county register without the approval of the Planning Commission as specified herein.

2. In order to secure review and approval of a proposed subdivision by the Planning Commission, the prospective subdivider shall, prior to the making of any street improvements or installation of utilities, submit to the Planning Commission a preliminary plat as provided in Section B of this article. On approval of said preliminary plat he may proceed with the preparation of the final plat and other documents required in connection with as specified in Section C of this Article and the improvements set forth in Article VII.

B. Preliminary Sketch Plat

1. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the Planning Commission through the Office of the County Executive five (5) copies of a preliminary plat of the proposed subdivision

drawn to an appropriate scale of not greater than one inch equal one hundred (100) feet, for example a subdivision plat drawn to a scale of 1 inch equals 50 ft. would be acceptable. A copy shall also be submitted to the Henry County Road Supervisor.

2. The plat shall meet the general design requirements set forth in Article VI and the standards for the public improvements construction set forth in Article VII. The plat shall include all of the following appropriate information insofar as possible:

   a. The name and location of the proposed subdivision, the name(s) and address(es) of the owner or owners, and the name of the surveyor of the plat who shall be a state licensed surveyor:

   b. Date, approximate north point, and graphic scale;

   c. The location of existing and platted property lines, existing streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements or lines, and the names of adjoining property owners or subdivisions;

   d. Plans of proposed utility layouts (sewers, water, gas, and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not available, any proposed individual water supply and/or sewage disposal system must be approved by the Henry County Environmentalist. It must be noted on the preliminary plat as to what type of water source will be utilized (public water lines or well water). If public water is to be utilized, the size of existing or proposed lines must be indicated;

   e. The proposed street names, and the locations, and dimensions of proposed streets, alleys, easements, parks, and other open space reservations, lot lines, and building setback lines;

   f. Contours at vertical intervals of not more than ten (10) feet,

   g. The acreage of the land to be subdivided and for each lot after subdivision;

   h. Location sketch map showing relationship of subdivision site to area and the major roads;

   i. A construction plan which shall include if needed:

      (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 roads showing typical cross sections of proposed roadways, swales and ditches as well as both existing and proposed finished grades of paved right-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;

j. All subdivision proposals greater than 50 lots or 5 acres whichever is lesser shall include base flood elevation data as certified by a licensed engineer;

k. If the subdivision is going to be developed and submitted for final plat approval in sections, the sections must be designated and titled in alphabetical characters on the preliminary plat.

l. A letter from the Henry County Environmentalist indicating that the area is suitable for septic tank facilities if septic systems are proposed.

m. A preliminary soil map developed by the Tennessee Department of Public Health or an equivalent map prepared by a licensed soil scientist.

n. Where septic tank facilities are already in place, certification from the Henry County Environmentalist that said septic facilities are adequate will be required; and

o. A copy of the preliminary plat will be submitted to the director of the Henry County Emergency Communications Board to ensure that road names are not duplicated.

3. Within sixty (60) days after submission of the preliminary plat, the Planning Commission will review it and indicate approval, disapproval, or approval subject to modification. If a plat is disapproved, reasons for such disapproval shall be stated in writing. If approval is subject to modifications, this shall be indicated.

4. One (1) copy of the preliminary sketch plat will be retained in the Planning Commission files; one (1) copy shall be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.

5. Failure of the Planning Commission to act on the preliminary sketch plat within sixty (60) days constitutes approval of this plat.

6. The approval of the preliminary plat by the Planning Commission will not constitute acceptance of the final plat.

7. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within twelve (12) months from the date of such approval, unless an extension of time is applied for and granted by the Planning Commission.

C. Final Plat

1. The final plat shall conform substantially to the preliminary plat, as approved. If desired by the subdivider, the final plat may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these standards.

2. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the Planning Commission through the Office of the County Executive the original drawing 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. A copy of the plat and other materials shall also be submitted to the Henry County Road Supervisor. Final plats without all required certifications and signatures will not be accepted onto the Henry County Regional Planning Commission agenda.

   The plat shall be drawn to an appropriate scale not greater than 1 in. = 100 ft. on sheets not larger than 42 x 60 inches. 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.

   When the plat has been approved by the Planning Commission, the original will be returned to the subdivider, with the approval of the Planning Commission certified thereon. A copy shall be filed with the County Register as the official plat of record. A signed copy will be retained in the records of the Planning Commission. It is the responsibility of the subdivider to record the approved plat. The Codes Enforcement Officer is also authorized, as part of the final plat process, to deliver and record any plat approved by the Planning Commission and signed by the Secretary thereof.

3. The Planning Commission shall approve or disapprove this 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 constitute its approval. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the Planning Commission.

4. Approval of the final plat by the Planning Commission shall not constitute the acceptance by the County of the dedication of any streets or other public way or ground into the County road system.

5. The final plat shall show:

a. The lines of all streets and roads, alley lines, building setback lines, lots numbered in numerical order, reservations for 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 true 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 streets;

c. All dimensions to the nearest one tenth (10th) of a foot and angles to the nearest minute;

d. Location and description of permanent markers;

e. The names and locations of adjoining sub-divisions and streets and the location and ownership of adjoining unsubdivided property;

f. Date, title, name and location of subdivision, graphic scale, and magnetic north point;

g. Location sketch map showing site in relation to area major roads;

h. All boundary traverses including lot and block traverses to an accuracy of at least one (1) part in five thousand (5,000);

i. All subdivision proposals greater than 50 lots or 5 acres, whichever is lesser, shall include base flood elevation data as certified by a licensed engineer; and

j. Be accompanied by a final soil map developed by the Tennessee Department of Public Health or an equivalent map prepared by a licensed soil scientist.

6. The following certificates shall be presented with the final plat:

a. Certification showing that the applicant is the land owner and dedicates streets, rights-of-way and any sites for public use except in subdivisions with private streets.

In the case of private streets, the plat shall include a certification by the owner of the development that the approved roads shall be private roads and not subject to acceptance, maintenance, nor improvement by Henry County and that the private streets shall be boldly shown on the approved plat.

b. Certification by licensed surveyor to accuracy of survey and plat and the placement of all required permanent markers.

c. Certification by the county environmentalist if: (1) individual sewage disposal (septic tank, sanitary sewer or other) and/or (2) water systems (public water lines, wells) are to be installed.

Where septic tank facilities are already in place, certification from the Henry County Environmentalist that said septic facilities are adequate or an affidavit, through the Tennessee Department of Environment and Conservation (TDEC), signed by the owner attesting to a functional septic system.

d. Certification by the County Road Supervisor or his equivalent that the subdivider has complied with one of the following alternatives.

1. Installation of all improvements in accordance with the requirements of the standards, or

2. Posting of a security bond, cash deposit or instrument of credit in sufficient amount to assure such completion of all required improvements. The said bond, cash deposit or instrument of credit shall be released only on the signature of the Henry County Regional Planning Commission. Private streets (roads) are not exempt from this requirement.

e. Certification of approval to be signed by the Secretary of the Planning Commission.

f. Certification from the director of the Henry County Emergency Communications Board that the plat has been reviewed and that there is no conflict with existing road names.

7. The certificates shall be lettered, stamped or typed on the plat provided the certificate clearly refers to the subdivision plat for which approval has been granted. Certificates may not be taped or glued to the plat.

Examples of the certificate forms are provided in the appendix of the regulations.

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.

Names of adjoining properties

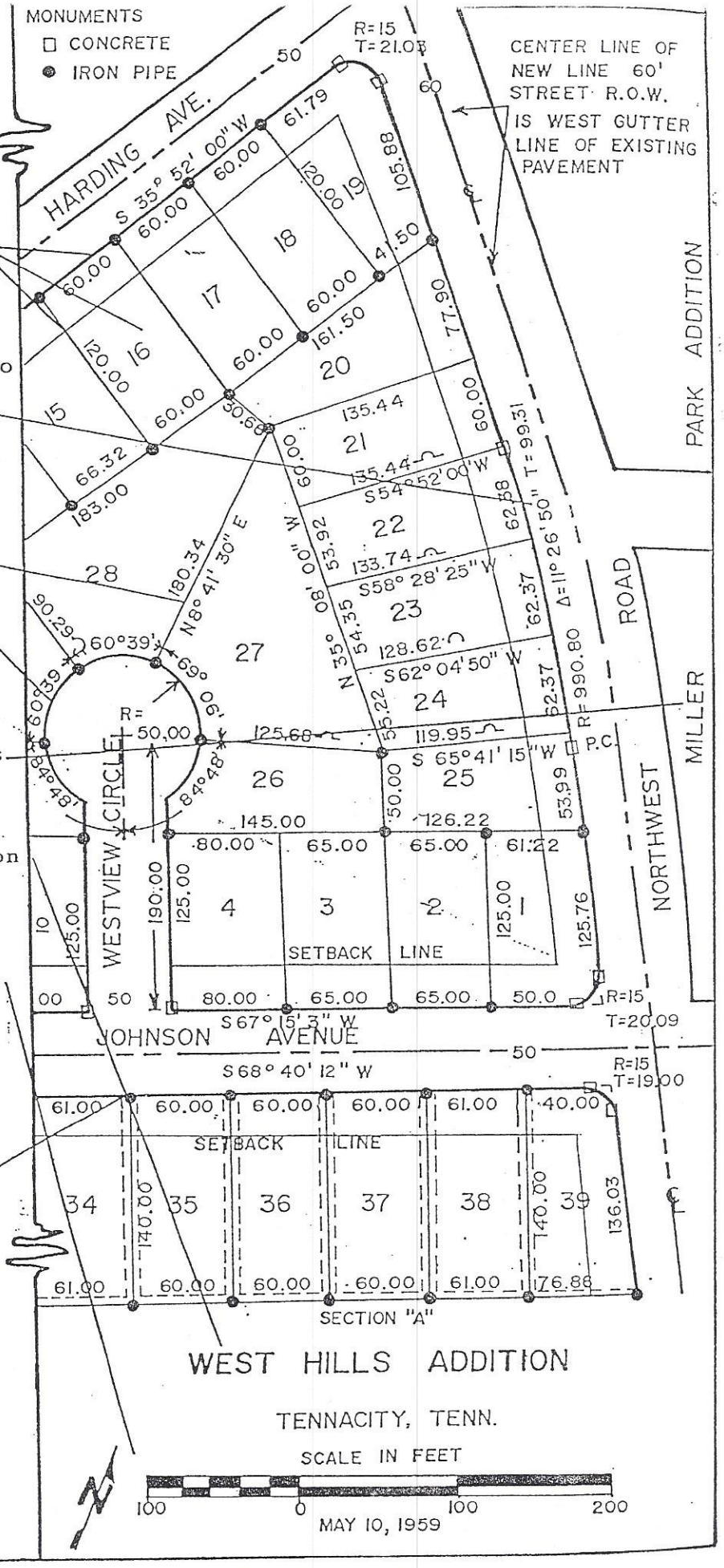
Date, title, name and location of subdivision

Graphic scale and true north point

All certificates

All easements and rights-of-way

Location sketch map



ARTICLE IV: REVIEW PROCEDURES FOR MINOR SUBDIVISION PLATS

A. Whenever a proposed subdivision requires the construction or installation of no new streets, utilities or other improvements, this procedure for review and approval of the subdivision shall apply:

1. At least ten (10) days prior to the meeting at which it is to be considered the subdivider shall submit to the Planning Commission through the Office of the County Executive the original drawing in ink and four (4) copies (black and white prints or blue line prints) of the plat drawn to a an appropriate scale not greater that 1 inch = 100 feet. No plat will be accepted onto the Planning Commission agenda without the submitted plat containing all required signatures and certifications.

2. When the 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 register as the official plat of record. The original drawing containing all required certificates will be returned to the subdivider for purposes of recording with the Register of Henry County. The Codes Enforcement Officer is authorized as part of the final plat process to record any plat approved by the Planning Commission and signed by the Secretary thereof. This is authorized as a means of ensuring congruency between the actions of the Planning Commission and the resulting tax map information provided by the Register.

3. The Planning Commission shall approve or disapprove this 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 constitute its approval. If the plat is disapproved, the grounds for disapproval shall be stated within the official minutes of the Planning Commission.

4. Approval of the final plat by the Planning Commission shall not constitute the acceptance by Henry County of the dedication of any streets or other public way or ground.

5. The final plat shall show:

   a. The lines of all streets and roads, lot lines, building setback lines and reservations for easements.

   b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line and lot line.

c. The names and locations of adjoining sub-divisions and streets, and the location and ownership of adjoining unsubdivided property;

d. Date, and location of subdivision, graphic scale, and magnetic north point;

e. Location sketch map showing site in relation to area and major roads;

f. Type of water source, which is determinate to minimum lot sizes. A note as to whether the property is served by wells or public water and the size of water lines, if applicable;

6. The following certificates shall be presented with the final plat:

a. Certification showing that the applicant is the legal owner of the land, and that he dedicates streets, rights-of-way and any other sites for public use;

b. Certification by licensed surveyor of the accuracy of survey and plat, and the placement of all required permanent markers;

c. Certification by the Henry County Environmentalist when individual sewage disposal or water system are to be installed. It must be noted as to whether public water lines or wells are to be utilized;

Where septic tank facilities are already in place, certification from the Henry County Environmentalist that said septic facilities are adequate or an affidavit, provided by TDEC, signed by the owner attesting a functional septic tank.

d. Certification of approval to be signed by the Secretary of the Planning Commission.

e. Certification by the owner that any unshown balance of the property is five acres or greater and that the subdivision will not require the construction of streets or utilities.

f. Certification from the director of the Henry County Emergency Communications Board that the plat has been reviewed and that there is no conflict with existing road names.

The certificates shall be lettered, stamped or typed on the plat. Certificates may not be taped or glued to the plat provided the certificate clearly refers to the Subdivision plat for which approval has been granted.

B. If the plat of a subdivision divides the tract into no more than two lots, and the division does not require the construction of streets or utilities, the approval may be endorsed in writing on the plat by the Secretary of the Planning Commission without the approval of the Planning Commission, upon certification by the Henry County Codes Enforcement Officer that the subdivision complies with the Henry County Subdivision Regulations; provided further that no request for a variance from the Subdivision Regulations has been requested.

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ARTICLE ~~VII.~~ GENERAL DESIGN REQUIREMENTS

A. Roads and Streets

1. HENRY COUNTY ROAD ACCEPTANCE POLICY
Revised March 1999

This policy on road acceptance has been developed to provide a coordinated process for the establishment of new public roads in Henry County. This policy shall apply to new public roads proposed in either of the following two ways: (a) the proposed road is constructed as part of the development of a subdivision in which property sales are anticipated and for which a subdivision plat is required under the Henry County or the Paris Regional Subdivision Regulations, or (b) the road may be an existing private road or new road developed independently from a subdivision for which a road plat is required under the Henry County or Paris Regional Subdivision Regulations and policies adopted by the Henry County Highway Commission.

