

ARTICLE I

GENERAL

SECTION 100. PURPOSE

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

SECTION 101. AUTHORITY

The provisions set for in these regulations have been prepared in accordance with the authority in Title 17, Chapter 1 of the Mississippi Code of 1972.

SECTION 102. TITLE

These regulations shall be known, referred to, and cited as the Subdivision Regulations of Pearl River County, Mississippi, of 1998.

SECTION 103. SCOPE

The jurisdiction of these subdivision regulations apply to all subdivisions of land, as defined in these regulations located within the unincorporated area within Pearl River County, Mississippi. However, the provisions of these regulations shall not be applicable to plats of subdivisions recorded as required by law and approved by the Pearl River County Board of Supervisors prior to the effective date of these regulations.

SECTION 104. COMPLIANCE

104.01. Purpose The density, use and size of land to be subdivided, will establish the required documentation and required improvements for the subdivider.

104.02. Approval No land may be subdivided and sold within Pearl River County until a final plat is recorded in the Office of the Chancery Clerk in accordance with these regulations. These regulations are not intended to impede or add undue costs to the subdivider. Each subdivider's application and communication shall be expedited in a timely manner with all modifications and exceptions made in the next communication in order not to impose undue hardship on the subdivider.

104.03. Construction No construction will be allowed for a subdivision until the requirements of these regulations are complied with, subdivision construction plans approved, and a "Notice to Proceed" letter is issued by the Department of Planning and Development. Construction is to include, but not be limited to, the following structures: roads, bridges, sewer and water lines, etc.

104.04. Recordation of Sale of Lots The Board of Supervisors will withhold improvements of any nature whatsoever, including acceptance and maintenance of streets, until a final plat of the subdivision has been approved and fully recorded in the Chancery Clerk's office. No lots may be sold nor any plat recorded until it has been approved as required in these regulations.

SECTION 105. EXEMPTIONS

105.01. Recordation Provided that no public streets are not to be constructed and the drainage is not significantly altered, the following subdivision of lands are exempt from the requirements of these regulations but said subdivision surveys must be recorded in the Chancery Clerk's Office.

105.01-01. The partitioning of an estate among legal heirs or the sale or exchange of property among immediate family members.

105.01-02. The sale of a portion of a larger tract of land resulting in two (2) or more lots, tracts, sites or parcels from the original tract of land provided the smaller of such lot, tract, site or parcel shall contain not less than one acre and when such division does not involve the construction of any new public roads or streets or easements of access.

SECTION 106. PREPARED BY PROFESSIONAL ENGINEERS/SURVEYORS

Every plat must be prepared by a State of Mississippi registered professional engineer and land surveyor who must endorse upon each plat their seal on the face of the plat in accordance with Section 73-13-73 of Mississippi Code of 1972 as amended.

(B93 p107-109, 4/5/99)

ARTICLE II

DEFINITIONS

SECTION 200. RULES FOR WORDS AND PHRASES

Except where specifically defined in Section 201 all words used in these regulations will carry their customary meaning. Words used in the present tense include the future, and the plural includes the singular.

SECTION 201. DEFINITIONS

ALLEY A minor right-of-way, dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

BLOCK A parcel of land, intended to be used for development purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or green strips, rural land or drainage channels or a combination thereof.

BOARD Board of Supervisors of Pearl River County, Mississippi.

BOND Any form of security including a cash deposit, surety bond, irrevocable letter of credit, certified check, or property in an amount and form satisfactory to the Board. All bonds must be approved by the Board wherever a bond is required by these regulations.

BUILDING LINE A line or lines designating the area outside of which buildings may not be constructed, erected, altered or placed.

COUNTY ENGINEER Person or firm recognized by Pearl River County as responsible for approving construction design of public works such as streets, roads, bridges, etc., in the County.

COUNTY PLANNER The official employed by Pearl River County as the Director of the Department of Planning and Development to assist all concerned with the implementation of the regulations.

DEPARTMENT OF PLANNING AND DEVELOPMENT The Pearl River County Department of Planning and Development.

DEVELOPER (See Subdivider)

DEVELOPMENT The land to be subdivided and platted along with the improvements made thereon.

DRIVEWAY A private servitude for gaining access to any individual residences or property that will utilize said access exclusively for a residence or use (i.e. apartments, condominiums, shopping centers). Multiple use (more than two) of a driveway shall warrant and constitute the definition of a "street", and therefore subject to the same specifications, construction standards, surety obligations and subdivision regulations (if applicable) that are required for streets within these regulations.

EASEMENT A grant by the property owner to the public, a corporation or persons of the use of a strip of land by another for specific purposes.

ENGINEER A qualified Professional Engineer registered in the State of Mississippi.

FINAL ACCEPTANCE Board Order accepting the maintenance the maintenance of roads and streets and other public improvements.

FRONTAGE The distance for which property abuts on a street, road, highway, or other public way measured along the dividing line between the public way and private property.

INFRASTRUCTURE Improvements to a subdivision include, but not be limited to, roads, water lines, sewer lines, utilities, etc.

LAND SURVEYOR A registered land surveyor registered in the State of Mississippi.

LIMITED ACCESS HIGHWAY A street to which access is prohibited at specific points.

LOT A plot, parcel or tract of land with fixed boundaries, intended as a unit for the transfer of ownership for building development or both.

LOT CORNER A lot abutting on two or more streets at their intersection, where the interior angle of the intersection does not exceed one hundred and thirty-five (135) degrees.

LOT DEPTH The distance between front and rear lot lines. If these lines are not parallel the mean dimension shall be deemed to be the lot depth.

LOT DOUBLE FRONTAGE A lot which runs through a block from street to street and which has frontage on each street.

LOT INTERIOR A lot which is not a corner lot.

LOT LINE FRONTAGE The line separating the lot from the street or easement of principal access.

LOT LINE REAR The boundary opposite and generally parallel to the front line. The rear lot line of a triangular or irregularly shaped lot shall be for the purpose of these regulations is a line not less than ten (10) feet long, lying wholly within the lot, more or less parallel to and the greatest distance from the front line.

LOT LINE SIDE Any lot boundary line not on a front lot line or a rear lot line.

LOT REVERSE FRONTAGE A lot fronting on two (2) parallel streets, one on a local street and the other of higher clarification with access only to the local street.

LOT WIDTH The width of a lot at the building setback line measured parallel to the street right-of-way line.

LOT OF RECORD A parcel of land the dimensions of which are shown on a map on file with the Chancery Clerk.

MANUFACTURED HOUSING See Mobile Homes.

MOBILE HOMES A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or thirty-two (32) body feet or more in length, or, when erected on site, is two hundred fifty-six (256) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. This includes structures commonly referred to as "manufactured houses" and "trailers."

MOBILE HOME PARK A parcel (or contiguous parcels) of land which has been designated and improved so that it contains two (2) or more mobile or modular home spaces per acre available to the general public for lease or rent.

MOBILE HOME SPACE A designated parcel of land in a mobile home park designed for the accommodation of one mobile home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

MOBILE HOME STAND The Area of a mobile home space which has been reserved for the placement of a mobile home.

PLAT FINAL A map of a land subdivision prepared in a form suitable for filing of record with the necessary affidavits, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, alleys, public areas, and other dimensions of land.

PLAT PRELIMINARY A map of proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

RESUBDIVISION The redivision of any part or all of any block or blocks of a previously platted subdivision, addition, lot, or tract.

RIGHT-OF-WAY A grant by the property owner, usually in the form of a dedication to the public, of a strip of land to be used primarily for transportation passage over the land.

SETBACK FRONT The area between the street or easement and the building line.

SETBACK SIDE The area between a side lot line and the building line.

SETBACK REAR The area between a rear lot line and the building line.

SIDEWALK The portion of a street or cross-walkway, paved or otherwise surfaced, intended for pedestrian use only.

STREET A way for vehicular traffic, whether designed as a highway, thoroughfare, parkway, throughway, road, street, avenue, boulevard, lane, place or however otherwise designated.

STREET, ARTERIAL AND HIGHWAY A street or roadway which is used principally for fast or heavy traffic movement and that forms a part of the primary street and highway system serving Pearl River County.

STREET COLLECTOR A street which carries traffic from local streets to the major streets in residential and business area and includes the principal entrance streets of a residential development and streets for circulation within such a development.

STREET CUL-DE-SAC A local street with a turn-around and permanently closed to through traffic, used primarily for access to the abutting properties.

STREET, FRONTAGE OR SERVICE A minor street, auxiliary to and located along the side of a major street, for service to abutting properties and adjacent areas for control of access and protection from through light.

STREET LOCAL A street which is used primarily for access to the abutting properties.

STREET MAJOR A street which provides easy access to the various traffic generators within the County and to the arterial highway system.

STREET RIGHT-OF-WAY That area dedicated to public use for streets, walks, drainage, and utility servitudes, etc., between front property lines.

SUBDIVIDER Any person or persons, firm, partnership, corporation or other organization acting as an entity, subdividing or proposing to subdivide land into smaller lots or parcels to be subsequently used as a commercial, industrial, or residential sites.

SUBDIVISION Any division, for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions, of any tract or parcel of land into two (2) or more lots or parcels.

SUBDIVISION RESTRICTIONS Restrictive covenants to be legally recorded which the subdivider places upon the use of the lots by future owners for the well-being of all owners, to protect values and to prevent abuses and nuisances that would disturb other occupants in the subdivision.

TRAILERS See Mobile Homes.

UTILITY A commodity or service which is of public consequence and need such as electricity, gas, sewer, water, transportation, television cables, telephone or telegraph service.

VARIANCE A modification from the provisions of this regulations by the Board of Supervisors of Pearl River County in cases when enforcement of its provisions would result in unnecessary hardship.

ARTICLE III

PROCEDURE

SECTION 300. APPLICATION CONFERENCE

300.01. Planning Conference The subdivider or his agent is required to hold a pre-application conference with the County Department of Planning and Development. The purposes of this conference are:

300.01-01. To ensure that the development is being planned and constructed in compliance with the Pearl River County Subdivision Regulations, and;

300.01-02. To allow the developer an opportunity to receive the advice and assistance of the County Department of Planning and Development and the County Engineer before the preparation of the preliminary plat for its formal presentation to the Board of Supervisors.

300.02. Sketch Plan The subdivider must submit a sketch plan and data showing existing conditions within the site and its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for pre-application review and no formal application shall be required.

300.03. Engineering Conference The subdivider should also review the sketch and location map of the proposed subdivision with the County Engineer. This should be done in order to obtain preliminary information regarding the availability and adequacy of sewer and water facilities and other improvements for the proposed subdivision.

SECTION 301. PRELIMINARY PLAT REVIEW

301.01. Submission Requirements Following the pre-application review of the proposed subdivision, the subdivider shall submit to the Department of Planning and Development the following as a prerequisite for preliminary approval:

301.01-01. Four (4) copies of the preliminary plat prepared in accordance with requirements of Section 303 and 8 copies (11 x 17) reduced size of the proposed subdivision. Copies will be distributed by the Department of Planning and Development as follows (1) Department of Planning and Development, (2) Board of Supervisors (3) County Engineer, and (4) E911 Addressing Office.

301.01-02. Subdivision application as prescribed by the Department of Planning and Development.

301.01-03. Support documentation as required in Section 302.

301.01-04. Fee as required in Section 302.

301.02. Time Line The subdivider (or agent) in conjunction with the County Engineer and Department of Planning and Development will establish a time line for the project implementation.

301.03. Review by the Department of Planning and Development The County Department of Planning and Development will receive the application preliminary plat, all documentation and appropriate fees for the proposed subdivision. Upon submission of all documentation to the Department of Planning and Development the proposed subdivision request will be forwarded to all parties for simultaneous review. The Department will review the documentation to determine if all of the requirements set forth in these regulations have been met. Within thirty-five (35) days of receiving the preliminary plat the Department of Planning and Development will present the preliminary plat with their written recommendations and the recommendations of the County Engineer and other agencies to the Board of Supervisors.