The following process has been established for road acceptance:

a. The developer of any subdivision or proposed new road in Henry County must, prior to the construction of any roads, drainage facilities or infrastructure, prepare a preliminary plat in accordance with the requirements of the applicable Subdivision Regulations. The developer should consult with the Road Supervisor and the planning staff during the preparation of the preliminary plat to ensure that the roads and drainage system are in conformity with the adopted specifications.

b. When complete, the preliminary plat shall be submitted to the planning commission having jurisdiction over the property subdivided. Copies of the preliminary plat will be forwarded to the Henry County Road Supervisor and the planning staff for review and comment. The Road Supervisor will prepare a written statement for the commissions indicating whether or not the proposed facilities conform to the requirements of the applicable Subdivision Regulations. This statement should address the adequacy of the entire road plan, including but not limited to location of roads; drainage; placement of culverts and conformity of planned roads to the adopted specifications.

c. The Planning commission will consider and approve, reject or conditionally approve the preliminary plat. The developer should be present at this meeting to present the plat and answer questions.

d. Once preliminary approval has been granted, the developer may begin actual construction of the subdivision or road. All roads and culverts must

be built in accordance with the preliminary plat. It would be advisable for the developer to consult with the Road Supervisor during this period. If, after construction has begun, any major changes are required, an amended preliminary plat must be brought back to the Planning Commission for approval.

e. Upon completion of the road construction work or the posting of a bond to cover construction costs, the developer shall prepare and submit a final subdivision or road plat to the planning commission having jurisdiction in accordance with the applicable Subdivision Regulations. Copies of the final plat will be forwarded to the Henry County Road Supervisor and the planning staff for their recommendations. The Road Supervisor shall conduct a field inspection of all completed work and prepare a written report and checklist. This report should note any deficiencies. If the report recommends for approval, it should state that construction is consistent with minimum adopted standards of Henry County. A copy of this report will be furnished to both the Henry County Highway Department and either the Henry County Regional Planning Commission or the Paris Regional Planning Commission.

f. Once the plat has been approved by the planning commission it may be submitted to the County Road Commission for a recommendation on road acceptance. The information submitted should include: copy of the final plat, evidence the final plat has been approved by the Planning Commission and recorded in the office of Register of Deeds.

g. Once approved by the Planning Commission and Road Commission, the final plat, deeds, all reports, and recommendations are to be submitted to the County Commission for final action on road acceptance. The information submitted should include proof that the plat has been recorded in the Office of the Register of Deeds.

h. The County Commission agrees not to provide any public funds for any improvements to roads not accepted through this process and when a building permit system is established not to issue permits for building construction for lots on unapproved roads.

i. The Henry County Commission, Paris City Commission, the Paris Board of Public Utilities, and any other utility districts within Henry County agree not to install, lay or authorize water mains, sewer lines or electrical service in or along any road not formally accepted through this process unless the private road is shown defined as such on an approved and recorded final plat.

j. It is the developers' responsibility to see that all required documents are submitted to the proper official or commission in time for the required actions.

k. Abandonment of any road by the subdivider will require vacation of the plat. Abandonment by the County shall be noted on any affected plat.

2. Conformity to the Major Road Plan

The location and width of all streets and roads shall conform to the official Major Road Plan.

3. Relation to Adjoining Road System

The proposed road system shall extend existing roads or projects. They shall be extended at a width no less than the required minimum width.

4. Design

The design for all roads and streets shall conform to the requirements as set forth in Article VII of these regulations.

5. Right-of-Way Widths

The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the Major Road Plan, or if not shown on such plan, shall not be less than as follows:

a. Arterial Roads and Highways ..... 60-150 feet as may be required

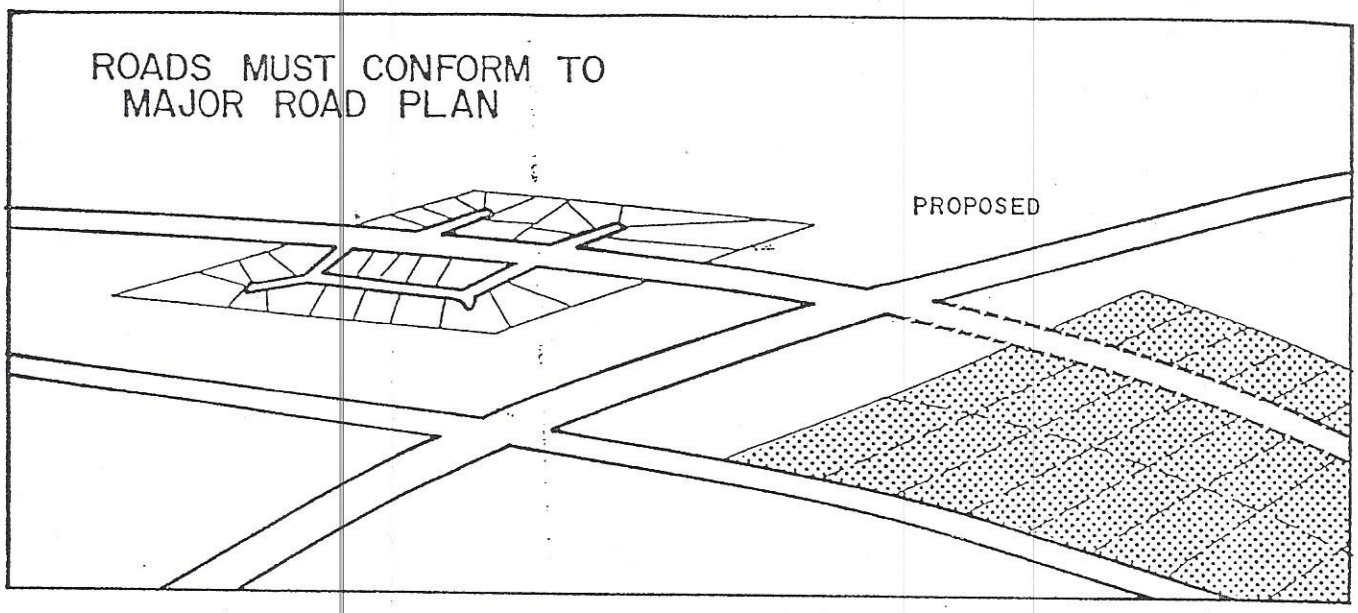
Arterial roads and highways are those to be used primarily for fast or heavy traffic and will be located on the Major Road Plan.

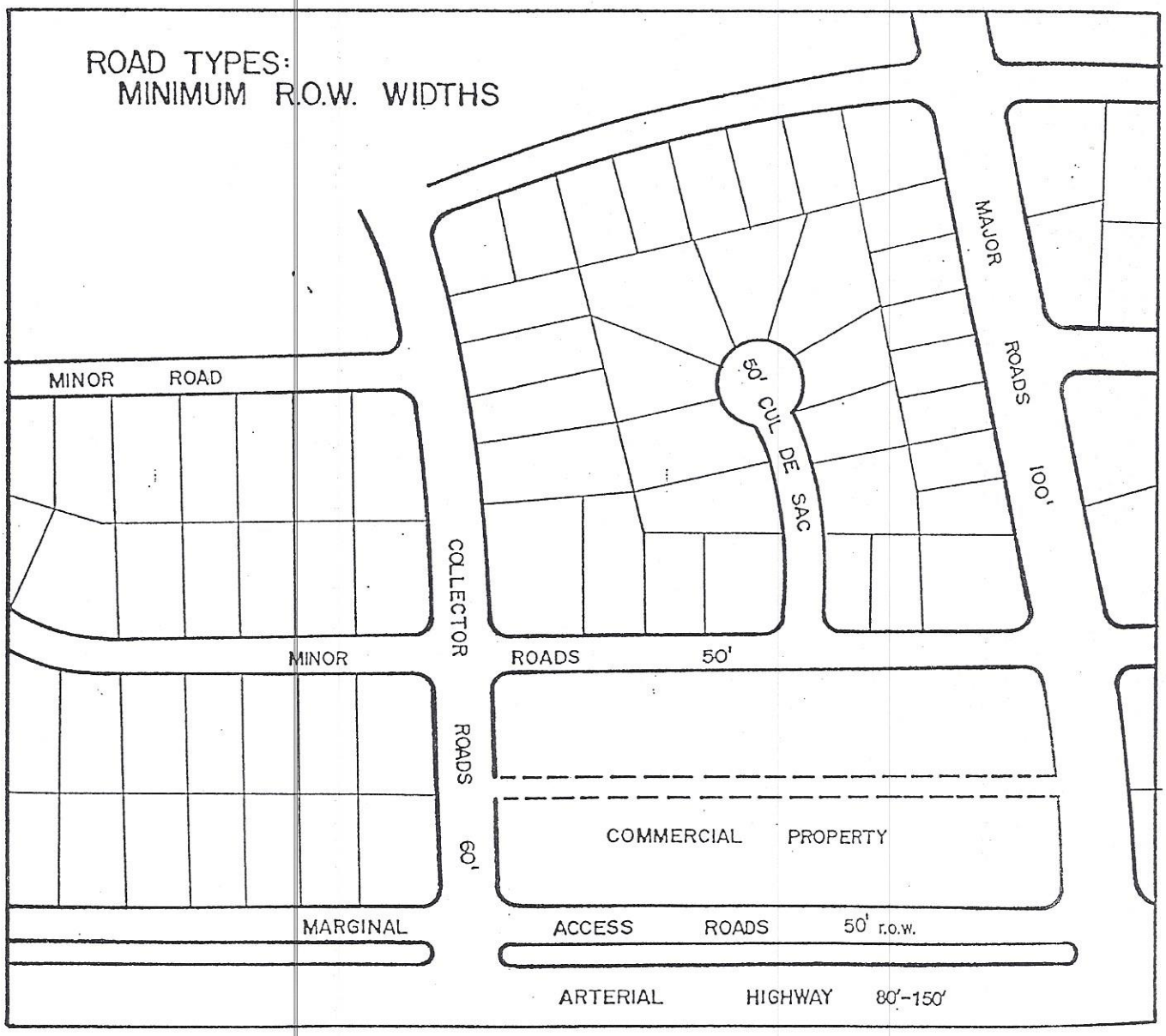
b. Collector Street ..... 50 feet

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.

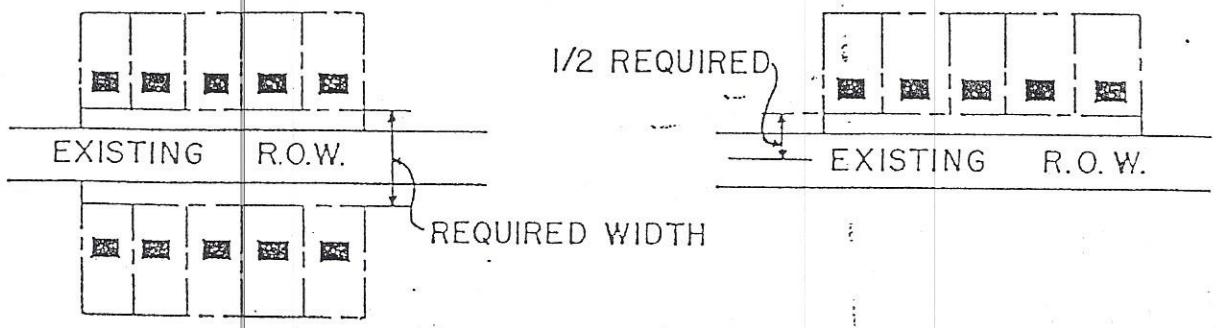
c. Minor Residential Streets ..... 50 feet

Minor residential streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic.

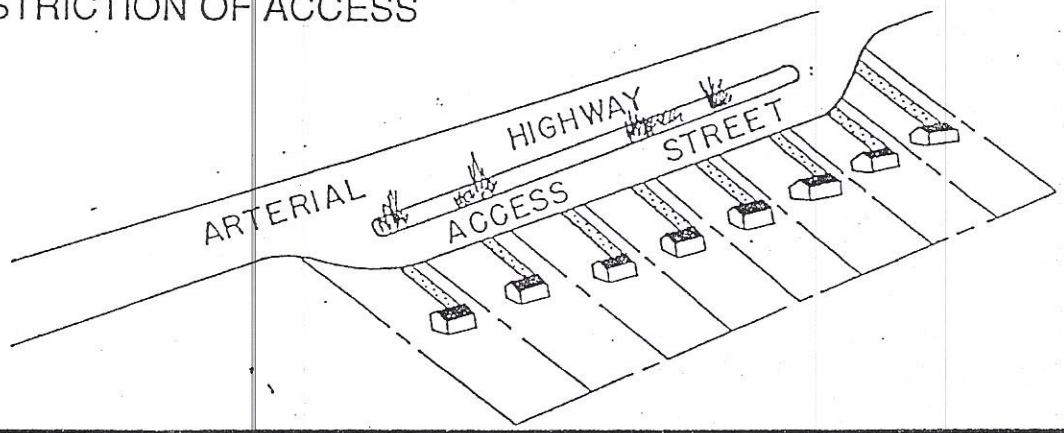

ROADS MUST CONFORM TO
MAJOR ROAD PLAN
PROPOSED


ROAD TYPES:
MINIMUM R.O.W. WIDTHS
MAJOR ROADS 100'
50' CUL DE SAC
MINOR ROAD
COLLECTOR ROADS 50'
MINOR ROADS 60'
COMMERCIAL PROPERTY
MARGINAL ACCESS ROADS 50' r.o.w.
ARTERIAL HIGHWAY 80'-150'