301.04. Review by County Engineer The preliminary plat and accompanying documentation will be forwarded to the County Engineer for review and comments. The County Engineer will provide within thirty (30) days a written report to the Department of Planning and Development of their findings.

301.05. Review by Road Manager The preliminary plat and accompanying documentation will be forwarded to the Road Manager for review and comments. The Road Manager will provide within thirty (3) days a written report to the Department of Planning and Development of their findings.

301.06. Notice to Public

301.06-01. The Department of Planning and Development will publish a public notice in the official newspaper of the County at least ten (10) days prior to the hearing to inform the public that an application has been filed with the County requesting approval of a preliminary plat for a subdivision providing the date and time the matter will be considered before the Board of Supervisors. The notice will also contain the legal description of the property, the applicant's name and address and that the application is available for review at the Department of Planning and Development.

301.07. Review by Board of Supervisors When the application for preliminary plat has been reviewed by the appropriate agencies and persons the Board of Supervisors will review the Department's recommendations and hear comments from the public. After due consideration the Board of Supervisors will adopt an Order either approving, approving with conditions, or denying the preliminary plat for non-compliance with these regulations. The President of the Board of Supervisors will sign the approved preliminary indicating that all the requirements for approval have been fulfilled and it was approved by the Board of Supervisors. The Department of Planning and Development will provide written notice to the subdivider informing them of the decision of the Board with a copy of the preliminary plat and Board Order.

SECTION 302. PRELIMINARY PLAT DOCUMENTAION

301.01. Vicinity Map A map at a scale of one (1) inch equals one thousand (1000') feet (1"=1000') or larger showing:

301.01-01. All existing subdivisions and the street and tract lines or acreage parcels of land, immediately adjoining the proposed subdivisions and between it;

301.01-02. The nearest existing highways or thoroughfares, streets, and alleys in neighboring subdivisions or unplatted property;

301.01-03. Section, township, and range.

301.01-04. Any corporation or ad hoc district lines, such as School, Sewer, Fire or Water districts.

302.02. Non-Residential Sites Purpose for which sites, other than residential lots, are proposed to be dedicated or reserved.

302.03. Floodplain Designation Federal Emergency Management Agency (FEMA) FIRM MAP or maps indicating location of proposed subdivision.

302.04. Recorded Deed Copy of the recorded deed to the land to be acted upon.

302.05. Adjoining Property Owners Names and addresses of adjoining property owners as they appear on the most current Tax Assessor's Records (8 ½ x 11 sheets).

302.06. E-911 Address Systems Approval of subdivision name and street names.

302.07. Proposed Method of Water Supply

- 302.07-01.** If water association, documentation from association verifying their willingness to supply water.
- 302.07-02.** If individual wells, clearance from the Health Department.
- 302.07-03.** Proposed number of fire hydrants.
- 302.08.** Proposed Method of Wastewater Treatment
- 302.08-01.** Documentation from agency verifying their willingness to provide sewer service.
- 302.08-02.** If septic system, clearance from Mississippi State Board of Health.
- 302.09.** Subdivision Entrance
- 302.09-01.** Minimum Stopping Sight Distance sketches for subdivision entrances.
- 302.09-02.** Approval of Mississippi State Highway Department if entrance or entrances connect to said highway.
- 302.10.** Proposed Road Maintenance
- 302.10-01.** If public, a letter stating the intention of roads to be dedicated for County maintenance.
- 302.10-02.** If private, a long term maintenance plan, i.e. homeowner's association, no public funds will be expended.
- 302.11.** Site Flow Pattern Documents indicating the ultimate disposal of surface/subsurface drainage (U.S.G.S. Quadrangle Map).
- 302.12.** Dam Construction/Condition
- 302.12-01.** If planning the construct, proof on construction plans have been reviewed by the Department of Environmental Quality (DEQ) and Mississippi Emergency Management Agency (MEMA) and their response.
- 302.12-02.** If existing, proof that Department of Environmental Quality (DEQ) and Mississippi Emergency Management Agency (MEMA) has inspected and provide copy of their report.
- 302.13.** Proposed Deed Restrictions A draft copy of the proposed deed restrictions or protective covenants which directly affect the land being subdivided.

SECTION 303. PRELIMINARY PLAT

- 303.01.** Required Scale and Sheet Size

- 303.01-01.** The scale of the preliminary plat should be at a minimum of scale of one (1) inch equals one hundred (100') feet (1"=100') or one (1") inch equals two (200') hundred feet.
- 303.01-02.** The size of the sheet shall be eighteen (18) by twenty-four (24) or twenty-four (24) by thirty-six (36) inches. If multiple sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet. The index sheet shall contain a north arrow, scale, and date.
- 303.02.** Contour Intervals The preliminary plat shall show ground elevations, based on mean sea level.
- 303.02-01.** For land slopes less than approximately two (2) percent, show contours with an interval of two (2) feet and spot elevations along all drainage canals, swales and at selected points where changes in elevation are not readily discernible from the contours.
- 303.02-02.** For land that slopes more than approximately two (2) percent, show contours with an interval of five (5) feet.
- 303.02-03.** A tie to one (1) or more bench marks shall be shown.
- 303.03.** Existing Conditions The Preliminary Plat shall show the following:
- 303.03-01.** Title under which the proposed subdivision is to be recorded, with name and address of owner, notation stating acreage, graphic scale, north arrow (true north), datum, benchmarks, date of survey.
- 303.03-02.** A metes and bounds description of the subdivision boundary.
- 303.03-03.** Location and description of boundary monuments.
- 303.03-04.** Primary control points, or descriptions and "ties" to such control points to which all dimensions, angles, bearings, and similar data should be shown on the plat. Section lines and half section lines with the ties to lot corners must also be shown.
- 303.03-05.** Easements: location, width and purpose.
- 303.03-06.** Wetland demarcation lines (as determined by the Army Corp of Engineers).
- 303.03-07.** Federal Emergency Management Agency (FEMA) Floodplain Designation and demarcation lines (indicate FIRM Map and Panel Number).
- 303.03-08.** Existing streets leading to proposed subdivision.
- 303.03-09.** Existing structures (delineate on plat).
- 303.03-10.** Location of any landfill or dumpsite on the property.
- 303.03-11.** Utilities: location, size and invert elevation of any sanitary, storm and/or combined sewers, location and size of water mains and location of any fire hydrants, location of gas lines, electric poles and street lights (if water supply mains and outfall sewers are not on or adjacent to the tract, indicate the direction and distance to the size of nearest ones and show invert elevation of sewers);
- 303.03-12.** Other existing conditions on or adjacent to the tract such as natural water courses, marsh, wetlands, wooded areas, general soil conditions, and other significant manmade and/or natural features.

303.04. Proposed Improvements and Condition Sufficient data must be shown, including accurate dimensions, bearings, deflection angles of all curves to determine readily and reproduce on the ground any line on the map. The preliminary plat shall show the following:

303.04-01. Streets: Name, right of way and roadway width, approximate grades and gradients and type of surfacing, similar data for alleys, if any, indicate total length of streets and maximum block length.

303.04-02. Lot and block numbers and lot lines with dimensions:

303.04-03. Location, dimension, and purpose of any easements.

303.04-04. Sites, if any, to be reserved or dedicated for parks, playgrounds, lakes, ponds and other public uses.

303.04-05. Sites, if any, for apartment buildings, commercial development or other nonpublic uses, exclusive of single-family dwellings.

303.04-06. Minimum building set-back lines. Delineate with dashed lines site data, including number of residential and other lots and lot sizes;

303.04-07. Engineer's and land surveyors seal and the date. (B93 p107-109, 4/5/99)

303.05. Certificate Format The following form must be printed on the preliminary plat as follows:

Pursuant to the Subdivision Regulations of Pearl River County, Mississippi, of 1998 all the requirements for approval of a preliminary plat have been fulfilled, this preliminary plat was approved by the Board of Supervisors, Page _____, this the ___ day of _____, _____.
(Month) (Year)

This approval does not constitute approval of a final plat but does constitute authority to begin construction of improvements in the subdivision once Construction Plans are approved.

Signed: _____

President, Board of Supervisors
Pearl River County, Mississippi

SECTION 304. CONSTRUCTION PLANS

304.01. Required Information on Construction Plans

304.04-01. The construction plans must be prepared on sheets twenty-four (24) by thirty-six (36) inches and shall consist of combination plan and profile for each street and a typical cross-section of the proposed grading, drainage, base course and pavement. Detailed plans shall be submitted for the water and sanitary sewer systems and for culverts, drainage structures and bridges, or if applicable, standard plans issued by the Mississippi State Highway Department may be included for reference. The plan and profile sheets (streets and sanitary sewers) shall be drawn to the scale of 1" = 100' horizontal and 1" = 10' vertical and shall be based on U.S. Government Datum (Mean Sea Level).

304.04-02. The construction plans shall first be approved by the appropriate state authorities and the County Engineer as required by these Regulations and have certificates of approval from said agencies and offices attached thereto. Also, there shall be attached a certification by the engineer of the subdivider stating that such plans have incorporated all changes, if any, recommended by the respective State and local agencies.

304.04-03. An erosion and sediment control plan shall be provided as specified in Article V.

304.05. Approval Process The construction plans will be reviewed by the Department of Planning and Development and County Engineer for compliance with these regulations. The subdivider will be notified of any changes or revisions required for compliance. Upon receipt of and approval of changes the plans will be stamped, approved, dated and signed by the County Engineer and Director of Planning and Development. Two (2) sets of approved plans will be returned to the subdivider with a letter from the Department of Planning and Development providing a “Notice to Proceed” to the subdivider to begin construction of the subdivision improvements. Any changes required to the “approved” construction plans and specifications require prior written approval from the County Engineer.

304.06. Construction Inspection Inspection of construction improvements shall be provided by the professional engineer employed by the subdivider. The County Engineer shall be notified a minimum of three (3) days prior to starting any construction activity. During the construction phase of the project the consulting engineer shall provide monthly progress reports to the County Engineer and Department of Planning and Development. In addition, the subdivider shall employ an independent testing laboratory to test the streets and/or wearing surfaces composition, compaction, sub-base, suitability and the surfacing thereof for the purpose of determining compliance with approved specifications. The independent laboratory selected by the subdivider must be approved for use by the County Engineer and the costs incurred for providing the necessary laboratory testing shall be the responsibility of the subdivider.

304.07. Final Construction Plans Upon completion of construction of any utilities or improvements, two sets of “As Built” final plans, dated, signed and certified by the engineer in charge must be filed with the Department of Planning and Development. These plans must show all features as actually installed, including materials, size location, depth or elevation, numbers ends of lines, connections, valves, storm sewer drains, inlets, and all other pertinent information. There will be no connections made to utilities serving the subdivision until the foregoing has been complied with.

304.08. Completion of the work The Engineer of the subdivider shall furnish the County Engineer and Department of Planning and Development with certification stating that all work has been completed in conformity with the approved construction plans and specifications. The County Engineer will make a final field inspection of the completed work to verify that the required improvements have been properly constructed in conformity with the approved construction plans and specifications, however, such field inspections by the engineer for the subdivider shall not relieve the subdivider of responsibility for any subsequent failure of the constructed improvements in whole or in part.

SECTION 305. FINAL PLAT REVIEW

305.01. Conformity to Preliminary Plat The final plat must conform substantially to the preliminary plat as approved by the Board of Supervisors, and may include all or any reasonably acceptable part of the preliminary plat. Completion of infrastructure improvements, or the bond required in lieu of completion, need only cover that portion of the plat for which final approval by the Board of Supervisors is requested.