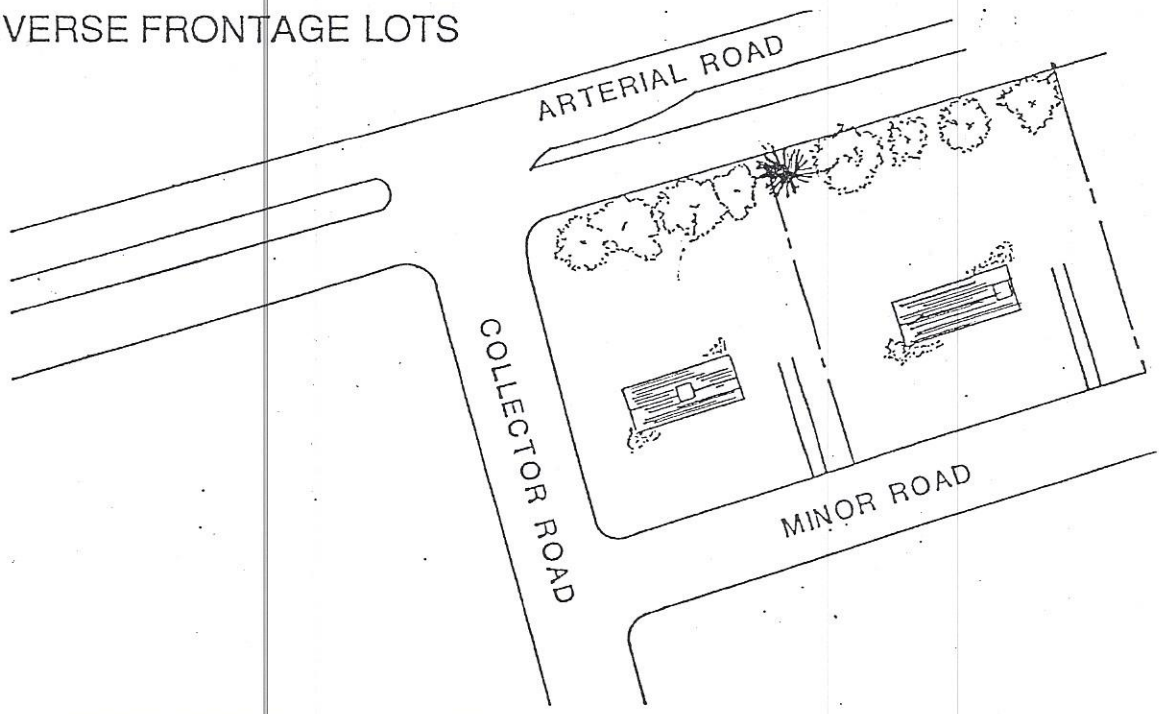
EXISTING ROADS ADDITIONAL WIDTH



RESTRICTION OF ACCESS



REVERSE FRONTAGE LOTS



d. Marginal Access Streets ..... 50 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-sacs) ..... 50 feet

Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future.

Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

In cases where topography or other physical conditions make a street of the required minimum width impracticable, the Planning Commission may modify the above requirements. Through proposed neighborhood or local business areas, the street widths may, if required by the Planning Commission, be increased ten (10) feet on each side to provide for movement of vehicles into and out of necessary off-street parking areas without interference to traffic.

f. Private Streets ..... 50 feet

Private Streets are those which are maintained by the developer and are constructed the same as public streets.

However, the planning commission may require greater widths if necessary to meet special conditions.

6. Additional Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum road 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 centerline of the existing roadway, shall be provided.

7. Restriction of Access

When a tract fronts on an arterial street or highway, the Planning Commission may require such lots to be provided with frontage on a marginal access street.

8. Street Grades

Grades on major streets and roads shall not exceed seven (7) percent. Grades on other streets may exceed seven (7) percent but not fourteen (14) percent.

9. Horizontal Curves

The minimum centerline radius for all horizontal curves shall conform to the requirements set forth in the following table:

Terrain	Flat	Rolling	Hilly
Local Streets	250'	175'	110'
Collector Streets	350'	230'	150'

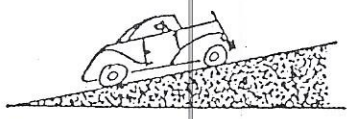
10. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the pavement surface, to an object four (4) inches high on the pavement. 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 (1) inch equals twenty (20) feet vertical, may be required by the Planning Commission.

11. Intersections

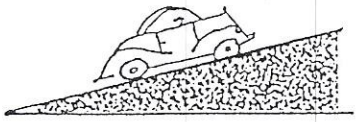
Street intersections shall be nearly at right angles as is possible and no intersection shall be at an angle of less than sixty (60) degrees. Property line radius at street intersections shall not be less than twenty (20) feet and where the angle of street intersection is less than seventy-five (75) degrees, the Planning Commission may require greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalks at a street corner to less than normal width, the property line at such street corner shall be rounded to otherwise setback sufficiently to permit such construction.

MAXIMUM GRADES



7%

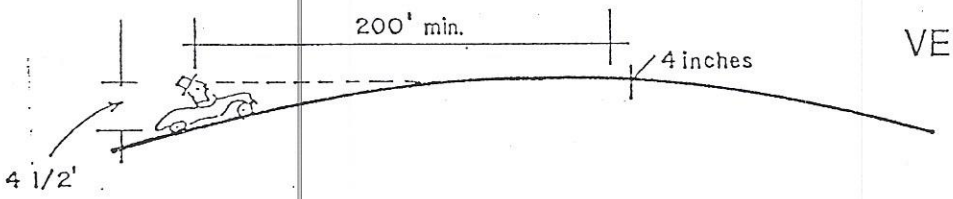
ARTERIAL & COLLECTOR STREETS

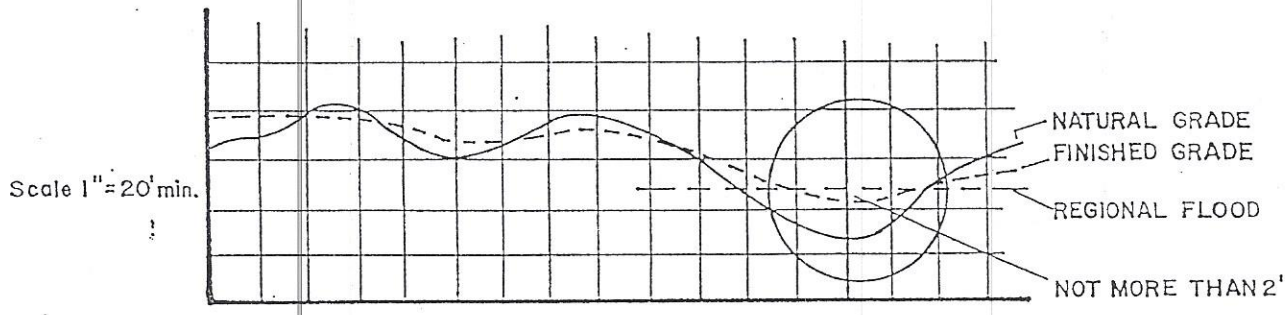


14%

OTHER STREETS

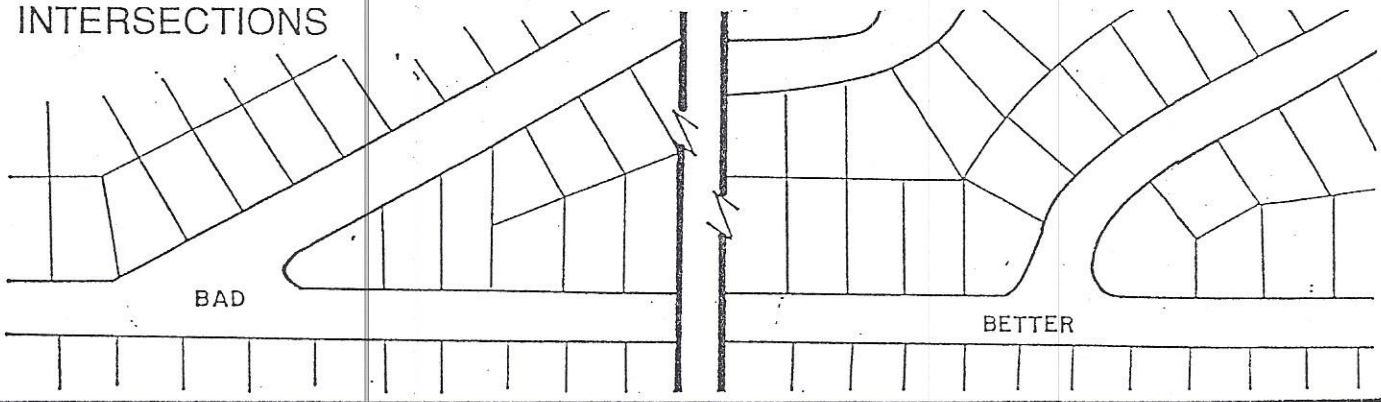
VERTICLE CURVES



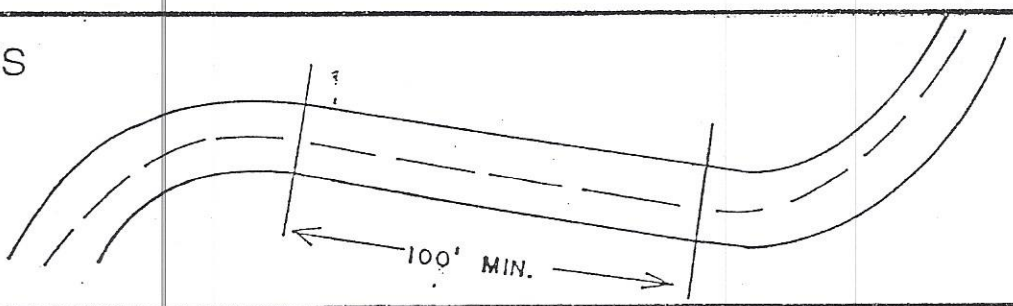


Scale 1"=100' min.

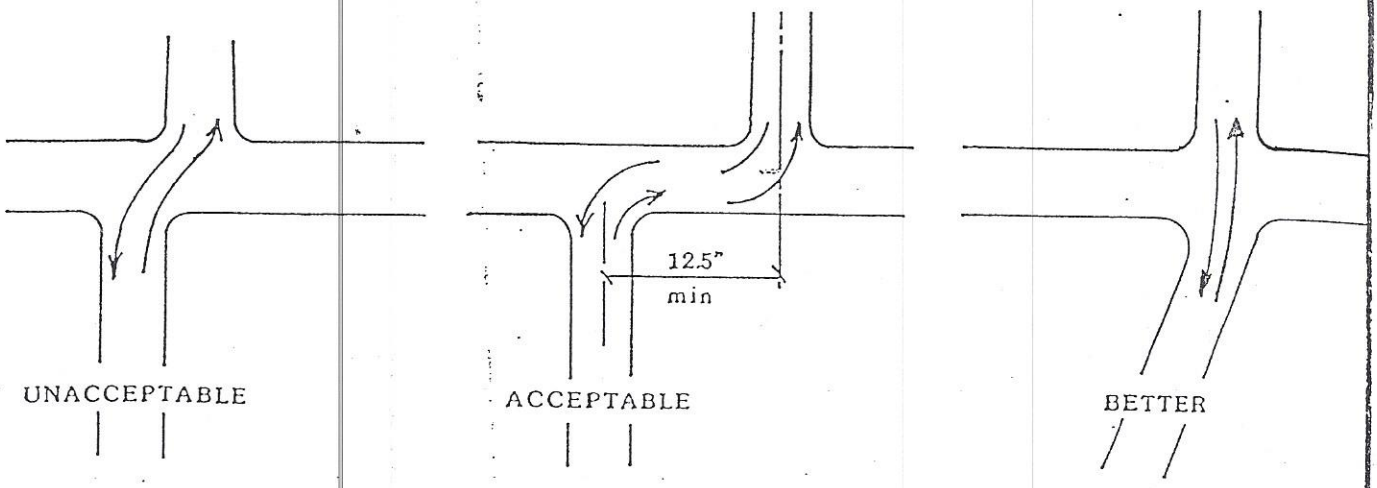
INTERSECTIONS



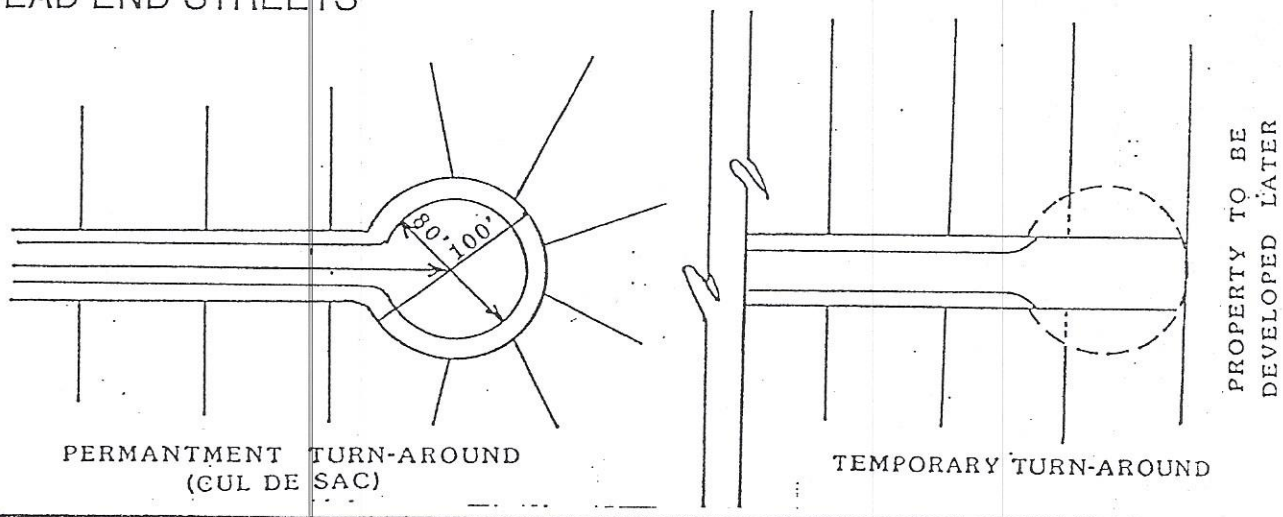
TANGENTS



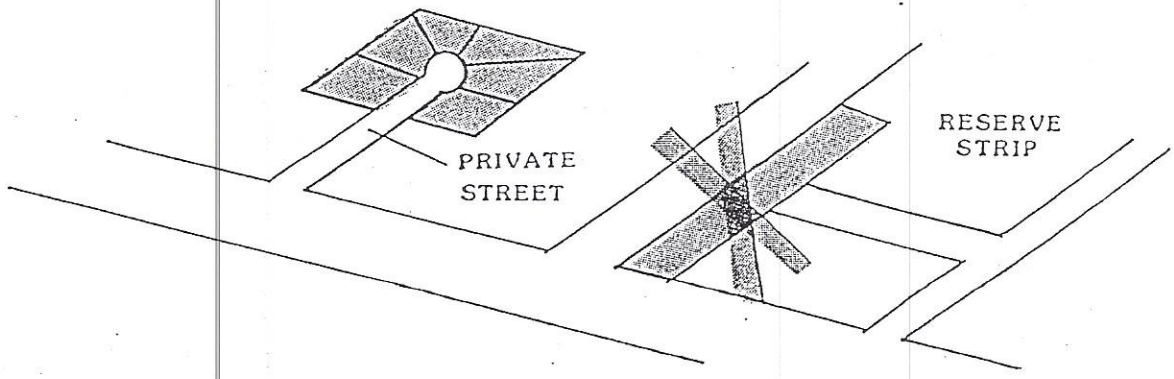
ROAD JOGS



DEAD END STREETS



PRIVATE ROADS & RESERVE STRIPS



12. Tangents

A tangent of a least one-hundred (100) feet in length shall be introduced between reverse curves and arterial and collector streets.