305.02. Submission Requirements The subdivider shall submit to the Department of Planning and Development the following as a prerequisite for final approval:

305.02-01. Two (2) reproducible mylars and eight (8) copies (11 x 17) reduced size of the final plat prepared in accordance with requirements of Section 307.

305.02-02. Subdivision application as prescribed by the Department of Planning and Development.

305.02-03. Support documentation as required in Section 306.

305.02-04. Fee as required in Section 602.

- 305.03.** Review by the Department of Planning and Development The Department of Planning and Development will receive all documentation on the subdivision and review the documentation, including the plats, to determine if all of the requirements set forth in these regulations have been met. Upon submission of all documentation to the Department of Planning and Development the final plat request will be forwarded to all parties for simultaneous review. Within thirty-five (35) days of receiving the final plat, the Department will present the final plat with their recommendations to the Board of Supervisors.
- 305.04.** Review by the County Engineer The final plat will also be forwarded to the County Engineer, whose duty it will be to examine the final plat to be certain that it conforms to existing streets, drainage, and utility systems. The County Engineer will also determine that all conditions set forth in the construction plans have been satisfied. The County Engineer will give the Department of Planning and Development a report of their findings for presentation to the Board of Supervisors.
- 305.05.** Conditions for Approval by the Board The final plat will not be approved by the Board of Supervisors until:
- 305.05-01.** The subdivider has actually completed construction of all improvements as required in Article V and as approved on the preliminary plat, and construction plans and provided a security warranty obligation for the improvements in an amount of 10% of the cost of construction. This estimated cost is to be determined by the subdivider's engineer and verified by the County Engineer before the final plat is submitted to the Board of Supervisors for their approval.
- 305.05-02.** The subdivider has given the Board of Supervisors a security for performance obligation having a valid date exceeding the expected construction completion date, in an amount equal to the total estimated cost of installation of the required improvements. This estimated cost is to be determined by the developer's engineer and verified by the County Engineer before the final plat is submitted to the Board of Supervisors for their approval.
- 305.06.** Approval by the Board of Supervisors When the conditions set forth in these regulations have been met, the Board of Supervisors will adopt an Order at the next regularly scheduled meeting approving or approving with conditions the final plat. The subdivision's roads and streets will not be formally accepted until they are actually completed, or the conditions in 305.05-01 have been met. Upon approval of the final plat by the Board of Supervisors, an endorsement will be made upon it by the President of the Board and attested by the Chancery Clerk, indicating approval together with the date of the Order of the Board.
- 305.07.** Recording the Final Plat
- 305.07-01.** Upon approval of the final plat, the subdivider must submit mylar and blue line prints of the approved plat, with any corrections and/or changes required by the Board of Supervisors designated thereon, to the Department of Planning and Development. The Department of Planning and Development shall collect the recording fees from the subdivider upon submission of the corrected mylar and other supporting documents for recordation.
- 305.07-02.** The Department of Planning and Development shall obtain the signatures of the County Engineer, Director of Planning and Development, and the President of the Board of Supervisors on the mylars and blue line prints.
- 305.07-03.** The Department of Planning and Development shall have the plat along with the accompanying required documentation recorded in the Chancery Clerk of Pearl River County, Mississippi within ten (10) days of the date on which the fees described in Section 305.07-01 has been collected.
- 305.07-04.** Following the recording of the final plat the Department of Planning and Development shall distribute blue line prints of the recorded plat, which shall show all signatures and the file number of the Chancery Clerk Office, as follows:

One (1) reproducible mylar and one (1) print shall be provided to the Chancery Clerks Office.

Two (2) prints shall be provided to the Pearl River County Tax Collector's Office.
One (1) print shall be provided to the County Engineer.
One (1) print shall be provided to the Postmaster of the area in which the subdivision is located.
One (1) print shall be provided to the Volunteer Fire Department of the area in which the subdivision is located.
One (1) print shall be provided to the School District in which the subdivision is located.
One (1) reproducible mylar and One (1) print shall be retained by the Department of Planning and Development
Two (2) prints shall be mailed to the subdivider by U.S. Certified Mail, return receipt mail requested and the signed receipt showing that delivery of the prints was accomplished shall be made part of the permanent record of the subdivision.
One (1) print shall be provided to E-911 Address Office.
One (1) print shall be provided to the Road Manager.

305.07-05. Failure by the subdivider to pay the fee described in Section 305.07-01 within thirty (30) days after approval of the final plat, the subdivider having been duly notified of the approval, shall render the final plat null and void and the subdivider shall be so notified by the Department of Planning and Development by U.S. Certified Mail, return receipt requested. This action shall be so noted on the permanent record of the subdivision request.

SECTION 306. FINAL PLAT DOCUMENTATION

306.01. Water Supply If water association is providing service, documentation from association verifying ability to supply water.

306.02. Wastewater Treatment

306.02-01. If individual treatment (septic tanks), approval from the State Health Department.

306.02-02. If an existing sewer system is providing service, documentation from system verifying their ability to allow connection to their system.

306.02-03. If construction of new treatment system, documentation from Department of Environmental Quality (DEQ) that the subdivider has secured the permit and constructed the facility in accordance with that permit.

306.03. Title. Title Opinion of Property

306.04. Dam Construction Documentation that Department of Environmental Quality (DEQ), Mississippi Emergency Management has inspected and approved construction of dam.

306.05. Proposed Deed Restrictions A copy of the proposed deed restrictions or protective covenants ready for filing which directly affect the land being subdivided on final plat.

306.06. Final Construction Plans Two sets of "As Built" construction drawings as required by Section 304.07.

306.07. Street Right-of-Ways Metes and bounds description of streets to be dedicated on final plat.

306.08. Warranty Obligation Warranty obligation documentation ready for acceptance by Board of Supervisors as required by Section 308.04.

SECTION 307. FINAL PLAT

307.01. Required Scale and Sheet Size

307.01-01. The scale of the final plat should be one (1") inch equals one hundred (100') feet (1"=100') or one (1") inch equals two hundred (200') feet (1"=200').

307.01-02. The size of the sheet shall be eighteen (18") by twenty-four (24") or twenty-four (24") by thirty-six (36") inches. If multiple sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet. The index sheet shall contain a north arrow, scale, and date.

307.02. Required Information The final plat should consist of and show the following:

307.02-01. Location and description of boundary monuments.

307.02-02. Title (name of subdivision), graphic scale, north arrow (true north), and date of survey, and engineer's or surveyor's seal.

307.02-03. A metes and bounds description of the subdivision boundary.

307.02-04. Primary control points, approved by the County Engineer, or descriptions and "ties" to such control points to which all dimensions, angles, bearings, and similar data on the plat may be referred. Section lines and half section lines with ties to lot corners must also be shown.

307.02-05. Tract boundary lines, right-of-way lines of streets and easements, and property lines of residential lots and other sites. Sufficient data must be shown, including accurate dimensions, bearings, deflection angles of all curves to determine readily and reproduce on the ground any line on the map.

307.02-06. Section and half-section lines tied to lot corners.

307.02-07. Name and width of each street or other right-of way.

307.02-08. Number to identify each lot or parcel

307.02-09. Purpose for which sites, other than residential lots, are dedicated or reserved.

307.02-10. Location, dimensions, and purpose of any easement.

307.02-11. Total acres in subdivision.

307.02-12. Total number of lots.

307.02-13. Name and address of subdivider.

307.02-14. Minimum building setback lines on all lots and other sites.

307.02-15. Flood zone and wetland demarcation lines or shading.

307.02-16. Natural water courses, drainage easements.

307.02-17. Names of record owners of adjoining unplatted land.

307.02-18. Reference to recorded subdivision plats of adjoining platted land by record name, book and page number.

307.02-19. Benchmarks (N.G.V.D.)

307.02-20. Vicinity map insert showing final plat in relation to area.

307.03. Certificate Format The following certificate form must be printed on the final plat as follows:

307.03-01

Owners Certificate

State of Mississippi (or applicable)
County of Pearl River (or applicable)

This is to certify that I (we), the undersigned owner(s) of the property shown hereon, hereby adopt this plat as my (our) plan for subdivision and dedicate the streets rights-of-way, utilities, easements and other improvements as shown to public or private use as noted and further state all State and/or County taxes or other assessments now due on this land have been paid.

This the ____ day of _____, _____.
(Month) (Year)

Signed:
(Owners Signature) _____
(Name Printed)

Sworn to and subscribed before me this the ____ day of _____,
_____. (month)
(year)

Notary Public _____
My commission expires: _____ (SEAL)

307.03-02

Engineer's/Surveyor's Certificate

State of Mississippi
County of Pearl River

This is to certify that I have surveyed the land shown on this plat fully described above and have subdivided the same with lots and that the plat hereon is a correct representation of the said survey and subdivision. This is to certify that I have fully complied with the requirements of the rules and regulations of the subdivision laws of Pearl River County and the State of Mississippi.

This the ____ day of _____, _____.
(Month) (Year)

Signed:
(Signature) _____
(Name Printed)

Sworn to and subscribed before me this the ____ day of _____,
_____. (month)
(year)

Notary Public _____
My commission expires: _____ (SEAL)

307.03-03

Department of Planning and Development Certificate

State of Mississippi
County of Pearl River

This is to certify that I, the undersigned Director of Planning and Development, have received and reviewed this the Final Plat Case Number _____ in accordance with the Pearl River County Subdivision Regulations.

This the ____ day of _____, _____.
(Month) (Year)

Signed: (Signature) _____
(Name Printed)
Director of Planning and Development

307.09-04. County Engineer's Certificate

State of Mississippi
County of Pearl River

This is to certify that I, the undersigned County Engineer hereby certify:

- (1) that streets, utilities, and (other specific improvements) have been installed in an acceptable manner and according to County specifications and recommend streets for public maintenance; or
- (2) that a performance obligation security in the amount of \$_____ has been filed with and recommended to the Board of Supervisors, Pearl River County, Mississippi, to assure completion of all required improvements in the case of default; or
- (3) that streets or roads within the subdivision are private and are the responsibility of the property owners within the subdivision. Pearl River County will not provide any maintenance of streets, roads or other improvements within the subdivision.

This the ____ day of _____, _____.
(Month) (Year)

Signed: (Signature) _____
(Name Printed)
County Engineer (B92 p472-474 2-11-99)

307.03-05. Supervisor's Approval for Recording

Pursuant to the Subdivision Regulations of Pearl River County, Mississippi, of 1998, all the requirements for approval of a Final Plat having been fulfilled, with the exception of such variances, if any, as are noted in the Minutes of the Board of Supervisors and that it has been approved for recording in the Chancery Clerks Office by the Board of Supervisors, Pearl River County, Mississippi, Order of Board, Minute Book _____, Page _____.

This the ____ day of _____, _____.
(Month) (Year)

Signed:(Signature) _____
(Name Printed)
President, Board of Supervisors

307.03-06. Recording Certification by Chancery Clerk

I certify that this instrument was filed for record in my Office on this the ____ day of _____, _____.
(Month) (Year)

In File _____, This the _____ day of _____, _____.
(Month) (Year)

Signed:(Signature) _____
(Name Printed)

Chancery Clerk
Pearl River County, Mississippi

307.03-07. Supervisors Acceptance for Maintenance

Final Approval of streets and acceptance of said streets for public
maintenance: Order of Board, Minute Book _____,
Page _____

This the _____ day of _____, _____.
(Month) (Year)

Signed:(Signature) _____
(Name Printed)

President, Board of Supervisors
Pearl River County, Mississippi

SECTION 308. PERFORMANCE AND WARRANTY OBLIGATIONS

308.01. Performance Obligations Obligations are established when the subdivider has received final plat approval and has substantially completed and project and/or due to some extenuating circumstances, has not completed all of the construction, which warrants said performance obligation.