13. Street Jogs

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

14. Cul-de-sacs

a. Cul-de-sacs or courts designated to have one end permanently closed shall be limited in length by the discretion of the Planning Commission which shall consider density, lot size, street grades, topography, and all other conditions. They shall be provided at the closed end with a turn-a-round having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet.

The Planning Commission may approve an alternate design such as the T turnaround, the pavement of which shall be at least 60 feet across the T and 20 feet wide and have a right-of-way of at least 80 feet across the T and at least 40 feet in width.

b. Temporary cul-de-sacs where, in the opinion of the Planning Commission it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-a-round having a roadway diameter equal to the width of the right-of-way.

15. Private Roads and Reserve Strips

Every lot in 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 county under conditions approved by the Planning Commission.

Private roads and streets shall be allowed in accordance with the provisions of these regulations. If at any date, a private road is submitted for acceptance as a public street or road, it shall be submitted to the Planning Commission for approval. In considering the private road for approval as a public street or road, the Planning Commission shall require the improvements to the road to meet the minimum street construction standards in effect at the time the request for public acceptance is made.

16. Road Names

Proposed roads which are obviously in alignment with others already existing and named, shall bear the names of the existing roads. In no case shall the name for proposed roads duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court. Road names will be reviewed by the director of the Henry County Emergency Communications Board to ensure that road names are not duplicated.

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.

18. Vehicular Easements

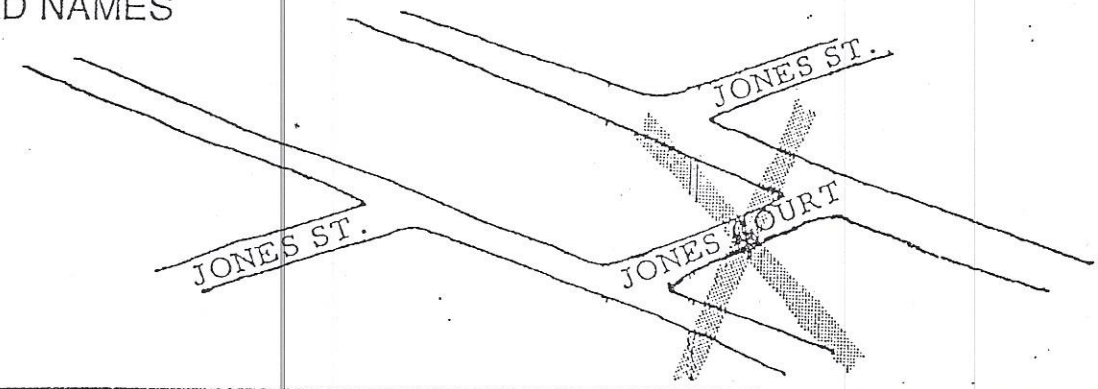
Per Henry County Resolution 8-9-97, the county legislative body has adopted standards for vehicular easements. A permanent vehicular easement must be platted and approved by the Henry County Regional Planning Commission, even in cases in which the easement serves property exceeding five acres in area. The easement then can be recorded. The following four criteria must be met for approval of a vehicular easement:

a. No vehicular easement may be less than 50 feet in width. The Planning Commission is authorized to require greater widths in deemed necessary.

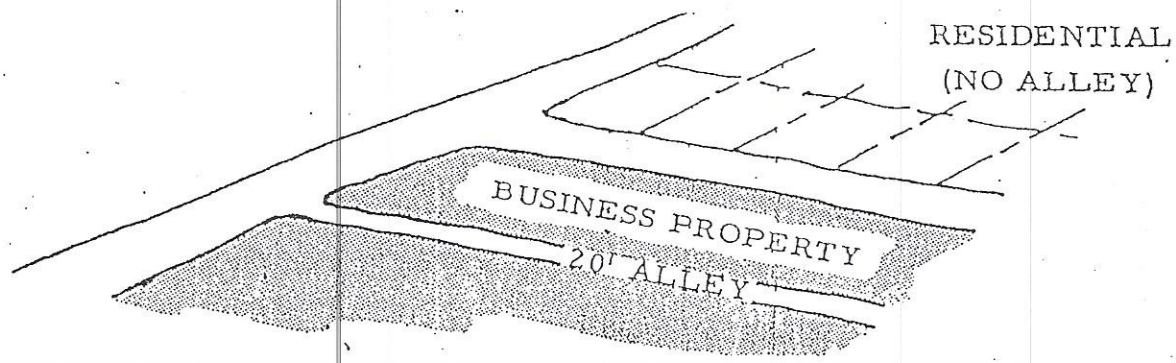
b. A vehicular easement may serve no more than one parcel of land. Any easement proposed to serve more than one lot must instead be proposed as a county road and improved to county road design standards (Article VII) before the road can be accepted by the legislative body.

c. Permanent vehicular easement improvements shall be maintained by the developer or owner or by a legally established homeowners association or other similar group approved by the Planning Commission. The legal documents establishing the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat.

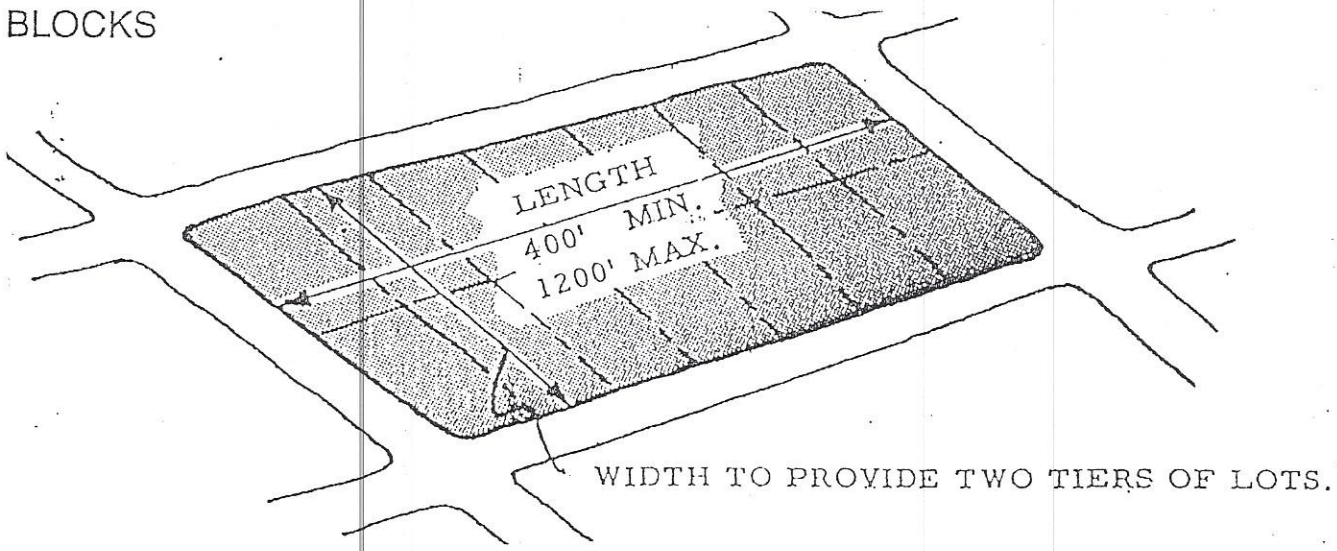
ROAD NAMES



ALLEYS



BLOCKS



d. If, at any future date, a permanent vehicular easement is submitted for acceptance as a county road, it shall be submitted to the Planning Commission for approval. In consideration of the easement for approval as a public road, the Planning Commission shall require the improvements to the easement to meet the minimum road construction standards in effect at the time the request for public acceptance is made.

B. Blocks

1. Length

Blocks shall not be less than four hundred (400) feet 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 (1) or more public cross walks 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 (2) rows of lots, except where frontage on major streets and roads is provided or where prevented by topographical conditions or size of the property; in which case the Planning Commission will approve a single row of lots of minimum depth.

C. Lots

1. Adequate Building Sites

Each lot shall contain a building site not subject to flood as defined in Section E of this Article and out side the limits of and existing easement or building setback lines required by Subsection 4 of this section.

2. Arrangement

In so far as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front on either a public or private street with a right-of-way at least 50 feet wide for a distance of 50 feet. Provided that on cul-de-sacs, the minimum frontage may be reduced to 40 feet.

3. 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. When an existing public water supply is reasonably available to a proposed subdivision it shall be the developers option to tap into the existing water main. If the developer chooses to tap into the existing main the appropriate utility district shall determine the adequate size of waterlines for the subdivision and the installation of the water lines shall be done in accordance with the utility district's standards and policies.

a. Residential lots served by public water and sanitary sewer systems shall not be less than seventy (70) feet in width at the building setback line nor less than 10,000 square-feet in area.

b. Residential lots not served by public water and sanitary sewer systems shall not be less than eighty-five (85) feet in width at the building setback line nor less than 15,000 square-feet in area. Provided, however, greater area may be required by the Planning Commission as indicated by data from percolation tests and investigations or as determined by the county health officer.

c. 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.

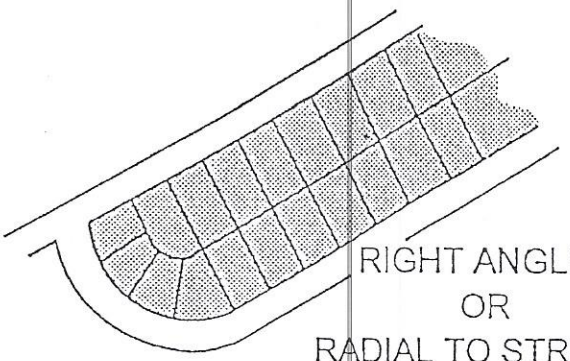
4. Building Setback Lines

a. The minimum depth of building setback lines from the street shall not be less than thirty-five (35) feet, and in the case of corner lots, thirty-five (35) feet from the side street.

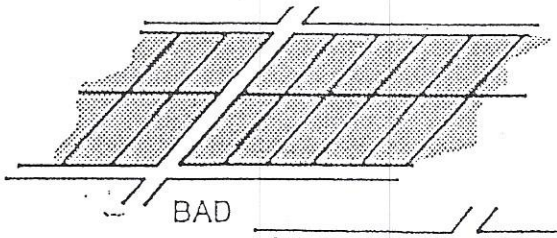
b. In the case of electric transmission lines, where easement widths are not definitely established, there shall be a minimum building setback line from the center of the transmission line as follows:

Voltage of Line	Minimum Building Setback
46KV	37 1/2 feet
69KV	50 feet
161KV or more	75 feet

LOT ARRANGEMENT



RIGHT ANGLES
OR
RADIAL TO STREETS



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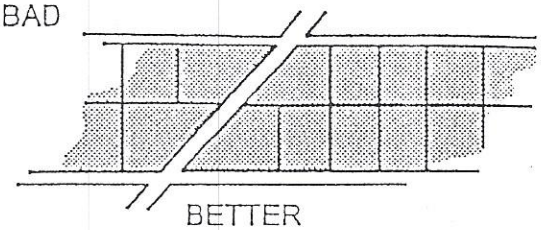
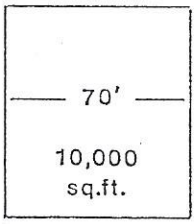
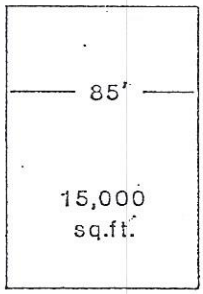


BETTER

MINIMUM LOT SIZE

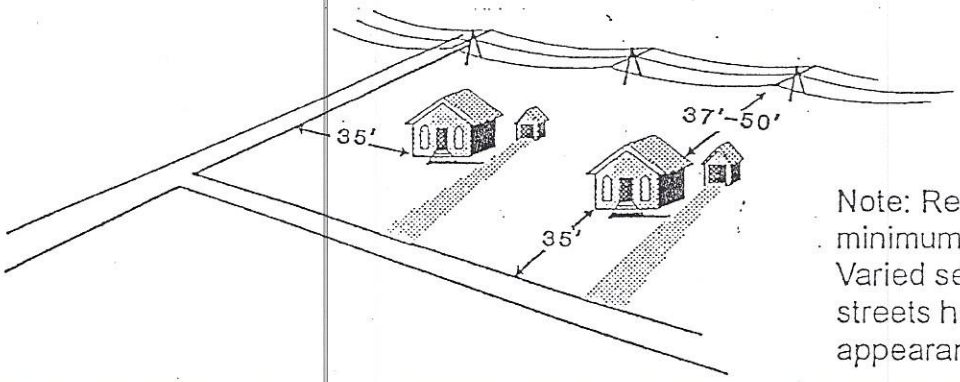


WITH PUBLIC WATER AND
SEWER CONNECTIONS.



WITHOUT PUBLIC WATER AND
SEWER CONNECITONS.

BUILDING SETBACK LINES



Note: Required setbacks are a minimum - not a uniform standard. Varied setbacks on straight streets help avoid monotonous appearance.

5. Corner Lots

Corner lots shall have extra width sufficient to permit the additional side-yard requirements of the zoning ordinance if an/or building setback lines outlined above.

D. Public Use of Service Areas

Due consideration shall be given to the allocation of areas suitably located and of adequate size for public service areas.

1. Easements for Utility

Except where alleys are permitted for the purpose, the Planning Commission may require easements, not exceeding twelve (12) feet in width, on each side of a common rear lot line and along side lot lines for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains, or other utility lines along all rear lot lines or along side lot lines if necessary or if advisable, in the opinion of the Planning Commission along all rear lot lines or along side lot lines if necessary or if advisable. 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.

2. Community Assets

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

E. Suitability of Land

The Planning Commission shall not approve any subdivisions of land if it has been determined that in the best interest of the public, the site is not suitable for platting or development purposes as shown by adequate investigation conducted by concerned public agencies. The Planning Commission may determine that land is not suitable for platting or proposed development on the basis of the Preliminary and Final Soil Map prepared for the subdivision plat and other relevant information.

Land deemed to be unsuitable because of subjection to flood, topographical limitations, or for other reasons shall not be platted for residential occupancy, nor for other such uses as may increased danger to health, life, property, or aggravate erosion, increase exposure to flood, or exceed the capacity of the land or surrounding area for septic systems or other disposal of wastes.

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 at least 50' of right-of-way for the opening of streets and logical further resubdivision.

G. Multi-Family and Townhouse Developments

A comprehensive multi-family or townhouse 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, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

H. 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 decides 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 shall be stated in writing in the minutes of the Planning Commission with the reasoning on which the departure is justified set forth.

I. Zoning and Other Regulations

No final plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to 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 V: PROCEDURE FOR PLAT APPROVAL - PLANNED DEVELOPMENT SUBDIVISION

Whenever a proposed planned subdivision, as defined in these regulations, is proposed the planning commission will review the proposal as set forth in Article III or Article IV, whichever is applicable. However, a distinction in this review shall be made as it relates to Article VII.C. Lots. In the instance that the provisions of Article VII C. Lots cannot be met, or are proposed to deviate from the requirements of Article VII. C. Lots, the following conditions must be met:

1. The entire development shall maintain the minimum density requirements of Article VII. C. There shall be no minimum lot requirement, but the total acreage of the development shall meet the provisions of VII.C. 3 as calculated on a structure per lot basis, i.e. if three lots are created, there must be a total of 30,000 sq. ft. or 45,000 sq. ft. as required in VII. C.3.a. and b. respectively. Commonly owned properties may be considered in this calculation.

2. The provisions of VII.C.4. shall apply to all lots fronting public roads.

3. The provisions of Article VII. C. 3. shall apply to the "planned development" as whole but not to individual lots, except when the individual lots front on a public road.

4. The provisions of Article VII.A. Roads and Streets shall be met.

5. All provisions of Article VIII Required Improvements and Minimum Design Standards, shall be met provided that water and sanitary or subsurface sewerage systems shall be approved by the Henry County Department of Public Health prior to approval by the Planning Commission. Shared or commonly owned water and sewerage systems shall be allowed subject to public health approval.

6. All commonly owned properties or facilities shall be clearly depicted on the subdivision plat. In the instances of such properties or facilities, all homeowners or property owners agreements shall be provided with the preliminary and/or final plats when submitted. Plats with commonly owned properties or facilities shall be approved only with a review of such agreements clearly defining responsibility for upkeep.

7. Finally, this section shall not be construed to relieve any planned development - subdivision from the provision of the Henry County Subdivision Regulations except as herein provided.

RESOLUTION
OF THE HENRY COUNTY REGIONAL PLANNING COMMISSION AMENDING THE SUBDIVISION REGULATIONS TO PROVIDE FOR CLUSTER AND PLANNED UNIT DEVELOPOMENTS (PRD)

WHEREAS, the Henry County Planning Commission has adopted subdivision regulations as provided under the authority of Tennessee Code Annotated 13-3-403 to provide for the harmonious development of the region; and

WHEREAS, the health safety and welfare of the Henry County Planning Region would be better served by providing for alternative residential development designs; and

WHEREAS, in order to accommodate alternative development schemes known as cluster developments and Planned Unit Developments (PUD) an amendment to the subdivision regulations is deemed necessary and desirable; and

WHEREAS, the Henry County Planning Commission held a public hearing on August 14, 2006, after providing 30 days notice to the public of the hearing through a newspaper notice published in the Paris Post Intelligencer a paper of general circulation of Henry County, _____, _____. 2006;

NOW, THEREFORE, BE IT RESOLVED BY THE HENRY COUNTY REGIONAL PLANNINGCOMMISSION:

Section 1. That the Henry County Subdivision Regulations be and the same is amended by inserting immediately before article VI. PLAT AMENDMENT PROCEDURE the following: ARTICLE VI. PROCEDURE FOR PLAT APPROVAL - CLUSTER DEVELOPMENTS and ARTICLE VII. PROCEDURE FOR PLAT APPROVAL - PLANNED UNIT DEVELOPMENTS to follow ARTICLE V. sequentially in the Subdivision Regulations of Henry County, Tennessee as attached to this resolution; and

Section 11. That existing Articles VI, VII, VIII, IX and X be and the same and renumbered sequentially as Articles VIII, IX, X, X AND XII respectively and that all references contained in the Henry County Subdivision Regulations that reference the above renumbered articles be amended to reflect the renumbering sequence outlined herein, and

Section III. That is resolution take effect upon its passage, the public health, safety and welfare requiring it.

APPROVED: _____, _____, 2006.

_____ _____
PLANNING COMMISSION CHAIRMAN PLANNING COMMISSION SECRETARY

ARTICLE VI. PROCEDURE FOR PLAT APPROVAL - CLUSTER DEVELOPMENTS

The intent and purpose of this section, is to provide an alternate development procedure, which maximizes the utilization of land primarily for the benefit, use, ownership and enjoyment of the future residents of the Henry County. The concept of cluster developments is simple: develop less land while allowing the same number of housing units that would be permitted under conventional subdivision development.

In a cluster subdivision, housing units are grouped in clusters rather than being evenly spaced on uniform or standard sized lots throughout the development. Consequently, dwelling units can permitted to be closer together. In addition, cluster developments offer unique opportunities for developers create livable communities where residents enjoy shared amenities, open spaces and natural areas, at the same time minimizing damage to aesthetic views and vistas, environmentally sensitive areas, and lands that are deemed marginal land for development. Aside from the benefits that clustering affords the community and future residents, clustering can save a developer infrastructure costs by reducing the length of roads and utility lines to new developments. This, in turn, can save the county money by reduced infrastructure maintenance costs.

As clusters developments should be built in harmony with the environment, each cluster subdivision shall be considered a unique development; with approval being granted only in those instances where clustering would be more beneficial to the community than would conventional subdivision development. There are three overriding goals of cluster development, which should guide the planning commission when evaluating the appropriateness of this type development scheme:

- Preservation of open space - this is realized by establishing the number of units allowed per parcel completely independent of any minimum lot size.

- Protection of critical ecological habitats and natural resources - clustering is particularly appropriate in rural areas that wish to remain rural while accommodating additional growth. In addition, clustering places development in less sensitive areas preserving wildlife habitat, natural resources, steep slopes, wetlands and valuable landscape/waterscape features.

- Preservation of agricultural land and rural character of the county - clustering offers an alternative to large lot, rural, sprawl which consumes open space and creates lots that are too small for farming.

A. <u>Considerations for Approval</u>

1. When determining the appropriateness of the design of the proposed cluster development, the planning commission shall consider whether or not the proposed development furthers the following objectives. If the development is in harmony with these objectives, the planning commission may approve a cluster development:

a. To promote the conservation of the natural environment, preservation of wetlands and wildlife habitat, and the development of community land use in harmony with the natural features of the land and that provide for the appropriate use of the terrain within the cluster development.

b. To establish living areas within the county that provide for a balance of such community needs as a diversity of housing opportunities, adequate recreation and open space areas, easy accessibility to these and other community facilities, and pedestrian and vehicular safety.

c. To provide for the location of like uses next to like uses so as to enhance the nature and quality of preserved green space within the community while providing clusters of housing around a green or common.

d. To provide green space within the cluster development between the clusters of housing and abutting properties so as to provide community open space.

e. To provide for an efficient use of land, streets, and utility systems, while minimizing the impact of such development upon adjacent areas.

f. To stimulate new approaches to land and community development.

g. To provide for the preservation of agricultural land, land of state and/or local significance and to encourage the continued use of open space for agricultural and/or forestry purposes.

2. With regard to cluster lot size and shape, exceptions to traditional subdivision standards, requirements and regulations may be permitted when:

a. The area proposed for the cluster development shall contain a minimum gross area of three (3) acres; and

b. The total land area of the development divided by the total number of family dwelling units provides an average density no greater than would otherwise be allowed by a traditional subdivision development. (15,000 square feet per unit or 10,000 square feet per unit when water and sewer are available); and

c. At least forty (40) percent of the gross tract area shall be set aside as open space, common ground, and/or recreational area is to be provided for the use and the benefit of the family dwelling units in the development and shall be permanently restricted to open space, recreation or conservation purposes. Suitable recreational facilities and equipment shall be constructed or installed by the developer.

d. All cluster lots and dwelling units must abut and have access to open space, common ground, or recreational areas that are located within the development.

e. Exceptions to the forty (40) percent open space requirement may be considered by the planning commission whenever a cluster development is proposed to be located adjoining public lands that are owned and maintained as permanent open lands by local, state, federal governments (including but not limited to TVA) provided the public entity that owns the permanent pubic open space approves the utilization of its property by residents in the adjoining cluster development for open space enjoyment and use. However, in no case shall the private open space requirement provided by the developer of a cluster subdivision be reduced to less than twenty-five (25) per cent of the gross acreage being developed by the developer of the cluster subdivision. In considering the appropriateness of a waver on the provision of the forty (40) per cent open space requirement within the cluster development, the planning commission shall consider:

   i. the degree in which the cluster development is designed so as to compatibly and functionally integrate the usable open space provided by the developer and the public open land which is adjacent to the development;

   ii. whether or not the net amount of usable open space associated with the development (including public and private open space) exceeds the minimum prescribed by these regulations (more than 40%);

   iii. the degree in which the resulting open space proposal maintains or enhances the spirit and intent of these regulations; and

   iv. whether or not the waver and resulting open space plan is in the best interest of the residents of the development, the county, and/or the public agency permitting the utilization of its lands for residential open space use.

3. Exceptions to the requirement that all lots must abut and have access to a public street may be permitted in Cluster developments under the condition that the lot fronts on a private street to be maintained by the homeowners in the development. Private streets within the cluster development should be built to the same width and constructed to meet the same minimum construction cross section standard as required for public streets; provided however that deviations from public street width standards may be approved by the planning commission under the following conditions:

a. The proposed private street cross section is to be constructed to a higher standard than would ordinarily be required of a street in a traditional subdivision. (i.e. asphalt or concrete vs. tar and chip, curb and gutter vs. side ditches); and

b. The street is built in a self contained (walled) development that does not accommodate public through traffic; and

c. Whenever applicable adequate and permanent access either directly or by permanent easement from a public street to the development and to each lot in the development is established to provide for pedestrian and vehicular traffic within and without the development; and

d. On street parking is prohibited by a covenant that restricts same and that is permanently attached to each lot in the development; and

e. Adequate and permanent off street parking be shall provided at a minimum rate of two (2) spaces per residence; and

f. Additional lots or paved parking areas to accommodate permanent off street parking for guests of the residents shall be constructed to provide additional parking spaces the number of which is appropriate to accommodate the size of the development; and

g. The width of the street is deemed adequate to safely accommodate pedestrian traffic and emergency service vehicles (as approved and documented by the Henry County Emergency Management Agency Director).

4. The developer of a cluster development shall provide for the maintenance of open space and other improvements. As a condition of approving the cluster development and permitting exceptions to the standard requirements of the subdivision regulations, the developer shall submit with his final plat a declaration of covenants, conditions and restrictions regarding the permanent maintenance of open space, common ground, recreational areas, and other improvements. This declaration of covenants and restrictions shall be filed for recording with the Register of Deeds and shall be established as covenants running with the land and an encumbrance upon the title to each of he lots of said cluster subdivision. No exceptions to the requirement to file said covenants shall be permitted unless the planning commission determines that the developer has adequately and permanently provided for such upkeep and maintenance of open space, common ground or recreational areas.

5. Other exceptions to the requirement of public ownership and maintenance of amenities in the development may be waved and does not apply where the nature of the facility is such that public maintenance is not deemed and appropriate

function of government; for example off-street vehicle parking compounds to accommodate guests of the cluster development. Also, it is generally considered inconsistent with the public interest to provide for public maintenance of private common parks and recreational facilities.

6. All public utilities and public improvements in associated with the planned unit development, except as provided in VI. A., 3. (private streets above), that are normally owned and operated by governmental authority must be dedicated to, and accepted for maintenance by the appropriate county entity.

B. General Requirements

1. Site Plan - At least ten (10) days prior to the Planning Commission meeting at which it is to be considered, the developer or his agent shall submit to the Planning Commission six (6) copies of a site plan of the proposed cluster development drawn to a scale of not less than one (1) inch equals one hundred (100) feet. The site plan shall conform to the general requirements and minimum standards set forth in the Henry County Subdivision Regulations. Where topographic conditions of an area and the overall design of the cluster development would warrant, the street standards may vary from those specifications of the Subdivision Regulations with the approval of the Planning Commission as outlined in A., 3., a. - g. above. The site plan shall provide the following information:

   a. The proposed cluster development's name and location, the name(s) and addresses of the owner (s) and the name of the designer of the site plan.

   b. Date, north point and scale.

   c. The location of existing and platted property lines, existing and proposed streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public or private utility easements or lines.

   d. The proposed street names, if other than private drives, and the locations and dimension of proposed streets, drives, alleys, easements, parks and other open spaces, reservations, lot lines, and building setback lines.

   e. Contours at vertical intervals of not more than two (2) feet except when specifically not required by the Planning Commission.

   f. Drainage maps showing a drainage plan for the development site and the adjoining areas.

   g. All dimensions to the nearest 10th of a foot and angles to the nearest minute.

h. Location sketch map showing site in relation to surrounding area.

i. Total acreage to the nearest 10th of an acre, building locations and dimensions, number of stories, number of dwelling units, total floor area of the dwelling units landscape plan showing all open areas, walks, fences, and number or parking spaces, access drive plan, and location of accessory uses.

j. The Planning Commission may require other information as needed.