308.01-01. The amount of a performance obligation shall be based upon the current estimated costs of installation of a street and supporting improvements.

308.01-02. This estimated cost is to be determined by the subdivider's engineer and verified by the County Engineer.

308.01-03. The Board of Supervisors shall approve the amount of the performance obligation, as well as the duration. Performance obligations shall be set for six (6) month or one (1) year periods or until the work requiring the establishment of said obligation has been satisfactorily completed and accepted by the County Engineer.

308.02. Warranty Obligations Obligations are established upon final plat of the subdivision which includes the construction of all street, drainage, and other improvements. Said warranty obligation assures the County that all construction work, completed by the subdivider is in accordance with the plans and specifications of the subdivision are free from any structural defects.

308.02-01. The amount of a warranty obligation shall be based upon ten (10%) percent of the cost of the street and supporting improvements.

308.02-02. The cost of the subdivision improvements is to be prepared by the subdivider's engineer and verified by the County Engineer.

308.02-03. The Board of Supervisors shall approve the amount of the warranty obligation as well as the duration. Warranty obligations shall be set for a period of one (1) year to insure serviceability and structural integrity of the street and drainage infrastructure.

308.03. Posting Requirements

308.03-01. All performance and/or warranty obligations must be secured by acceptable securities submitted to and on file with the Board of Supervisors, and no lots can be sold until such action has been procured.

308.03-02. Acceptable security is required to be posted by a subdivider of a newly constructed subdivision development in order to ensure that monies are available, if needed, to complete all construction requirements and to assure the serviceability and maintenance of all roadways within said subdivision in the event a subdivider defaults on the obligation.

308.04. Acceptable Security Security, as set forth by the Board of Supervisors, to ensure fulfillment of maintenance obligations shall be:

308.04-01. Cash to be held in escrow by the Board of Supervisors.

308.04-02. Letter of Credit from a financial institution with a Scheshunoff Bank Quarterly rating of C+ or above. If the financial institution rating falls below a C+ rating during the term of the obligation, the Board of Supervisors will allow one additional quarter for the rating to rise to an acceptable level. If the rating does not rise to an acceptable level, the subdivider will have fifteen (15) days to provide acceptable alternative security, or the subdivider will be considered in default of their obligation, and the letter of credit will be called. If the financial institution's rating falls to a NR (not rated) level, the developer will have fifteen (15) days to provide acceptable alternative security, or the developer will be considered in default on their obligation, and the letter of credit will be called.

308.04-03. Certificate of Deposit from a financial institution with Scheshunoff Bank Quarterly rating of C+ or above. The certificate of deposit must be pledged to the Pearl River County Board of Supervisors, and held with a safekeeping agreement in a safekeeping account. If the financial institution rating falls to a C during the term of the obligation, the Board of Supervisors will allow one additional quarter for the rating to rise to an acceptable level. If the rating does not rise to an acceptable level, the subdivider will have fifteen (15) days to provide acceptable alternative security, or the subdivider will be considered in default on their obligation, and the certificate of deposit will be called. If the financial institution's rating falls to an NR (not rated) level, the subdivider will have fifteen days to provide acceptable alternative security, or the subdivider will be considered in default on the obligation, and the certificate of deposit will be called.

308.04-04. U.S. Treasury Bills or U.S. Treasury Notes, pledged to the Pearl River County Board of Supervisors to be held in a safekeeping account with a safekeeping agreement.

308.04-05. Bond issued by a Surety Company listed on the Federal Register, licensed in the State of Mississippi and acceptable to the County.

308.05. Monitoring The Department of Planning and Development is charged with the responsibility to ensure that securities do not lapse or expire, and shall notify the appropriate governing authority, when the disposition of said obligation requires review and subsequent action by said body or bodies. In addition, the

Department of Planning and Development shall be responsible for notifying the subdivider and financial institution holding the pledged securities at least ninety (90) days prior to the expiration of the obligation and further informing said parties that a meeting of the Board of Supervisors will be held regarding the disposition of said obligation.

- 308.06. Release** The County Engineer shall determine whether the subdivider has complied with all applicable requirements of development before any obligation can be released. In the event that a subdivider requests or the staff recommends an extension, renewal or reduction of obligation, the Board of Supervisors shall have the sole authority to move on any said request.
- 308.07. Default** If a subdivider defaults and cannot or will not meet the obligation at or on the prescribed date and time that said obligation is due to expire, the Board of Supervisors shall have the authority to call any outstanding security on the property in question and instruct the County Attorney to seize those securities necessary to complete any performance or warranty obligations germane to the subdivision.

SECTION 309. MODIFICATIONS AND EXCEPTIONS

309.01. Resubdivision Review

309.01-01. A resubdivision of a lot or lots in existing subdivisions that are recorded for public record and inspection must receive the approval of the Board of Supervisors and the Chancery Court of Pearl River County, Mississippi before any parcel is sold. Resubdivisions of lots are not exempt for any reason from the following application and procurement requirements:

309.01-01(a). Submit application and a complaint to alter and amend plat of subdivision to Chancery Court under the terms and provisions of Section 19-27-31 of Mississippi Code of 1972 as amended from the owner or owners of property involved within the resubdivision request, stating their reasons for the proposal.

309.01-01(b). Submit copy of verification of publication summons which clearly states the objects and purposes of the petition.

309.01-01(c). Submit two (2) mylar and ten (10) prints of a bona fide survey on either (8 ½" x 11"), (8 ½ x 14") or (11" x 17") paper, indicating the following:

309.01-01(c)(1). The proposed division of the lots indicating the total square footage of all of the property involved within the resubdivision request and the individual square footage of each new lot created.

309.01-01(c)(2). Surveyor's seal on two (2) mylarsof the survey plats.

309.01-01(c)(3). The accurate location of all buildings and or structures on the lots.

309.01-01(c)(4). Information on the survey indicating the name of the subdivision, phase, lot number, section, township and range, and any data pertinent and germane to the resubdivision request.

309.01-01(c)(5). Spaces for the signatures of the President, Board of Supervisors, Director of Planning and Development, Engineer/Surveyor's, Chancery Clerk and spaces for the date and case file number.

309.01-01(d). Names and addresses of adjoining property owners as they appear on the most current Tax Assessor's records (8 ½" x 11" sheets).

- 309.01-01(e).** Submit a copy of the subdivision restrictions or covenants of the subdivision.
- 309.01-02.** The fees are based on the total land area (all properties where lot lines will be adjusted) to be resubdivided.
- 309.01-03.** The Department of Planning and Development staff will review the proposed resubdivision request and present said request before a scheduled meeting of the Board of Supervisors who in turn will consider said request based on the validity, merit and according to regulations contained within these regulations.
- 309.01-04.** If the resubdivision request is approved by the Board of Supervisors and a decree to alter the plat has been issued by the Chancery Court, the decree will be recorded as a deed and memorandum thereof noted on the record of the plat. The resubdivision plat will be recorded in the Chancery Clerk's Office plat file with the original subdivision plat. Copies of the recorded resubdivision plat shall be forwarded to the applicants engineer or surveyor, unless instructed by the petitioner/owner in written form to do otherwise.
- 309.02. Variance-Undue Hardship** If any particular case where the subdivider shows by plan and written statement that, by reason of exceptional topographic or other physical conditions, literal compliance with any requirements of these regulations would cause practical difficulty or exceptional and undue hardship, the Board of Supervisors may modify such requirement to the extent deemed just and proper so as to relieve such difficulty or hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable general development or welfare of the neighborhood and the community. Requests for a variance from the subdivision regulations must be submitted in writing to the Department of Planning and Development for consideration by the Board of Supervisors. Any modification thus granted must be spread upon the minutes, setting forth the reasons for which the modification was justified.

SECTION 310. SUBDIVISION RESTRICTIONS AND/OR COVENANTS

310.01. Purpose

- 310.01-01.** Protective covenants are essential to the sound development of proposed residential areas. Covenants properly prepared and legally sound contribute to the establishment of the character of a neighborhood and to the maintenance of value levels through the regulation of type, size and placement of buildings, lot sizes, reservation of easements, and prohibition of nuisances and other land uses that might affect the desirability of a residential area.
- 310.01-02.** The covenants should provide enforcement provisions, be recorded in public land records.
- 310.01-03.** Protective covenants regulating the use of land represent an express agreement between the subdivider and the lot purchasers. Through this agreement, all parties seek to gain certain advantages; the subdivider to aid their land development program and the purchasers to protect their investments. Strict enforcement of suitable protective covenants gives the best assurance to each lot owner that no other lot owners within the protected area can use property in a way that will destroy values, lower the character of the neighborhood, or create a nuisance.

310.02. Format

- 310.02-01.** The subdivider should have their protective covenants drafted or reviewed and approved by legal counsel. The preliminary draft of the covenants should be submitted to the Department of Planning and Development for comment at the time the subdivider presents their preliminary subdivision plat for approval.
- 310.02-02.** The written declaration of protective covenants is required for establishing a uniform scheme for the subdivision and protection for an entire area. Piecemeal control by inserting covenants

in individual deeds at the time properties are conveyed will not be allowed and is not conducive to harmonious development.

310.02-03. The protective covenants shall be in an enforceable form with a written declaration by the owner for the entire portion of the final plat.

310.02-04. The protective covenants shall be a separate declaration made by the owner and will be simultaneously recorded in the Chancery Clerk's Office with the recordation of the final subdivision plat.

310.02-05. "Protective covenants have been filed for this subdivision and recorded in Pearl River County Chancery Clerk's Office" should be noted at the top right hand corner of all final subdivision plats so as to afford the opportunity for potential buyers of property to clearly see and understand that guidelines for the development and enforcement provisions have been established for the subdivision.

310.02. Minimum Requirements In order to protect the health, safety and general welfare of the owners of property within approved subdivisions, the following covenants will run with each deed or title. The following restrictions shall be noted in the subdivision covenants that this portion of the restrictions will be enforceable by Pearl River County.

310.02-01. No building permit shall be issued before the sewerage and water systems are approved by the appropriate governing authority. Whenever a subdivision is served by a community (central water system (supply), no private water supply may be drilled or otherwise constructed on any lot for the purpose of supplying potable water to any building or structure, except for the purpose of irrigation, and in no event shall there be a physical connection between any such source and any element of the community (central) water system (supply).

310.02-02. Construction of any nature is prohibited in County drainage easement or streets right-of-way.

310.02-03. Lots may not be used for the storage of trash or junk or abandoned vehicles.

310.02-04. The minimum finished flood elevation required in areas subject to periodic inundation (flood zones A) shall be indicated.

310.02-05. No lot will be further subdivided without approval of the Board of Supervisors and Chancery Court for Pearl River County, Mississippi.

310.02-06. Driveways on corner lots shall not be located any closer than sixty (60') feet from a corner of said property closest to the intersection as measured from the corner of the property where the said two street rights-of-way intersect.

ARTICLE IV

DESIGN STANDARDS

SECTION 400. LOTS

400.01. Arrangement

- 400.01-01.** All subdivisions must be surveyed and laid out in such a manner that each and every lot intended for sale abuts a dedicated public street or road, or private roads. The County will not accept a private road unless it meets the current County standards at time of acceptance.
- 400.01-02.** In major subdivisions residential lots are not allowed to front designated arterials. No mailboxes or driveways will be allowed on arterials. Commercial lots fronting arterials must allow traffic access across side lot lines.
- 400.01-03.** Insofar as practical side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street.
- 400.01-04.** Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet shall be provided along lot lines abutting such a traffic artery or other disadvantageous use.
- 400.01-05.** Corner lots shall have extra width sufficient to permit the establishment of front yard building lines on both the front and sideline of the lots adjoining streets.