2. Fire Protection - All Cluster Subdivision Developments, shall be provided with an adequate supply of water for fire protection purposes at the applicant's cost. This requirement can be met by any of the following subject to the approval of the Henry County Emergency Management Director:

a. Fire hydrants meeting the Henry County Emergency Management Agency Hydrant Specifications connected to a public water main with adequate fire flows and pressures as determined by the Insurance Services Office, Inc. (ISO) fire flow requirements. The maximum driving distance from a fire hydrant and a structure shall be 500 feet.

b. Private fire protection water supply systems are permissible when the provision of hydrants connected to a public water main as set forth in (a.) above is not feasible or is deemed economically unreasonable as determined by the Planning Commission. Private fire protection water supply systems may include the following:

i. Non-residential, institutional, and multi-unit residential developments – storage and distribution systems appropriate to the type and scale of the proposed use that comply with the applicable standards of the National Fire Protection Association (NFPA), ISO, and the Henry County Emergency Management Agency.

ii. Single-family residential subdivisions – individual residential sprinkler systems meeting the standards of NFPA 13D *Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwelling and Manufactured Housing* in each dwelling unit or underground lines connected to an adequate sized body of water, storage tank(s) or cistern(s). If the water supply is to be provided by a cistern(s) or storage tank(s) and associated dry hydrants the cistern(s) or storage tank(s) shall be able to provide thirty thousand (30,000) gallons of useable fire protection water supply per cistern or tank, or more, as deemed appropriate by the Henry County Emergency Management Agency. The location, design, and

provisions for ownership, maintenance, and all season access to the cistern(s) and or storage tank(s) and supporting facilities shall conform to the Henry County Emergency Management Agency Hydrant Specifications.

iii. Any other public or private fire protection water supply system approved by the Henry County Emergency Management Director and determined by the Planning Commission to provide a similar or greater level of fire protection than the options provided in (a.) and (b.) above.

THE WORD HEARING WAS CHANGED TO MEETING ON 1-18-07 By Resolution AND PUBLIC HEARING

3. Review Process - Before the Planning Commission shall act on a proposed cluster development, a public MEETING shall be held. Such MEETING shall be held in accordance with the general policy of he Planning commission. The Planning Commission shall review the proposed cluster development in accordance with the guidelines contained herein and in accord with other provisions of the subdivision regulations. The Planning Commission may opt to approve the proposed cluster development as presented, approve the proposal with modifications as identified in writing from the secretary of the commission or deny the proposal. Reasons for denial of a proposed cluster development proposal shall be listed in writing and provided to the developer or his agent.

Upon final approval of the site plan for a proposed cluster development, the developer may then proceed with the subdivision process as outlined in Article III. of the Henry County Subdivision Regulations.

4. Types of development- It is the intent of these regulations to allow cluster developments as a type of residential subdivision.

5. Area Regulations - Minimum yard, lot size, type of dwelling unit, and frontage requirements specified in the subdivision regulations may be waived for the cluster development provided the spirit and intent of these regulations are complied with in the total development plan. The planning commission may, at its discretion, require adherence to minimum subdivision design within all or a portion of the site, and shall exercise ultimate discretion as to whether the total plan complies with the spirit and intent of the subdivision regulations and this Article.

C. Deviation from Plan or Failure to Perform

1. Any change in the approved plan must be resubmitted to the Planning Commission for approval. Minor changes in the plan such as the minor shifting of the locations of buildings, lot lines, streets or drives and other minor features of the plan by notation on the original site plan and said approval being documented in the minutes of the Planning Commission. If the proposed change is of a major

nature then the developer will be required to submit a revised cluster development plan to the Planning Commission and start over.

2. If after Planning Commission approval, the development is not under construction within one (1) year from the date of the approval, the Planning Commission shall review the status of the development. If it finds the developer cannot proceed immediately with the development the Planning Commission may, at its discretion, make the approval of the development null and void.

D. Other Permitting Requirements

Approval of a cluster development site plan and ultimately the subdivision plat thereof by the Henry County Planning Commission merely demonstrates that the applicant has satisfactorily met the requirements of these subdivision regulations. Approval by this planning commission should not be interpreted as a statement that the applicant has complied with any or all other state, federal or local permitting requirements. Applicants are solely responsible for determining the need for permits and applying for all necessary permits related to a development from all appropriate agencies.

ARTICLE VII. PROCEDURE FOR PLAT APPROVAL - PLANNED UNIT DEVELOPMENTS

The planned unit development (PUD) is intended to add flexibility to the subdivision standards and procedures contained in the Henry County Subdivision Regulations in order to address topographic, economic or aesthetic factors encountered in the development process. The requirements contained herein are set forth to provide for such development as an alternative to neighborhoods created other than on a lot by lot basis as is typical of a traditional subdivision process. Each proposed PUD is conditional and its appropriateness and suitability shall be considered on its own merit. It is not the intent of these regulations to circumvent or weaken the development standards as contained in the Henry County Subdivisions but rather shall be construed as a development tool to further enhance their objectives. As such, it is intent that this development type be employed in instances where it can be demonstrated that the PUD will better serve the public and the county's goals and objectives for orderly development than would be achieved by a traditional lot to lot subdivision approach to land development.

A. Consideration(s) of Approval

1. In reviewing the appropriateness of a proposed Planned Unit Development as a development alternative the planning commission shall give consideration to the degree in which the proposed development meets the following design objectives. A PUD may be approved by the planning commission when it is determined that this approach to land development would be more appropriate for the area in which it is being proposed for development than would a traditional subdivision.

   a. To provide flexibility to the subdivision standards to address topographic, economic or aesthetic factors encountered in the development process by allowing the development conform with the conditions of the particular site;

   b. To facilitate the orderly development of environmentally sensitive areas, particularly those areas around Kentucky Lake, in the Henry County Planned Growth Area (PGA);

   c. To protect environmentally sensitive areas and land that is marginal for development;

   d. To afford land owners density credit for easement areas that otherwise restrict a properties normal development potential;

e. To afford greater densities of development than are normally allowed in traditional subdivisions in exchange for the provision of amenities, open space, quality of life enhancements and recreational opportunities not normally found in traditional subdivisions and which contribute to the enjoyment of present and future residents of the development;

f. To enable the planning of a tract for either single family use, a variety of housing types and/or for a harmonious combination of uses, such as a mixture of residential and commercial service activity;

g. To design with nature and thereby insure preservation of unique natural features and scenic vistas;

h. To provide for such amenities as walkways, paths, community buildings, parks, shared common open space, as well as active and passive recreational opportunities not usually afforded residents in traditional subdivisions;

i. To allowing new, imaginative, creative or innovative design technology than are generally possible under strict application of regulations as are required in traditional subdivisions;

j. To provide economies in the supply of public services and infrastructure and their future maintenance;

2. In reviewing a proposed PUD development the planning commission may permit deviation from the traditional lot design, shape and arrangement standards for subdivisions under the following conditions:

a. The area proposed for development comprises a minimum gross area of five (5) acres.

b. The site for the Planned Unit Development shall be accessible from a public road(s), which is adequate to carry the traffic that will be imposed upon it by the proposed, planned unit development. If the road providing access to the development is not adequate to carry the probable traffic load the PUD will generate, the developer may be asked to make off site improvements to said road prior to gaining approval to proceed with development of the proposed PUD. Public and/or private streets and driveways on the site of the proposed development shall be adequate to serve the residents, occupants, or uses of the propose development. The county may require traffic control signs or signals be provided as warranted without expense to the county when the planning commission determines that such signals are required to prevent traffic hazards or congestion on any county road.

c. At least twenty five (25) percent of the gross area of the development be set aside as permanent open space; common ground; walking trails; and/or

recreation areas and facilities for the benefit of the families in the development. Any such area once set aside shall be permanently restricted to open space, green space, recreational or conservation use. In calculating permanent open space for the purposes of meeting this criterion, the developer may include any area that has been retained by the owner(s), but has been restricted for development by reason of public permanent easement.

d. Exceptions to the twenty five (25) percent on-site, open space requirement may be considered by the planning commission whenever a PUD is proposed to be located adjacent to and are adjoining public lands that are owned and maintained as permanent open lands by local, state, federal governments (including but not limited to TVA), provided the public entity that owns the permanent pubic open space approves the utilization of its property by residents in the adjoining cluster development for their open space enjoyment and use. However, in no case shall the private, on-site open space requirement provided by the developer of a PUD subdivision be reduced to less than fifteen (15) per cent of the gross acreage being developed by the developer of the PUD. In considering the appropriateness of a waver on the provision of the on-site twenty five (25) per cent open space requirement within the PUD development, the planning commission shall consider:

    i. the degree in which the PUD development is designed so as to compatibly and functionally integrate the usable open space provided by the developer and the public open land which is adjacent to the development;

    ii. whether or not the net amount of usable permanent open space associated with the development (including public and private open space) exceeds the minimum prescribed by these regulations (more than 25%);

    iii. the degree in which the resulting open space proposal maintains or enhances and upholds the spirit and intent of these regulations; and

    iv. whether or not the waver and resulting open space plan is in the best interest of the residents of the development, the county, and/or the public agency permitting the utilization of its lands for residential open space use.

e. Parcels, or lots smaller than the minimum or lot size specified in these regulations (15,000 square foot per unit or 10,000 where water and sewer are available) may be allowed in a PUD where open space and creation of parcels or lots are proposed such that the overall density of the PUD is maintained at or less than the level allowed by the minimum parcel or lot size.

f. The Planning Commission may allow a density bonus thereby increasing the overall density of the PUD by up to twenty-five (25) percent beyond that allowed by the minimum lot or parcel size density calculation where the proposed PUD contains areas dedicated to a functional common area such as a park, swimming pool, community club house, walking trails, or if the increase in density is warranted by the design and non traditional amenities incorporated in the proposed PUD.

g. All lots in a PUD must abut or have access to open space, common ground or recreational areas located within the development.

3. Exceptions to the requirement that all lots must abut and have access to a public street may be permitted in Planned Unit Developments under the condition that the lot fronts on a private street to be maintained by the homeowners in the PUD. Private streets within the PUD development should be built to the same width and constructed to meet the same minimum construction cross section standard as required for public streets; provided however that deviations from public street width standards may be approved by the planning commission under the following circumstances:

a. The proposed private street cross section is to be constructed to a higher standard than would ordinarily be required of a street in a traditional subdivision. (i.e. asphalt or concrete vs. tar and chip, curb and gutter vs. side ditches); and

b. The street is built in a self contained (walled) development that does not accommodate public through traffic; and

c. Whenever applicable, adequate and permanent access by permanent easement from a public street to the development and to each lot in the development is established to provide for pedestrian and vehicular traffic within and without the development; and

d. On street parking is prohibited by covenant that is attached to each lot in the development; and

e. Adequate and permanent off street parking shall be provided at a minimum rate of two (2) spaces per residence and five (5) spaces per one hundred (100) square feet of commercial development. In those instances in which more than one use group category is proposed to be assigned the same geographic area, the parking standards of the use group requiring more spaces shall prevail; and

f. Additional lots or paved parking areas to accommodate permanent off street parking for guests of the residents shall be constructed to provide additional

parking spaces the number of which is appropriate to accommodate the size of the development; and

g. The width of the street is deemed adequate to safely accommodate pedestrian traffic and emergency service vehicles (as approved and documented by the Henry County Emergency Management Agency Director). and

h. More than one point of access/egress is provided for the safety of the residents in the event of an emergency or catastrophic event; provided that the planning commission may approve secondary entrance(s) to be emergency entrance(s)/exit(s) only.

4. All public utilities and public improvements in associated with the planned unit development, except as provided in VII. A., 3. (private streets above), that are normally owned and operated by governmental authority must be dedicated to, and accepted for maintenance by the appropriate county entity.

5. The developer shall provide for the maintenance of any private streets, easements, guest parking areas, open space recreational areas, common areas and other private improvements. As a condition of approving the planned unit development and permitting exceptions to the standard requirements of the subdivision regulations, the developer shall submit with his final plat a declaration of covenants, conditions and restrictions regarding the permanent maintenance of any private streets, utilities, open space, common ground, or recreational areas and other improvements. This declaration of covenants and restrictions shall be filed for recording with the Register of Deeds and shall be established as a covenant running with the land and an encumbrance upon the title to each of he lots of said planned unit development subdivision. No exceptions to the requirement to file said covenants shall be permitted unless the planning commission determines that the developer has adequately permanently provided for such upkeep and maintenance of streets, open space, common ground, green space, or recreational areas and facilities.

6. Other exceptions to the requirement of public ownership and maintenance of amenities in the development may be waved and does not apply where the nature of the facility is such that public maintenance is not deemed and appropriate function of government (VII. A., 4. above), for example off-street vehicle parking compounds to accommodate guests of the PUD. Also, it is generally considered inconsistent with the public interest to provide for public maintenance of common parks and recreational facilities, which are maintained for private use.

7. The planning commission should review and the developer should consider and incorporate some generalized principles when designing a unified Planned Unit Development. Though not inclusive, the design principles should include:

a. Transition areas, spatially employed, between adjacent properties where this is a difference in intensity or density should be provided.

b. Landscaping and buffering should be incorporated to lessen the impact of traditionally conflicting land uses such as between residential housing and commercial businesses that are located in or adjacent to the planned unit development.

c. A mixture of residential unit types should be considered.

d. The design of the development should place an emphasis on the pedestrian rather than the vehicle with regard to scale, accessibility, and public space.

e. Whenever possible, specimen trees should be preserved and maintained.

f. The overall design of the development should, wherever practicable, be designed to be compatible with the natural environment. The developer should take into consideration and aim to preserve to the maximum extent possible the natural characteristics of the land; including, but not limited to topography, vegetation, vistas, streams, rivers, and other bodies of water.

g. The development should be designed to be sensitive to adjacent productive agricultural land.

B. General Requirements

1. Site Plan - At least ten (10) days prior to the Planning Commission meeting at which it is to be considered, the developer or his agent shall submit to the Planning Commission six (6) copies of a site plan of the proposed Planned Unit Development drawn to a scale of not less than one (1) inch equals one hundred (100) feet. The site plan shall conform to the general requirements and minimum standards set forth in the Henry County Subdivision Regulations. Exceptions to the requirement that all lots must abut and have access to a public street may be permitted in PUDs under the condition that the lot fronts on a private street to be maintained by the homeowners in the development. Private streets within the PUD development shall be built to the same width and constructed to meet the same minimum construction cross section standard as required for public streets; provided however that deviations from public street width standards may be conditionally approved by the planning commission. (VII. A., 3., a. - g. above).

The site plan shall provide the following information:

a. The proposed PUD development's name and location, the name(s) and addresses of the owner (s) and the name of the designer of the site plan.

b. Date, north point and scale.

c. The location of existing and platted property lines, existing and proposed streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements or lines.

d. The proposed street names, if other than drives, and the locations and dimension of proposed streets, drives, alleys, easements, parks, recreation facilities, and other open spaces, reservations, lot lines, and building setback lines.

e. Provisions for parking of vehicles for both owners and guests of the development.

f. Contours at vertical intervals of not more than two (2) feet except when specifically not required by the Planning Commission.

g. Drainage maps showing a drainage plan for the development site and the adjoining areas.

h. All dimensions to the nearest 10th of a foot and angles to the nearest minute.

i. Location sketch map showing site in relation to surrounding area.

j. Total acreage to the nearest 10th of an acre, building locations and dimensions, number of stories, number of dwelling units, total floor area of the dwelling units landscape plan showing all open areas, walks, fences, and number or parking spaces, access drive plan, and location of accessory uses.

k. The provisions in covenants, grants of easements, or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements, grants, or dedication for public utilities and streets whenever applicable.

l. The proposal for the disposition of sanitary waste and storm water.

m. The total acreage and percentage of the development proposed for common use areas and facilities.

n. The planning commission may require other information, as they deem necessary in order to review the development.

2. Fire Protection - All Planned Unit Developments, shall be provided with an adequate supply of water for fire protection purposes at the applicant's cost. This requirement can be met by any of the following subject to the approval of the Henry County Emergency Management Director:

a. Fire hydrants meeting the Henry County Emergency Management Agency Hydrant Specifications connected to a public water main with adequate fire flows and pressures as determined by the Insurance Services Office, Inc. (ISO) fire flow requirements. The maximum driving distance from a fire hydrant and a structure shall be 500 feet.

b. Private fire protection water supply systems are permissible when the provision of hydrants connected to a public water main as set forth in (a.) above is not feasible or is deemed economically unreasonable as determined by the Planning Commission. Private fire protection water supply systems may include the following:

i. Non-residential, institutional, and multi-unit residential developments – storage and distribution systems appropriate to the type and scale of the proposed use that comply with the applicable standards of the National Fire Protection Association (NFPA), ISO, and the Henry County Emergency Management Agency.

ii. Single-family residential subdivisions – individual residential sprinkler systems meeting the standards of NFPA 13D *Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwelling and Manufactured Housing* in each dwelling unit or underground lines connected to an adequate sized body of water, storage tank(s) or cistern(s). If the water supply is to be provided by a cistern(s) or storage tank(s) and associated dry hydrants the cistern(s) or storage tank(s) shall be able to provide thirty thousand (30,000) gallons of useable fire protection water supply per cistern or tank, or more, as deemed appropriate by the Henry County Emergency Agency. The location, design, and provisions for ownership, maintenance, and all season access to the cistern(s) and or storage tank(s) and supporting facilities shall conform to the Henry County Emergency Management Agency Hydrant Specifications.

iii. Any other public or private fire protection water supply system approved by the Emergency Management Director and determined by the Planning Commission to provide a similar or greater level of fire protection than the options provided in (a.) and (b.) above.

3. Additional site plan information for commercial lots- If any portion of the PUD is proposed for commercial development in addition to the above information, the following site plan elements shall be included in the site development plan:

a. Building location footprint, floor area and orientation,

b. Landscape buffering and screening between the commercial development and the adjoining non-commercial parcels

c. Transition area(s) between commercial and other non-commercial land uses

d. Signage to include type, size and location

e. Proposed curb cuts and internal circulation.

f. Parking lot design, arrangement and number of spaces.

g. Location of dumpsters.

h. Provisions for handling storm drainage and sewage disposal.

i. Lighting scheme, arrangement and location.

4. Development Schedule - The site plan shall include a development schedule containing the following information:

a. The order of construction of the proposed stages delineated in the development plan

b. The proposed date for the beginning of construction on said stages.

c. The proposed date for the completion of construction on said stages.

d. The proposed schedule for the construction and improvement of common open space and recreation facilities within said stages, including any complimentary building.

e. Areas planned for future development.

THE WORD HERING WAS CHANGE TO MEETING ON 1-18-07 BY RESOLUTION AND PUBLIC HEARING.

5. Review Process - Before the Planning Commission shall act on a proposed planned unit development, a public MEETING shall be held. Such MEETING shall be held in accordance with the general policy of he Planning commission. The Planning Commission shall review the proposed PUD in accordance with the guidelines contained herein and in accord with other provisions of the subdivision regulations. The Planning Commission may opt to approve the proposed PUD as presented, approve the proposal with modifications as identified in writing from the secretary of the commission or deny the proposal. Reasons for denial of a proposed Planned Unit Development proposal shall be listed in writing and provided to the developer or his agent. Upon final approval of the site plan for a proposed PUD development, the developer may then proceed with the subdivision process as outlined in Article III. of the Henry County Subdivision Regulations.

6. Area Regulations - Minimum yard, lot size, type of dwelling unit, and frontage requirements specified in the subdivision regulations may be waived for the Planned Unit Development provided the spirit and intent of these regulations are complied with in the total development plan. The planning commission may, at its discretion, require that adherence to minimum subdivision design requirements be required within all or a portion of the site, and shall exercise ultimate discretion as to whether the total Planned Unit Development complies with the spirit and intent of the subdivision regulations and this Article.

C. Deviation from Plan or Failure to Perform

1. Any change in the approved plan must be resubmitted to the Planning Commission for approval. Minor changes in the plan such as the minor shifting of the locations of buildings, lot lines, streets or drives and other minor features of the plan by notation on the original site plan and said approval being documented in the minutes of the Planning Commission. If the proposed change is of a major nature then the developer will be required to submit a revised Planned Unit Development plan to the Planning Commission and start over.

2. If after Planning Commission approval, the development is not under construction within one (1) year from the date of the approval, the Planning Commission shall review the status of the development. If it finds the developer cannot proceed immediately with the development the Planning Commission may, at its discretion, make the approval of the development null and void.

D. Other Permitting Requirements

Approval of the PUD site plan and ultimately the subdivision plat thereof by the Henry County Planning Commission merely demonstrates that the applicant has satisfactorily met the requirements of these subdivision regulations. Approval by this planning commission should not be interpreted as a statement that the applicant has complied with any or all other state, federal or local permitting requirements. Applicants are solely responsible for determining the need for permits and applying for all necessary permits related to a development from all appropriate agencies.

VIII

ARTICLE ~~VI.~~ PLAT AMENDMENTS

A. Resubdivision of Land

1. For any change in a map of an approved or recorded subdivision plat, if such changes affect any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivision, such resubdivision shall be approved by the Planning Commission by the same procedure, rules, and regulations as for a subdivision. The Planning Commission may require the written consent of any and all lot owners in a subdivision before approving any change in a recorded final plat.

2. Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be resubdivided into smaller building sites, the Planning Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjoining streets. Easements providing for the future opening of such streets may be made a requirement of the plat.

B. Vacation of Plats

1. Any plat or part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.

2. Such an instrument shall be approved by the Planning Commission. Any plat or part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.

3. Such an instrument shall be approved by the Planning Commission in like manner as plats of subdivision.

4. Such an instrument shall be executed, acknowledged or approved, or recorded or filed in a like manner as plats of subdivision; and being duly recorded or filed shall operate or destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.

ARTICLE ~~VIII.~~ X REQUIRED IMPROVEMENTS AND MINIMUM DESIGN STANDARDS

A perfectly prepared and recorded subdivision plat means little to a prospective lot buyer until he can see the actual physical transformation of raw acreage into lots suitable for development. Improvements by the subdivider spare the county potential tax liabilities. The following tangible improvements or provision of a bond covering their estimated costs 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 monuments, sewers, storm water inlets and water mains in accordance with specifications established by Henry County. If other specifications have not been adopted by local authorities, the Planning Commission will accept specifications equal to those in *Local Government Public Works Standards and Specifications*, Municipal Technical Advisory Service and the University of Tennessee. The adopted requirements, whether in local regulations or in the following standards, shall govern:

1. Permanent Markers

   a. Permanent markers 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 curve in each street.

   b. All other lot corners shall be marked with a metal marker not less than three-fourth (3/4) inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

2. Grading

   All streets, roads and alleys shall be graded by the subdivider so that pavement can be constructed to the required cross section. Deviation from the above due to special topographical conditions will be allowed only with special approval of the Planning Commission.

   Where streets are constructed under or adjacent to existing electric transmission lines or over gas transmission lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission line structure and all grading for the street shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric transmission lines, the clearance from the pavement to the nearest conductor shall meet the requirements of the National Electrical Safety Code.

a. Preparation: Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.

Banks that have been cut shall be sodded or seeded, depending on slopes, to prevent erosion.

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 the 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 clay, etc., shall be removed from the development site. The fill shall be spread in layers and compacted.

3. Storm Drainage

a. An adequate drainage system, includes necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, headwalls, etc., shall be provided for the proper drainage of all surface water.

b. Storm drainage facilities shall be located in road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in the following manner.

The Planning Commission may accept either of the following two alternatives for surface storm water drainage: (1) ditches or swales may be used along each side of the roadbed or (2) streets with inverted crown may be used if the drainage area of the street does not exceed five acres.

If ditches are used, they shall have a minimum depth of eighteen (18) inches below the roadbed with sides sloped in accordance with the tabled shown below:

0' - 4' width slope of 3/1*
4' - 6' width slope of 2.5/1
6' -10' width slope of 2/1
Over 10' width slope of 1.5/1

*i.e. one (1) ft. drop for each three (3) ft. in. width.

c. Unless otherwise determined by the County Road Supervisor, all intersections of streets shall have a metal or aluminum culverts of a minimum of fifteen (15) inches in diameter.

Before any culvert is installed, the County Road Supervisor must first inspect the intersection to determine the size of culvert and installation of the culvert in the manner indicated by the County Road Supervisor.

d. In all subdivisions, culverts shall be of sufficient length to permit full width of roadway and the required slopes. Culverts shall also be built on straight line and grade and shall be laid on a firm base but not rock. In addition, pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight points 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.

e. Talbot Formula for culvert sizing:

TALBOT FORMULA

Diameter of Pipe	Acres (Rolling Country)	Acres (Level Country)
15"	0-6	0-11
18"	9	18
24"	20	39
30"	36	71
36"	59	115
42"	89	175
48"	125	250
54"	175	345
60"	230	455
66"	295	585
72"	375	735

f. Multiple pipe installation may be used provided the small pipes are equivalent in water carrying capacity to the larger pipe. The following table shows the number of smaller diameter pipes equal in water carrying capacity to the pipe of larger size.

Number of Smaller Pipes and Sizes

Larger Pipe Size	15"	18"	21"	24"	30"	36"	42"	48"	54"
15"	1								
18"	2	1							
21"	3	2	1						
24"	3	2	2	1					
30"	5	3	4	2	1				
36"	8	5	4	3	2	1			
42"	11	7	5	4	3	2	1		
48"	15	10	8	5	3	2	2	1	
54"	19	13	9	7	4	3	2	2	1
60"	25	16	11	8	5	4	3	2	2
66"	29	20	14	10	6	4	3	2	2
72"	37	25	17	12	8	5	4	3	3

g. If necessary to determine proper drainage facilities, the Planning Commission may require the developer to outline the entire drainage area of the proposed construction along with a map showing the various roads and parcels and indicating the general flow of the surface water either by contours or by means of arrows with the size, grade, and elevations of the pipes and elevations of the inlets as nearly as can be shown. Also, the area tributary to the various proposed inlets shall be outlined and the number of acres contained in each, indicated by figures adjacent to the inlet to which they are applicable. If it is deemed necessary by the Planning Commission the drainage diagram as set forth above shall include the drainage system below the proposed subdivision to a distance to be determined by the County Road Supervisor. The Planning Commission may require the developer to make any improvements needed to solve drainage problems caused by his development.

4. Roadway Improvements

Roadway improvements shall be constructed as set forth below:

a. Base. A mineral aggregate base, type A or B constructed in one or more layers, to a compacted depth of six (6) inches deep and three (3) feet wider than the width of the pavement shall be installed on all streets, including cul-de-sacs, temporary turn-arounds, and access streets to adjoining properties.

b. Roadway Surfacing: After construction of the base has been completed satisfactorily, it shall be maintained smooth and uniform until covered by the following stage of construction for the roadway surface:

1. A Double Bituminous Surface Treatment (Tar and Chip) shall be placed in accordance with the Tennessee Department of Transportation specifications, Section 404 with the following pavement schedule.

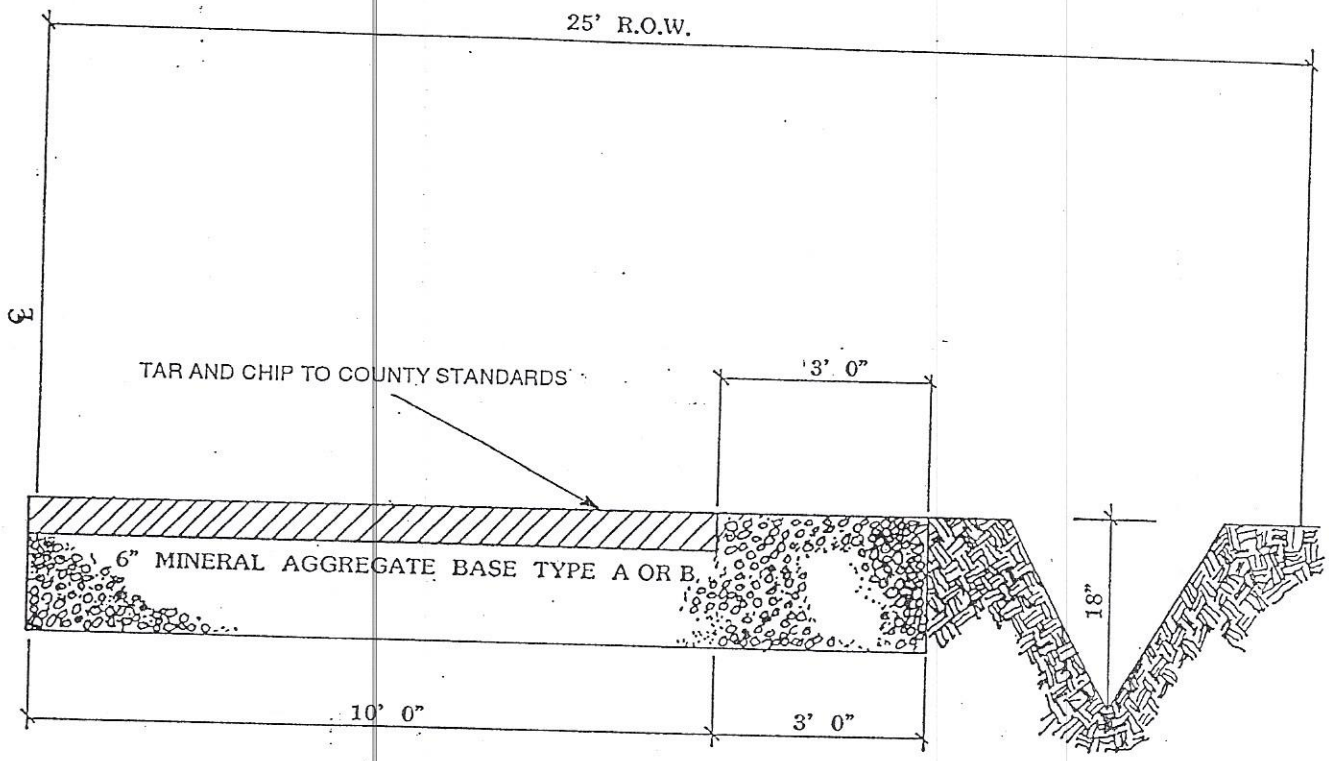
Prime:	Bit. Mtl. per sq. yd. 0.30 -0.35-gal.; cover Mtl. Psy. 8-12 lbs. size #7
Mat:	Bit. Mtl. per sq. yd. 0.30 -0.35 gal.; Agg. Psy 30-40 lbs. size #6
Seal:	Bit. Mtl. per sq. yd. 0.30 -0.35 gal.; Min Agg. psy 20-25 lbs. size #7

c. The Planning Commission may specify additional requirements for road improvements warranted by soil conditions or the type and amount of traffic.