400.02. Minimum Size Lot dimensions and size shall conform to the requirements set forth in these Regulations.

- 400.02-01.** The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the site for the type of development and use contemplated.
- 400.02-02.** 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 and use of development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.
- 400.02-03. Dimensions** The following are minimum lot dimensions for each development type.

<u>Development Type</u>	<u>Lot Width At Front Building Setback</u>	<u>Width At Street Right-of-Way</u>	<u>Depth</u>
Residential I	75	35	100
Residential II	100	35	100
Residential III	100	50	150
Residential IV	100	50	150

400.02-04. Required Improvements

<u>Development Type</u>	<u>Lot Minimum Square Footage</u>	<u>Required Improvements</u>
Residential I	7,500	Water system, sewerage collection approved by Health Department and disposal, curb and gutter, underground storm drainage, and paved streets.
Residential II	43,560 (1 acre)	Water system approved by Health Department, paved streets with open ditch with culverts for driveway crossings.
Residential III	130,680 (3 acre)	Paved streets with open ditch with culverts for driveway crossings.
Residential IV	217,800 (5 acre average minimum 2 acre parcel)	Gravel Roads not dedicated to public use and maintained by homeowner with open ditch with culverts for driveway crossing. The County will not accept a private road unless it meets the current County standards at the time of acceptance.

400.03. Setback Lines

<u>Type of Street</u>	<u>Frontage Minimum Building Setback</u>	<u>Side Minimum Building Setback</u>	<u>Rear Minimum Building Setback</u>
Arterial	35 feet	10 feet	15 feet
Major	35 feet	10 feet	15 feet
Collector	30 feet	10 feet	15 feet
Local	25 feet	10 feet	15 feet

SECTION 401. BLOCKS

401.01. Requirements The lengths, widths, and shapes of blocks should be determined with due regard to:

401.01-01. Building sites that are suitable for the special needs of the uses contemplated.

401.01-02. Convenient access, circulation, control and safety of street traffic.

401.01-03. Limitation and opportunities of topography

401.01-04. Proper fire and police protection.

401.02. Length As a usual practice, block lengths should not exceed twelve hundred (1200') feet for Type I Residential or sixteen hundred (1600') feet in Type II or III Residential or be less than four hundred (400') feet.

SECTION 402. STREETS

402.01. Classifications The County Engineer and Department of Planning and Development will review the street system for the proposed subdivision and classify all proposed and existing streets in one of the following categories:

402.01-01. Arterial Streets.

402.01-02. Major Streets

402.01-03. Collector Streets.

402.01-04. Local Streets.

402.02. Relation to Adjoining Streets The arrangement, character, extent width, grade and location of all streets shall be considered in their relation to existing and planned streets, topographical conditions to public convenience and safety, and in their appropriate relation to the proposed uses of land to be served by such streets.

402.03. Arrangement The arrangement of streets in a development shall either:

402.03-01. Provide for the continuation of existing principal streets in surrounding areas; or

402.03-02. Conform to a plan for area development approved or adopted by the Board of Supervisors to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

402.03-03. Conform to the major thoroughfare plan as may be in effect.

402.03-04. Provide for the future construction of one or more streets for access to any other parcel of land lying back of the proposed subdivision in order to prevent blocking of future development of adjacent subdivisions, unless the area behind the proposed subdivision already has sufficient access to a public street or road in which case it will not be necessary for the proposed subdivision to provide a street to the adjacent land.

402.04. Marginal Access Streets Where a development abuts or contains an existing or proposed arterial street, the Board of Supervisors may elect to require marginal street access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property lines, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. In cases where an arterial street fronts or passes through a commercial area and marginal access streets are required, facilities may be allowed to front the marginal access street.

402.05. Offsets Street centerline offsets, or street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed.

402.06. Tangents A tangent of at least one hundred (100) feet must be introduced between reverse curves on major and collector streets.

402.07. Alignments The horizontal and vertical alignment for all streets shall not be less than the following except in cases of unusual topographic conditions:

402.07-01. Horizontal alignment---centerline radius

Arterial streets	500 feet minimum
Collector streets	300 feet minimum
Minor streets	100 feet minimum

402.07-02. All changes in street grades shall be made with vertical curves that provide minimum sight distances of not less than the following, except in cases of unusual topographic conditions:

Arterial street with median	500 feet minimum
Arterial street without median	800 feet minimum
Collector street	300 feet minimum
Minor street	200 feet minimum

Sight distance for vertical alignment shall be determined by measuring from a point four (4.0) feet above the roadway surface along a line of sight to a point four (4.0) inches above the roadway surface.

402.08. Intersections Streets must be laid out so as to intersect as nearly as possible at right angles, and no street may intersect any other street at less than sixty (60) degrees.

402.09. Half Streets Half streets will be prohibited in such cases where there exists a half-street contiguous thereto. Wherever a half-street is adjacent to a tract to be subdivided, the other half of the street will be platted within such tract.

402.10. Curb-Line Property Line Radius

402.10-01. The curb-line radius at street intersections where the angle of intersection is 90 degrees or greater shall be at least 20 feet. Where the angle of the street intersection is less than 90 degrees, a longer radius may be required.

402.10-02. Property lines at street intersections must be rounded with a radius of ten (10) feet or with a greater radius when the County Engineer deems it necessary. The County Engineer may require comparable cutoffs or chords in place of rounded corners. A comparable chord shall be considered a chord or line connecting the points of tangency of the radius it is replacing.

402.11. Right-of-Way Widths and Paving Width Street right-of-way widths and paving width shall not be less than the following:

Pavement Widths

Streets	Minimum Right-of-Way	<u>Pavement Widths</u>		
		<u>Type I Development</u> Back to Back of Curb	<u>Type II & III Development</u>	<u>Type IV Development</u>
Arterial	120 feet	2-24' lanes + median	2-24' lanes + median	
Major	80 feet	49 feet	48 feet	
Collector	60 feet	40 feet	24 feet	24 feet
Local	60 feet		20 feet	20 feet
Local	50 feet	27 feet		

402.12. Cul-De-Sac

Dead end streets are prohibited, however cul-de-sacs may be used by subdividers provided that the following minimum standards are utilized.

402.12-01. The radius of a cul-de-sac shall be sixty (60') feet with a paved surface radius of at least thirty-five (35') feet, when the design employs open ditches and a radius of fifty-five (55') feet when subsurface drainage is used. In addition, the inside turning radius shall be a minimum of twenty-six (26') feet.

402.12-02. A street terminated by a cul-de-sac shall be no greater than seven-hundred (700) feet in length. However, some exceptions may apply due to extenuating circumstances. In such cases, the Department of Planning and Development may recommend to waive the length standards.

402.12-03. The entrance to a street terminated by a cul-de-sac shall be posted with a sign stating "no outlet".

402.13. Street Names No street names may be used which will duplicate or be confused with the names of existing streets. Street names shall be cleared with the E-911 Addressing Systems office before being used. Street names will be subject to the approval of the Board of Supervisors.

SECTION 403. ALLEYS

403.01. Locations Alleys must be provided in commercial or industrial subdivisions. However, the County Engineer, following consultation with the Department of Planning and Development, may recommend waiving this requirement where other definite and assured provisions are made for service access, such as off-street loading and parking consistent with and adequate for the uses proposed.

403.02. Rights-of-Way Widths The right-of-way width of an alley in commercial and industrial areas must be a minimum of twenty-five (25') feet.

403.03. Intersections Alley intersections and sharp changes in alignment should be avoided, but where necessary, corners may be cut off sufficiently to permit safe vehicular movement.

403.04. Dead-end Alleys Dead-end alleys should be avoided where possible, but if unavoidable, must be provided with a turnaround having an outside roadway diameter of at least seventy (70') feet and a right-of-way

diameter at least one hundred (100') feet. The County Engineer and the Department of Planning and Development may recommend to the Board of Supervisors a larger turnaround when it is determined necessary to provide adequate turnaround space.

- 403.05.** Residential Alleys are not required in residential areas, but where alleys are used in residential areas, the width shall be a minimum of twenty (20') feet.

SECTION 404. EASEMENTS

- 404.01.** Width Easement across lots or centered on rear or side lot lines must be provided for utilities where necessary and must be at least fifteen (15') feet wide at ground level. Where possible easements shall be equally divided between abutting lots.

- 404.02.** Intersections Where easements intersect or sharp changes in alignment are necessary, corners must be cut off sufficiently to permit equipment access as determined by the County Engineer.

- 404.03.** Termination Every easement shall terminate at both ends upon a street, alley or another easement. Dead-end easements will be permitted where necessary upon review and approval by the Board of Supervisors.

- 404.04.** Storm Water or Drainage Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there must be provided a storm water easement or drainage right-of-way of not less than fifteen (15') feet in width conforming substantially with the lines of such watercourse, drainage way, channel or stream. Storm water easements for drainage may be of greater widths as determined by the County Engineer to accommodate anticipated storm flows, future construction and channel maintenance. Bulkheads, concrete paving of drainage channels, or other appropriate methods to prevent erosion of drainage channel banks may be required by the Board of Supervisors.

- 404.05.** Encroachments

404.05-01. No fences, buildings, paving, plotting or diversion of drainage will be permitted in easements.

405.05-02. Any overhanging limbs, shrubbery, or vegetation of any kind may be removed from within the limits of easements at the sole discretion of the maintenance personnel of the utilities installed or to be installed in or above the easements.

SECTION 405. PUBLIC SITES AND OPEN GREENSPACE

- 405.01.** General Due consideration may be given to the allocation of suitable areas for schools, parks, playgrounds and other community facilities to be dedicated for public use.

- 405.02.** Guide If acreage is reserved for parks, playgrounds or schools, the following regulations should serve as a guide to the subdivider.

405.02-01. The developer of each subdivision with more than twenty-five (25) lots may set aside land within their development for the use of the residents for recreational purposes. Said land shall be exclusive of greenbelts, reserved easements or servitude and golf courses.

405.02-02. For parks and playgrounds, three and one-half (3.5) acres per one hundred (100) to two hundred (200) lots should be provided in the proposed subdivision. The location should be agreed upon by the Department of Planning and Development, Board of Supervisors, and the subdivider. When possible, the site should be adjacent to a school.

405.02-03. For school sites, a minimum of six (6) acres should be provided where a subdivision has two hundred (200) lots, plus one (1) additional acre for each one hundred (100) lots thereafter in the subdivision or in the proposed subdivision vicinity. The location should be agreed upon by

the School Board, in who's jurisdiction the subdivision is proposed, Board of Supervisors and the subdivider.

- 405.03. Dedication** The subdivider may dedicate to the County, if acceptable the Board of Supervisors, or establish within a legal instrument the dedication and maintenance of said park area in favor of a homeowners association or property owners, once the subdivider's interests within the subdivision is reduced to less than 50% of lot ownership.
- 405.03-01.** Said instrument shall include the subdivider's responsibility of maintaining the park areas prior to the establishment and assumption by the homeowners association of property owners.
- 405.03-02.** The instrument shall be referenced to within each property title.
- 405.03-03.** The subdivider shall submit a copy of the legal instrument to the Department of Planning and Development upon recordation.
- 405.04. Natural Features** Due regard shall be shown for all natural features such as large trees, water courses, historic spots and similar County assets, which, if preserved, will add attractiveness and value to the property.
- 405.05. Lakes or Ponds** Lakes, ponds and similar areas will be accepted for maintenance only if sufficient space is dedicated as a public recreation area, or if such area constitutes a necessary part of the drainage control system. Such areas must be approved by the Board of Supervisors.