d. Minimum Pavement Widths

i. Arterial Streets ..... (Not paved by developer)
ii. Collector Streets ..... 24 feet
iii. Minor Residential Streets ..... 20 feet Minimum
(most minor streets in residential developments or rural roads involving parking and/or considerable traffic)
iv. Marginal Access ..... 20 feet or more
(at the discretion of the Planning Commission)
v. Loop Streets ..... 20 feet or more
(at the discretion of the Planning Commission)
vi. Dead-end Streets (cul-de-sac) ..... 20 feet or more
(at the discretion of the Planning Commission)

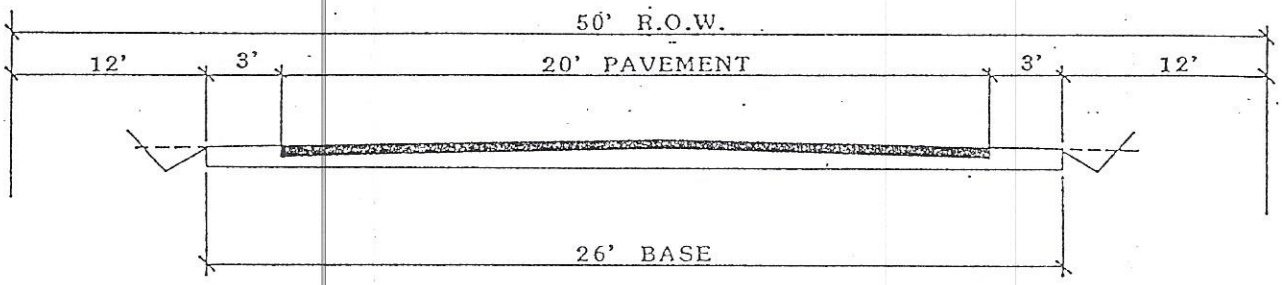
ROAD CROSS SECTION



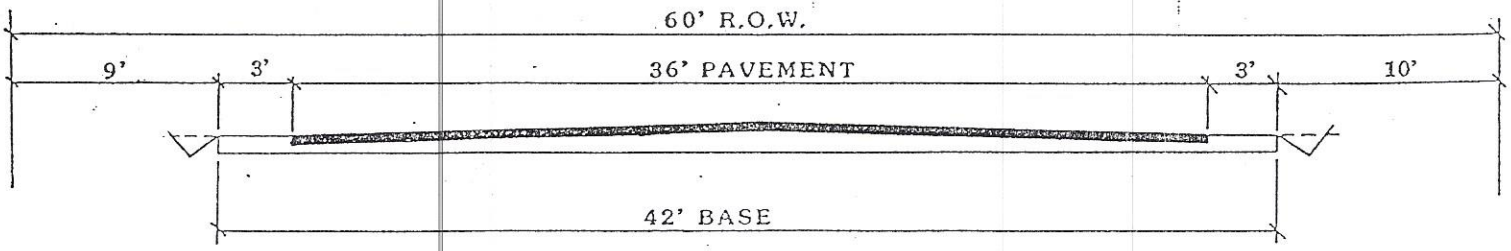
X 6

CROSS SECTION DIAGRAMS FOR ROADS

MINOR RESIDENTIAL ROADS



COLLECTOR ROADS



NOTE: CROSS SECTIONS FOR ARTERIAL STREETS ARE NOT SHOWN SINCE THEY VARY CONSIDERABLY

5. Water Supply System

a. When an existing public water supply is reasonably available to a proposed subdivision it shall be the developers option to tap into the existing water main. If the developer chooses to tap into the existing main the appropriate utility district shall determine the adequate size of waterlines for the subdivision and the installation of the water lines shall be done in accordance with the utility district's standards and policies.

6. Sanitary Sewerage Systems

a. When a proposed subdivision will be located in an area reasonably accessible to a public sewerage system, sanitary sewers mains no less than eight (8) inches in diameter and of a type approved by the Planning Commission shall be installed in such a manner as to serve all the lots with connection to the public system. All systems shall be designed to minimize or eliminate infiltration of flood water.

The developer shall be responsible for installing individual lot services to property line consisting of connection to main and service pipe with plug.

7. Street Name Signs

Appropriate street signs add sales value to land subdivisions and enables strangers, delivery trucks, emergency vehicles 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. Guarantees in Lieu of Completed Improvements

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

Changed EFFECITVE May 13, 2012

1. All required improvements have been constructed in a satisfactory manner and approved by the Henry County Regional Planning Commission, and the County Road Supervisor.

X 8

May 13, 02 meeting: FINAL APPROVAL

RESOLUTION

A RESOLUTION TO AMEND THE HENRY COUNTY SUBDIVISION REGULATIONS: FINAL PLAT REQUIREMENTS TO INCLUDE AMENDMENTS INVOLVING SURETY INSTRUMENTS REQUIREMENTS AND INCLUSION OF A LETTER OF CREDIT

WHEREAS, pursuant to Tennessee Code Annotated Section 13-4-303 subdivision regulations have been adopted for the designated Henry County Planning Region; and,

WHEREAS, the Henry County Regional Planning Commission has seen fit to amend the requirements for final plat approval to include a revision in the surety instruments requirements and inclusion of a Letter of Credit; and,

WHEREAS, pursuant to Tennessee Code Annotated a public hearing was held before this body on Monday March 11, 2002 pursuant to a notice published in the Paris Post-Intelligencer at least thirty (30) days in advance of the hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE HENRY COUNTY REGIONAL PLANNING COMMISSION:

SECTION 1. That the Henry County Subdivision Regulations, Article VIII, B. Guarantees in Lieu of Completed Improvements, be amended with the following text:

X

VIII

B. Guarantees in Lieu of Completed Improvements

1. Completion of Improvements

Before the Final Plat is signed by the Secretary of the Planning Commission as specified in Article III of these regulations, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the Superintendent of Highways, planning and code enforcement officer, appropriate governmental representative, or utility provider all public ways, water, and other improvements as required in these regulations and approved by the Planning Commission, and shall dedicate such improvements to Henry County or the appropriate public entity free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

2. Surety Instrument

The Planning Commission at its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the Final Plat by providing that, as an alternative, the applicant post a Surety Instrument, Performance Bond, or Escrow Account at the time of submission for

X9

Final Plat approval in an amount of which is at least 150% of the amount estimated by the Superintendent of Highways or other public/private utility representative as sufficient to guarantee to the Planning Commission and governing body the satisfactory construction, installation, and dedication of the incomplete portion of the required improvements.

Such Surety Instrument, Performance Bond, or Escrow Account shall comply with all statutory requirements and shall be satisfactory to legal counsel as to form, sufficiency, and manner of execution, as set forth in these regulations in the Letter of Credit in the Appendix. The period within which required improvements must be completed shall be specified by the Planning Commission when approval of the Final Plat is granted and shall be incorporated into the Surety Instrument, Performance Bond, or Escrow Account and shall not exceed one (1) year from date of final approval. In the event renewal is requested prior to or at the time of expiration of the Surety Instrument, Performance Bond, or Escrow Account the Planning Commission may renew said bond but shall do so based on the current estimated cost of improvements. The new completion date shall be noted on the bond, escrow account or instrument of credit.

Such Surety Instrument, Performance Bond, or Escrow Account shall be approved by the Planning Commission as to amount and conditions. The Planning Commission may, upon proof of difficulty, extend the completion date set forth in such Surety Instrument, Performance Bond, or Escrow Account for 2 six month increments for a maximum period not to exceed one (1) additional year. The Planning Commission may accept at any time during the period of such Surety Instrument, Performance Bond, or Escrow Account a substitution of principal.

3. Temporary Improvements

The applicant shall build and pay for all costs of temporary improvements required by the Planning Commission, and shall maintain them to a reasonable satisfaction for the period specified by the Planning Commission. Prior to construction of any temporary facility or improvement, the applicant shall file with the Planning Commission a separate suitable Surety Instrument, Performance Bond, or Escrow Account for temporary facilities, which shall ensure that the temporary facilities will be properly constructed, maintained, and removed.

4. Costs of Improvements

All required improvements shall be made by the applicant at his expense. Any provisions for reimbursement by the governing body or any utility agency shall be stipulated clearly in the provisions of any surety instruments/performance bonds/escrow accounts, and shall be supported by certified resolution or ordinance of such governing body or agency.

5. Highway Department and Public/Private Utility Providers

Governmental agencies or utility providers to which these surety instruments/ performance bonds/escrow accounts and contract provisions apply may file, in lieu of said contract or Surety Instrument, Performance Bond, or Escrow Account, a certified resolution or ordinance from officers or agencies authorized to act in their behalf agreeing to comply with the provisions of this Article.

6. Failure to Complete Improvements

In subdivisions for which no Surety Instrument, Performance Bond, or Escrow Account has been posted, if the improvements are not completed within the period specified by the Planning Commission in the resolution approving the plat, the approval shall be deemed to have expired. In those cases in which a Surety Instrument, Performance Bond, or Escrow Account has been posted and required improvements have not been installed within the terms of such Surety Instrument, Performance Bond, or Escrow Account, the Planning Commission thereupon may declare the Surety Instrument, Performance Bond, or Escrow Account to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the Surety Instrument, Performance Bond, or Escrow Account is declared to be in default.

7. Acceptance of Dedication Offers

Acceptance of formal offers of dedication of public ways, easements, and parks shall be by formal action of the governing body. Such action shall be in the form of a resolution recommended by the Planning Commission to the governing body. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply an acceptance by the local government of any

public way, easement, or other ground shown on the plat. The Planning Commission may require the plat to be endorsed with appropriate notes to this effect.

C. INSPECTION OF IMPROVEMENTS

1. General Procedure

The Planning Commission may provide for inspection of required improvements during construction and ensure their satisfactory completion. If the appropriate governmental representative finds upon inspection that any of the required improvements has not been constructed in accordance with the governing body's construction standards and specifications, the applicant shall be responsible for completing the improvements to the required standards. Whenever the cost of improvements is covered by a Surety Instrument, Performance Bond, or Escrow Account, the applicant and the underwriting person or institution shall be liable severally and jointly for completing said improvements according to specifications.

2. Release or Reduction of Surety Instrument, Performance Bond, or Escrow Account

a. Certificate of Satisfactory Completion

The Planning Commission shall not recommend acceptance of required public improvements nor shall the Planning Commission release nor reduce a Surety Instrument, Performance Bond, or Escrow Account until the appropriate governmental or utility representative submits a certificate stating that all required improvements have been satisfactorily completed, and until the applicant's engineer or surveyor has certified to the Planning Commission and the appropriate governmental representative (through submission of a detailed "as built" survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the Planning Commission) that the layout and the line and grade of all public improvements are in accordance with the approved construction plans for the subdivision. Upon such approval and recommendation, the governing body, thereafter, may accept the dedicated

improvements in accordance with the procedures set forth in other sections of these regulations.

b. Reduction of Surety Instrument, Performance Bond, or Escrow Account

A Surety Instrument, Performance Bond, or Escrow Account may be reduced upon actual dedication and acceptance of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall a Surety Instrument, Performance Bond, or Escrow Account be reduced below 75% of the principal amount prior to final acceptance of all items covered under the Surety Instrument, Performance Bond, or Escrow Account.

D. MAINTENANCE OF IMPROVEMENTS

The applicant shall be required to maintain all improvements including all lot improvements, until acceptance of the public improvements by the governmental body.

The applicant may be required to file a maintenance Surety Instrument, Performance Bond, or Escrow Account with the Planning Commission prior to dedication, in an amount considered adequate by the Superintendent of Highways or appropriate governmental representative and in a form satisfactory to legal counsel in order to assure the satisfactory condition of the required improvements for a period of one (1) year after the date of acceptance of the public improvements by the County Commission.

SECTION 2. That the Henry County Subdivision Regulations, Appendix, "Sample- Letter or Credit" be deleted and replaced by the attached exhibit, "Letter of Credit".

SECTION 3. BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its passage, THE PUBLIC WELFARE REQUIRING IT.

Chairman, Henry County Regional Planning Commission	Secretary, Henry County Regional Planning Commission
Date	Date

ARTICLE ~~IX~~ XI ENFORCEMENT AND PENALTIES FOR VIOLATIONS

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land are 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 area of planning jurisdiction 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 of the Planning Commission as provided in Section 13-3-402 Tennessee Code Annotated.

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

B. Penalties

1. No county register shall receive, file or record a plat of a subdivision within the planning region without the approval of the Planning Commission as required in Section 13-3-402, 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. Section 13-3-410, Tennessee Code Annotated provides that whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required before such plat be recorded in the office of the appropriate county registrar shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The county, through its county attorney or other official designated by the county commission, may enjoin such transfer or sale or agreement by action of 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 County Attorney or other official designated by the county commission 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 ~~X~~ XII LEGAL STATUS PROVISIONS

A. Separability

Should any section or provision of these regulations be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the regulations as whole or part thereof which is not specifically declared to be invalid or unconstitutional.

Conflict with other Regulations

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in other local, county, state, or federal regulations, codes or other official applicable regulations, the highest or more restrictive standards shall apply.

Adoption and Effective Date

These regulations shall take effect and be in force from and after their adoption and effective date, the public welfare demanding it.

Adopted by the Henry County Regional Planning Commission on the _____ day of _____.

_____
Secretary, Henry County Regional
Planning Commission

_____
Chairman, Henry County
Regional Planning Commission