SECTION 406. TOWNHOUSE SUBDIVISION

- 406.01. Conditions of Approval** The Board of Supervisors may approve townhouse subdivisions under the following conditions:
- 406.02. Site Requirements**
- 406.02-01.** Not more than six (6) contiguous townhouses shall be built in a row with the same or approximately the same front building line, and not more than twelve (12) townhouses shall be contiguous. Separation requirements: No portion of a townhouse or accessory structure related to another group, or to any building outside the townhouse area, nor shall any structure be less than thirty (30') feet from a public right-of-way.
- 406.02-02.** There shall be a twenty-five (25') foot yard along sides and rear of each townhouse site wherever it adjoins any single family residential subdivision. Insofar as practicable, off-street parking facilities shall be grouped in bays, in the interior of blocks. Practicable methods of drainage shall be assured by subdivider in connection with common parking facilities, and all such facilities shall be improved with at least two (2) spaces per unit on the lot plus one visitor parking space per each two (2) units, which may be provided in separate areas. Sewage, water supply, street paving and sub-surface drainage shall be designed and constructed under the supervision of and approved by the Engineer as required by these regulations, except that connection to sanitary sewers shall be the only permitted method of sewage disposal.
- 406.03. Drives, Parking and Utilities**
- 406.03-01.** Design and construction of drives, drainage and location of utilities shall be subject to review and approval by the County Engineer, after approval of the preliminary plan by the Department of Planning and Development.
- 406.03-02.** Lots may front on driveways with access to a public street by means of a driveway servitude, provided that driveways extend not more than three hundred (300') feet from a public street.

- 406.03-03.** Parking areas shall be at least sixty-five (65') feet wide where parking or carports are on both sides of a common drive, or at least forty-two (42') feet wide where there is parking on one side only; except where diagonal parking is to be provided, parking areas shall be at least fifty-seven (57') feet wide for parking on both sides or thirty-six (36') feet for parking on one side.
- 406.03-04.** Before approval of the final subdivision plans, deed restrictions shall be submitted, including designation of all servitudes, lot lines, parking areas, and other open space, with provisions for perpetual maintenance of all improvements including pavements, landscaping, utilities and services. Deed restrictions shall clearly indicate that Pearl River County will not accept any maintenance responsibility for drives and parking spaces.
- 406.03-05.** Where property extends more than four hundred (400') feet from a public street, additional fire hydrants shall be provided as required by the County Engineer. There shall be a six (6') foot high wall or solid fence along the sides and rear of the project wherever it adjoins a single-family residential subdivision.
- 406.04.** Density Minimum lot width shall be twenty-five (25') feet and minimum lot area one thousand eight hundred (1,800') square feet per dwelling unit.
- 406.05.** Time Frame Only townhouses may be built in such a subdivision and the subdivision must be undertaken within six (6) months of final subdivision approval. If construction is not undertaken within six (6) months, the commission shall revoke approval of the subdivision unless some compelling reason can be shown for its continuance.

SECTION 407. MOBILE HOME PARKS

407.01. General Requirements

407.01-01. A minimum of five (5) acres is required for a mobile home park.

407.01-02. Lot lines need not be delineated within the park; however, each mobile home site must be clearly designated on the subdivision plat and meet minimum setback requirements.

407.01-03. All mobile home parks must receive State Fire Marshal approval as per the NFPA Life Safety Code Pamphlet 501A.

407.02. Density A mobile home park shall have a gross density of not more than eight (8) units per acre.

407.03. Setbacks

407.03-01. All mobile homes shall be located at least twenty-five feet (25') from any roadway.

407.03-02. No mobile home shall be situated in a manner so that any part of such mobile home will obstruct any roadway or walkway in a mobile home park.

407.04. Roadways

407.04-01. Safe and convenient access shall be provided for vehicular traffic and emergency vehicles at all times.

407.04-02. Each mobile home lot within a mobile home park shall have direct access to a park street or public street. The access shall be an unobstructed area not less than ten feet (10') in width which may be pedestrian in character.

407.04-03. All roadways shall be hard surfaced in accordance with subdivision regulations with the exception that one-way streets shall have a forty foot (40') minimum right-of-way with a

sixteen foot (16') compacted sub-base, with four foot (4') shoulders and a twelve foot (12') hard surfaced road. Composition of base material shall be according to subdivision regulations. Said roadways are acceptable in mobile home parks solely for the purpose of this section. When so installed, they shall not be eligible for nor accepted into the County Road System.

- 407.04-04.** Streets and walkways designed for the general use of mobile home park residents shall be lighted during the hours of darkness. Such lighting shall not be under the control of the mobile home occupant. Poles shall not exceed thirty-five feet (35') in height, and longitudinal spacing shall not exceed two hundred feet (200').
- 407.05.** Sidewalks If sidewalks are provided, they shall be located not less than one foot (1') from the property line of the mobile home site. Sidewalks shall connect individual homes with parking areas. In no case shall sidewalks be less than four feet (4') wide.
- 407.06.** Vehicle Parking
- 407.06-01.** Two (2) off-street automobile parking spaces shall be required for each mobile home stand. The minimum dimension of these spaces shall be nine feet (9') wide by twenty feet (20') deep. In no event shall parking be located over one hundred (100') from the corresponding mobile home stand.
- 407.06-02.** Parking spaces are required to be composed of a minimum of a four inch (4") compacted sub-base of clay, sand and gravel, with a two inch (2") surface course of gravel or shell.
- 407.07.** Recreation/Open Space
- 407.07-01.** Twenty-five percent (25%) of the total land area may be open space reserved for the exclusive use of the residents of the park.
- 407.08.** Floodplain Provision Any mobile home park or portion thereof shall not be located within the special floodplain hazard area defined by the Federal Emergency Management Agency (FEMA).
- 407.09.** General Lot Requirements
- 407.09-01.** Mobile homes shall be installed on a mobile home stand which must provide a second base for structural support of the mobile home to secure the structure against uplifting, sliding, overturning, shifting or uneven settling.
- 407.09-02.** Anchorage to resist flotation and lateral movement must be provided.
- 407.10.** Mobile Home Stand Each mobile home stand shall have, as a minimum for support, one-sixteen inch by sixteen inch (16" x 16") concrete pad four inches (4") in thickness for every fifty square feet (50 sq.ft.) of floor area.
- 407.11.** Electrical Systems
- 407.11-01.** Underground utilities shall be provided.
- 407.11-02.** Electric hookups shall be provided to all mobile home stands and there shall be at least one electrical single-phase outlet supplying a minimum of 115/230 volts.

407.12. Water System

407.12-01. Pure potable water shall be supplied to each and every mobile home occupied in mobile home parks.

407.12-02. This system shall be designed, constructed, and protected in accordance with current health, plumbing, electrical, and fire protection standards, codes, and regulations adopted and administered by the State of Mississippi and/or Pearl River County.

407.13. Sewage Disposal System Central sewerage systems are required for all mobile home parks under inspection of, and regulated, Department of Environmental Quality (DEQ).

407.14. Fences If fences are provided, fences for privacy purposes shall be connected to the mobile home and shall not exceed six feet (6') in height and shall not be placed closer than five feet (5') to any other mobile home.

407.15. Fire Protection Access to a mobile home for fire protection services shall be such as to permit fire apparatus to approach within forty feet (40') of each mobile home.

407.16. Responsibilities of Owner

407.16-01. The owner of the mobile home park shall be responsible for the supervision, operation and maintenance of the park.

407.16-02. The owner shall be responsible for ensuring that each mobile home within their mobile home park complies with the provisions of these regulations.

407.17. Compliance with Subdivision Regulations Mobile home subdivisions are required to follow the subdivision regulations and procedures as specified within these regulations.

407.18. Expansion of Nonconforming Mobile Home Parcels Any expansion of nonconforming Mobile Home Parks shall require to conform to the established Rules and Regulations as set forth in Section 407.

SECTION 408. FLOODPLAIN AREAS

408.01. Building Requirements Land subject to flooding with a frequency of a one hundred (100) year flood must not be developed until all potential flood hazards have been documented and addressed to the Department of Planning and Development and the County Engineer. All areas which will remain subject to a one hundred (100) year flood after the subdivision is constructed must be delineated on the final plat. All building grades must be raised to an elevation equal to or above the maximum flood elevation or a one hundred (100) year flood calculated for the area in which the proposed subdivision is situated. This is provided, however, that no fill must be made, or any subdivision constructed, which will increase flood hazards to other lands, or in any manner impede or restrict the flow of water in a flood situation. All areas which will remain subject to the flooding after the subdivision is constructed must be delineated on the final plat.

408.02. Utilities All utilities and facilities, such as water, sewer, gas, and electrical systems, must be located, elevated or constructed to eliminate or minimize flood damage; and adequate drainage must be provided so as to reduce exposure to flood hazards.

ARTICLE V

REQUIRED IMPROVEMENTS

SECTION 500. MONUMENTS

500.01. Placement

500.01-01. Monuments must be placed at all corners or changes in alignment in lot boundaries and at all block corners, angle points, or curves in street right-of-way boundary lines.

500.01-02. All monuments or markers should be set with the top flush with the finished grade. When necessary to prevent disturbance, the monument should be sunk underground and referenced to permanent landmarks.

500.02. Bench Mark For all subdivisions of forty (40) lots or more, a permanent bench mark shall be accessibly placed, the elevation of which shall be based on mean sea level as determined by the U.S. Geological Survey and accurately noted on the subdivision plat. Such permanent bench mark shall be brass capped, set in concrete, with a minimum dimension of six (6) inches in diameter, four (4) feet long with a flat top. The top of the brass monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade stamped with one-half (1/2) inch numbers.

500.03. Concrete Monuments In subdivisions with six (6) lots or more concrete monuments must be placed at a minimum of four (4) corners along the boundary of the subdivision. These monuments should consist of four (4) by four (4) inch concrete post not less than thirty (30") inches in length, reinforced with a single ½ inch steel rod extending not less than ¼ inch or more than ½ inch above the top of the concrete.

500.04. Iron Pipe or Rods The markers should consist of a reinforcing rod or iron pipe of not less than one-half (1/2") inch in diameter and not less than eighteen (18") inches in length.

SECTION 501. GENERAL GRADING

501.01. Centerline Gradients Grading and centerline gradients must be in accordance with plans and profiles approved by the County Engineer.

501.02. Cutting or Filling Areas to be graded by cutting or filling must be rough graded to within two-tenths (0.2') of a foot of the accepted elevation after necessary allowance has been made for the thickness of topsoil, paved areas, and other installations.

501.03. Cross Sections and Profiles Final cross sections and profiles of streets and other installations must conform to grades recommended by the County Engineer. Elevations must be based on mean sea level.

501.04. Clean-Up All timber, logs, trees, brush, vegetation, and other rubbish must be removed or otherwise disposed of in accordance with the rules and regulations of the Mississippi Bureau of Pollution Control so as to leave areas that have been disturbed with a neat and finished appearance.

SECTION 502. EROSION AND SEDIMENT CONTROL

502.01. Requirements Installation of the above improvements must be done in such a manner as to provide for the most effective control of erosion and sediment. Practical combinations of the following technical principles must be used.

502.01-01. The smallest practical area of land must be exposed at any one time during development.

502.01-02. When land is exposed during development, the exposure is to be kept to the shortest practical period of time.

- 502.01-03.** Temporary vegetation and/or mulching must be used to protect critical areas exposed during development.
- 502.01-04.** Sediment basins (debris basins, desilting basins, or silttraps) must be installed and maintained to remove sediment from waters from land undergoing development.
- 502.01-05.** Provisions must be made to effectively accommodate runoff caused by changed soil conditions during and after development.
- 502.01-06.** Permanent final vegetation and structures must be installed as soon as practical in the development.
- 502.01-07.** The development plan must be fitted to the topography and soils so as to create the least possible erosions.
- 502.01-08.** Whenever feasible, natural vegetation must be retained and protected.

SECTION 503. STORM DRAINAGE

- 503.01.** Specifications Materials and construction must conform to Mississippi Standard Specifications for State Aid Road and Bridge Construction.
- 503.02.** Storm Design Frequency Drainage Structures must be sized using the rational formula and calculated by a licensed engineer for the State of Mississippi. However, the minimum allowable design shall be a twenty-five (25) year storm frequency or higher design frequency as recommended by the County Engineer, with a run-off factor of ninety percent (90%) for pavements and buildings and a variable run-off factor for ground areas, dependent upon topographic conditions and other characteristics in accord with accepted engineering practices.
- 503.03.** Hydrological Study and Plan
- 503.03-01.** A hydrological study/plan must be completed by a qualified hydrologist and must be submitted by all subdividers of new subdivision developments of forty (40) lots or more.
- 503.03-02.** For the purpose of this section, a qualified hydrologist shall be a state registered engineer knowledgeable in the field of hydrology. When a qualified hydrologist creates a study/plan for a particular drainage area, said study/plan must determine the effects, if any, of the proposed subdivision on the drainage basin.
- 503.03-03.** Retention design shall be a part of the hydrologic study/plan and shall be developed in accordance with the County Engineer.
- 503.03-04.** Detention outfall structures will be designed to provide for reductions in peak runoff of five (5), ten (10) and twenty-five (25) year storm events, providing for varying percentages of reductions in peak runoff for the different events.
- 503.04.** Subsurface Drainage In a Type I Residential development, commercial and industrial subdivisions streets shall be drained by curbs and gutters. Including necessary closed drainage systems, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Storm catch basins shall be so located that a maximum of four hundred fifty (450) l.f. of street drains into two (2) basins.
- 503.05.** Surface Drainage In Type Residential II, Residential III and Residential IV developments, the full width of the street between property lines shall be utilized in the graded section in order to permit easy maintenance and grassing of the section from the edge of the shoulders to the property lines.

503.06. Driveway Crossings

- 503.06-01.** Driveways crossing side ditches shall be constructed to a minimum width of twenty-four feet (24') drainage pipe drains laid to the profile of the ditch invert.
 - 503.06-02.** Reinforced concrete headwalls of precast flared end sections must be provided on twenty-four (24") inch pipe and larger.
 - 503.06-03.** The minimum diameter for storm drain pipe must be fifteen (15") inches, or equivalent and when used as a culvert the length must be such that the ends project at least four (4') feet beyond the edge of the pavement.
 - 503.06-04.** Back fill material over culverts shall be Class 9 or better with a minimum of four (4") inches compacted thickness of clay gravel or other suitable material.
 - 503.06-05.** Adequate protection of ditch inverts and side slopes must be provided to prevent erosion.
 - 503.06-06.** Driveway culverts shall be sized for each lot and specified on the construction drawings.
 - 503.06-07.** Driveway culverts shall be installed at each lot be subdivider or property owner.
 - 503.06-08.** A permit is required from the Department of Planning and Development prior to the installation of driveway culverts.
- 503.07. Sizing Requirements** All drainage pipes, culverts, structures and ditches shall be sized by determining a volume of flow in cubic feet per second using known drainage areas and generally accepted engineering formulas, but in no case shall any culvert be less than 15 inches in diameter or equivalent. All drainage ditches other than swales and existing waterways, which exhibit a constant natural flow, shall have adequate erosion controls approved by the County Engineer. All open ditches shall have a maximum side slope of 2.1 and shall be sprigged, seeded or solid sodded from the invert to the natural ground line. Any deviation whatsoever from the above requirements must be approved by the County Engineer.

SECTION 504. STREETS

- 504.01. Specifications** All design, construction and materials must conform to the appropriate sections of the Mississippi Standard Specifications for State Aid Road and Bridge Construction, as indicated by the County Engineer.
- 504.02. Construction Requirements** The developer shall construct streets, including all grubbing, grading, laying of sub-base, base, pavements, curbs and gutters, culverts, bridges and other structures in accordance with these regulations.
- 504.03. Pavement and Base Design**
 - 504.03-01.** Pavement and base design shall be in accordance with the methods adopted by the Division of State Aid Road Construction, Mississippi Department of Transportation. Pavement shall be designed for a minimum gross load of 56,650 pounds with 18,000 pound axle. Design will be based on:
 - 504.03-01(a).** Projected traffic including percentage of trucks
 - 504.03-01(b).** Support value of underlying soil
 - 504.03-02.** Pavement may consist of hot bituminous plant mix, double bituminous surface treatment or Portland cement concrete pavement. Minimum thickness of pavements:

504.03-02(a). Minimum thickness of pavements:

Hot bituminous plant mix	1 ½”
Double Bituminous surface treatment	¾”
Portland cement concrete pavement	5”

504.03-02(b). Minimum thickness of base:

Granular material class 1 – class 4	6”
Cement stabilized granular material	6”
Fly ash stabilized granular material	6”
Plant mix bituminous base	4”
Asphalt stabilized base	6”
Granular material sub-base	3”

504.03-03. All base materials, construction and testing shall be in accordance with Mississippi Standard Specifications for State Aid Road and Bridge Construction, Latest Edition.

SECTION 505 UTILITIES

505.01. Location

- 505.01-01.** No utilities including water, sewer, power, gas, cable television, or telephone lines shall be laid under the planned paved roadway, except those approved by the County Engineer.
- 505.01-02.** Utilities shall be located either in the road right-of-way away from the paved surface or in utility easement.
- 505.01-03.** All services for utilities must be made available for each lot in such a way that will eliminate disturbing the street pavement and drainage structures when connections are made.

505.02. Water System

- 505.02-01.** In Type I and II Residential, Commercial and Industrial developments, the subdivider shall connect with an existing water supply system with a minimum of a six inch (6”) waterline or shall construct and install a water system in accordance with the standards of the State Board of Health and utility companies, and shall provide a water connection for each lot.
- 505.02-02.** In Type III and IV Residential developments individual water wells may be used only if written approval is obtained from the State Health Department.
- 505.02-03.** In the event that the proposed subdivision is located within or abuts an existing water district of association, the water system within the subdivision should be connected to such water district or association, and must conform to the specifications of such water district or association. The water system constructed within the subdivision must meet the minimum requirements of these regulations or the water district specifications, whichever is more restrictive. In the event the proposed subdivision is near or adjacent to an existing municipal water system, but not within an existing water district or association, every effort should be made by the developer to connect the water system of the proposed subdivision with that of the

municipality. If the proposed subdivision abuts any municipality and is outside an existing water association, or if the subdivision is to be connected to a municipal system, the water system within the subdivision must conform to the specifications required by the municipality as if the subdivision were within the corporate limits of such a municipality. In any event, the water system constructed within the subdivision must meet the minimum requirements of these regulations.

505.02-04. Fire hydrants.

505.02-04(a). Fire hydrants shall be required in any subdivision development which is required to have a central water system.

505.02-04(b). There shall be a fire hydrant at each street intersection with intermediate fire hydrants located not more than 500 feet apart. All fire hydrants shall be located in a right of way.

505.02-04(c). Fire hydrants shall have at least two outlets; one outlet shall be a pumper outlet and the other two outlets shall be 2.5 inch nominal size. All fire hydrants shall conform to the provisions of the American Water Works Association Standards for Hydrants (AWWA C-502 or C-503).

505.02-04©(1). Fire hydrants, when tested in accordance with the said AWWA standards are classified as follows:

Class A: Fire hydrants that on individual test usually have a flow capacity of 1000 GPM or greater.

Class B: Fire hydrants that on individual test usually have a flow capacity of 500 to 1000 GPM.

Class C: Fire hydrants that on individual test usually have a flow capacity of of less than 500 GPM.

505.02-04(c)(2). The barrel of a fire hydrant shall be painted chrome yellow and the top and nozzle caps of a fire hydrant in the class outlined in Subparagraph (d) are to be painted as follows:

Class A: Green

Class B: Orange

Class C: Red

505.02-04(d). To facilitate the location of a fire hydrant by emergency personnel, a blue colored, raised reflective marker shall be securely affixed on the center of the roadway lane in alignment with the fire hydrant.

505.02-05. Services in subdivisions not covered by Section 505.02-03 above must consist of the following:

505.02-05(a). The water system should be designed so that the calculated pressure within the system, at maximum use flows, is not less than twenty (20) pounds per square inch, or more than eighty (80) pounds per inch at any curb stop.

505.02-05(b). A corporation stop must be provided at the main with three-fourth (3/4") inch flexible copper tubing or a high-molecular weight plastic tubing must run from the main to the lot line and terminate with a compatible curb stop.

505.02-05(c). Hydrostatic tests must be performed on the new water system in accordance with the existing water system and the Mississippi State Board of Health. Before any or all of the work is placed in service, the system must be disinfected and re-disinfected as necessary until chlorine-free samples are found to meet Mississippi State Board of Health standards as to bacteriological quality. Samples for the tests must be taken from remote parts of the system.

505.03. Sanitary Sewers or Approved Septic Tanks

505.03-01. Sanitary sewer facilities or approved septic tanks for all subdivisions must conform to all applicable federal, state, and local laws pertaining to sewage collection and treatment.

505.03-02. In a Type I Residential and II Residential development, if a development is so located that it can be reasonably served by the extension of the municipality or other approved sanitary sewer systems with sufficient line and treatment capacity to accept the loads that would be imposed by development, the subdivider shall enter into an agreement with the agency owning the same for extension of said sewer system at their expense so that the sanitary sewer system shall be made available for each lot within the development.

505.03-03. In Type I Residential development where no sanitary sewer system exists, the developer shall provide a sanitary sewer system, complete with treatment facilities, that will adequately meet the needs of the development and shall provide sewer connections for each lot within the development. The developer shall submit to the County Engineer a letter of approval by Mississippi Air and Water Pollution Control Commission for plans for such system prior to the initiation of construction.

505.03-04. Sanitary sewer systems shall conform to all requirements as the Mississippi Air and Water Pollution Control Commission may prescribe and in any event, the sewer system constructed within the subdivision must at least meet the minimum requirements of these regulations.

505.03-05. All sewer pipe must be concrete, vitrified clay, cast iron, plastic, or other type approved by the County Engineer. Sewer pipe installed with trench depth up to and including ten (10') feet will be standard strength; and for trench depth greater than ten (10') feet, extra strength pipe must be used.

505.03-06. The minimum diameter pipe for sanitary sewers is eight (8") inches, four (4") inch pipe size if force mains are used. Minimum diameter service pipe for house connection is four (4") inches for single-family dwellings and six (6") inches for multi-family dwellings. House connections must be stubbed out to each property or lot line before street construction and plugged with extended sewer stub marker tape from pipe to surface.

505.03-07. All joints must either gasket joint or other type as approved by the County Engineer.

505.03-08. The following are the minimum slopes that will be allowed; however, slopes greater than these are desirable:

Sewer Size	Minimum Slope in Feet Per One Hundred (100') Feet
8-inch-----	0.400
10-inch-----	0.280
12-inch-----	0.220
14-inch-----	0.170
15-inch-----	0.150
16-inch-----	0.140
18-inch-----	0.120
21-inch-----	0.100
24-inch-----	0.080
27-inch-----	0.067
30-inch-----	0.058
36-inch-----	0.046

505.03-09. Manholes must be no more than four hundred (400') feet apart, must be placed at each change in alignment or grade, and must be provided with traffic-grade cast-iron lids and frames.

505.03-10. There is a minimum ten (10') foot separation between all parallel sanitary sewer and water mains, except as otherwise approved by the appropriate governing authority.

505.03-11. Any sewer mains exposed through ditches must be Class 150 cast iron for mains or cast-iron soil pipe for services.

505.03-12. Infiltration in any section of sewer main must not exceed three hundred (300) gallons per inch of pipe diameter, per mile, per day.

505.03-13. In the event that oversize sewer mains must be installed within the proposed subdivision to serve other areas, appropriate arrangements for construction must be made between the subdivider and the County prior to installation.

505.04. Underground Wiring All wiring, including electric, telephone, telegraph, cablevision and all other such lines carrying electrical current shall be placed underground in Residential Type I, commercial and industrial. Residential Type II, III and IV subdivisions may choose underground or above ground wiring.

SECTION 506. SIDEWALKS

506.01. Required Sidewalks shall be provided on both sides of all streets in Type I Residential and Commercial subdivision developments.

506.02. Not Required Sidewalks shall not be required in Type II Residential, Type III Residential, Type IV Residential and industrial subdivision.

506.03. Width Sidewalks shall be concrete and a minimum of four (4') feet wide in single family residential areas, five (5') wide in multi-family residential areas, and seven (7') feet wide in business areas located six (6") inches from the property line. Thickness shall be four (4") inches and reinforced with 6 x 6 wire (#10) mesh at driveway crossings. Sidewalks at all street intersections shall be constructed for handicapped accessibility in accordance with the Federal ADA requirements.

506.04. Installation Sidewalks of proper size shall be installed within the street right-of-way along all street frontages by the subdivider or property owner prior to completion of the building on the lot.

SECTION 507. Street Name and Traffic Control Signs

507.01. Required Signage The subdivider shall install street identification signs, stop signs, and other regulatory signs as needed in accordance with the following specifications:

507.02. Sign Type

507.02-01. Stop Signs.

507.02-02. Street Identifications Signs.

507.02-03. Yield Signs

507.02-04. Speed Limit Signs.

507.02-05. U-Turn Prohibitive Signs.

507.02-06. Do Not Enter Signs.

507.02-07. Wrong Way Signs.

507.02-08. One Way Signs.

507.02-09. Dead End Signs.

507.02-10. Dead End Warning Devices.

507.03. Regulatory Signs

507.03-01. Regulatory Signs The stop sign shall be an octagon with white message and border on red background. The standard size shall be 30 inches. Where greater emphasis or visibility is required, a larger size is recommended. On low volume local streets and secondary roads with low approach a 24 inch size may be used.

At a multiway stop intersection a supplementary plate should be mounted below each stop sign. The supplementary plate shall have white letters on a red background and shall have a standard size of 12 inches by 6 inches.

Secondary messages shall not be used on stop sign faces.

Specifications

Size	Standard – 30” x 30” Minimum – 24” x 24” Increase size be in 6” increments only
Steel	16 gauge
Aluminum	.080 inch

High intensity reflective sheeting shall be used on blanks. Legend shall be commensurate with size and be reflective. Border shall be 1 inch and be reflective.

507.03-02. Street Signs Street name signs should be erected at all street intersections regardless of other route marking that may be present.

Lettering on street name sign should be at least 4 inches high. Supplementary lettering to indicate the type of street may be in smaller letters at least 2 inches high. Conventional abbreviations are acceptable except for the street sign itself.

The contrasting background shall be green with white reflective lettering for dedicated public streets or roads and blue with white reflective letters for private streets or roads. Each street sign standard shall indicate the name of each street at the intersection.

Specifications

Plates: Anodized aluminum .080 thickness 6" high by 24", 30", or 36" wide as necessary. 3/4 inch radius corner. Thermosetting acrylic backed enamel or reflective shooting finishes.

Copy: 4 inches standard alphabet. Prefix and suffix abbreviations are 2 inch standard alphabet. Block numbers are 2 inch copy on top of suffix when applicable.

Hardware: Smooth surface die case aluminum maintenance free. Cadmium plated sets screws.

- 507.03-03. Yield Signs** The yield sign shall be a downward pointing equilateral triangle having a red border band and a white interior and the word yield in red inside the border band; the border band to be 5 inches for the 36 inch sign and 6 inches for the 48 inch sign. Yield sign may be used on a minor road at the entrance to an intersection where it is necessary to assign right-of-way to the major road, but where a stop sign is not necessary at all times, and where the safe approach speed on the minor road exceeds 10 miles per hour.

Specifications

Size	Standard – 36" x 36" Increase size be in 12" increments only
Steel	16 gauge
Aluminum	.080 inch

Reflective sheeting on 16 gauge steel and high intensity reflective on .080 aluminum.

- 507.03-04. Speed Limit Signs** The speed limit sign shall display the limit established by law or by regulation. The speed limits shown shall be in multiples of 5 miles per hour.

Specifications

Size	Standard – 24" x 30"
Steel	16 gauge

Reflective sheeting on 16 gauge steel.

Size of Subordinate Sign of Speed Regulation

Night speed sign	24" x 24"
Minimum speed sign	24" X 24"
Minimum-maximum speed Sign	24" x 48"
Sign for reduced speed Ahead	24" x 30"

Design specifications shall be the same as for speed limit sign.

507.03-05. U-Turn Prohibitive Sign The No-Turn sign is intended for use at or between intersections to indicate where U-Turns are prohibited.

Specifications

Size	Standard	Upper Signs 24" x 24"	Lower Signs 24" x 18"
Alternate sign standard		24" x 30"	

Reflective sheeting required.

507.03-06. Do Not Enter Sign To prohibit traffic from entering a restricted road section "DO NOT ENTER" sign should be conspicuously placed in the most appropriate position at the end of a ONE WAY ROADWAY OR RAMP. It shall be a 30 inch white square on which is inscribed a 29 inch diameter red circle with a white band 5 inches in width placed horizontally across the center of the circle.

Specifications

Size	Standard – 30" x 24"
16 gauge steel	Larger sizes in increments of 6 inches

Reflective sheeting

507.03-07. Wrong Way Sign The wrong way sign may be used as a supplement to the Do Not Enter sign.

Size	Standard – 36" x 24"
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16 gauge steel with reflective sheeting

507.03-08. One Way Sign The one way sign shall be used when required to indicate streets or roadways upon which vehicular traffic is allowed to travel in one direction only. The sign shall be either:

- (a) A white arrow right or left, on a black horizontal rectangle of a standard, and minimum size of 36 inches by 12 inches with the words "One Way Only" centered in the arrow.
- (b) A vertical rectangle of a standard and minimum size of 18 inches by 24 inches with black lettering and a right or left arrow on a white background.

Specification

16 gauge steel
Reflective sheeting
1 ½ inch radius corners
3/8 inch mounting holes

507.03-09. Dead End Sign The dead end sign is intended for use to warn of a street or road which has no outlet and which terminates in a dead end or cul-de-sac. Standard size shall be a minimum of 30" x 30". Color will be black legend and border on a yellow background.

507.03-10. Dead End Warning Devices Where barriers are required it shall be built according to specifications set forth by the Department of Planning and Development. They shall be marked with reflectorized sheeting. The dead end sign as described above shall be posted a sufficient advance distance to permit the vehicle operator to avoid the dead end by turning off, if possible, at the nearest intersection street. In addition, Standard Hazard Object Markers shall be placed alongside of the street or road, to provide adequate warning that the dead end is being approached.

Specifications: (Hazard Markers)

20 gauge steel baked enamel finish. White stripes are bead reflectorized. 3/8 inch holes 1 inch from top and bottom.

<u>Size</u>	Minimum shall be 4 inch by 24 inch
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Markers used on right side of road toward dead end must be “right marker”. Markers used on left side of road toward the dead end will be a “left marker”.

Marker shall be compatible for mounting on standard posts specified herein.

507.04. Standards

507.04-01. U-Channel Standard: Hot rolled from high tensile steel and finished with green baked enamel or galvanizing prepunched holes 3/8 inch on 1 inch centers for a minimum of 3 feet from end of standard minimum size of 10 feet channel which provides 3 feet of installation on driven channel standards.

507.04-02. Galvanized Tubular Standards: 2 3/8" steel tubing .080 wall with approximately 2 lb Per foot. Standard shall be embedded in fair ground to a minimum depth of 3 feet.

507.05. Maintenance The subdivider shall be responsible for the maintenance of the signs installed by them until all improvements have been completed and the streets have been accepted for perpetual maintenance by the Board of Supervisors.

SECTION 508. STREET LIGHTING

508.01. Plan A subdivider is proposing street lighting the subdivider shall be required to submit a street lighting plan for the purpose of providing ample lighting to protect the health and safety of the residents during the nocturnal hours. Street lighting plan specifications shall be based on the “American Standard Practice for Roadway Lighting” prepared by the American Standards Association. The street lighting system shall be installed in accordance with the requirements of the local Power Company regulations. Fixtures The type of illumination shall be mercury vapor fixtures which are available in one hundred seventy-five, two-hundred-fifty, and four-hundred watts, (175W, 250W, 400W). The two-hundred-fifty and four-hundred watts (250W, and 400W) shall require a taller than normal pole when used.

508.02. Location

508.02-01. Street lighting poles and fixtures must be located in such a way as not to cause potential hazards to traffic or pedestrian, interfere with existing power lines, or place unnecessary glare on residences.

508.02-02. Street lighting poles shall be spaced accordingly to provide a consistent and even illumination pattern within the subdivision development.

508.03. Responsibility All subdividers or homeowner associations shall be required to pay all expenses associated with the operation and use of street lighting.

SECTION 509. CONSTRUCTION TESTS

509.01. Responsibility it shall be the responsibility of the subdivider and/or their engineer to furnish to the County Engineer the following test reports as construction progresses:

509.02. Concrete 28 day test cylinder break representing each 30 cubic yards or each days pouring of concrete for curbs and gutters, drainage structures or street and road pavement. Feeder lines shall be installed underground.

509.03. Base Materials

509.03-01. Clay gravel or mechanical stabilized bases: (a) one gradation sample per 500 L.F. of base in place, (b) one density sample per 500 L.F. of base in place, and depth checks at intervals not to exceed 200 L.F.

509.03-02. Cement treated bases: (a) soil-cement test to determine required cement perennial, (b) one density sample per 500 L.F. of base in place, (c) one compressive strength cylinder per 500 L.F. or days run.

509.04. Bituminous Hot Mix Surfacing

509.04-01. Job mix design.

509.04-02. Extraction and stability test sample for each 400 tons.

509.04-03. In place density for each 400 tons in place.

509.05. Other Reports Any other test reports that may be specifically required by the County Engineer. These shall be designated at the time of approval of the construction plans.

SECTION 510. COUNTY MAINTENANCE

510.01. County's Responsibility for Maintenance of Improvements. It should be understood that the Board's acceptance of the completed roads and streets in any subdivision includes only the normal construction items usually required for county roads such as grading work, drainage ditches, bridges, culverts, drainage structures, storm sewers, base courses, curbs and gutters, pavements, grassing, erosion control, and other necessary work within the limits of the dedicated rights-of-way. The Board will maintain said accepted streets in accordance with these specifications. The Board assumes no responsibility for the maintenance of sanitary sewers, water mains, gas mains, electric conduits or other privately or publicly owned utilities installed under roads and streets nor maintenance of the above stated utility easements. The owners and operators of said utilities will be responsible for the maintenance and will bear the expense of restoring all damages to public property caused by leaks or failures of such installations.

ARTICLE VI

ADMINISTRATION

SECTION 600. AMENDMENTS

The Board of Supervisors may from time to time adopt amendments that will need to increase the effectiveness of these Subdivision Regulations. The Subdivisions may be revised or amended by the Board of Supervisors after giving adequate public notice as required by law for conducting a public meeting.

SECTION 601. FEES

601.01. In order to defray the costs of notification, special studies, field investigations and processing of Subdivision Plats, and provide information to the public, fees shall be charged by Pearl River County. Said fees shall be paid to Pearl River County, Mississippi, at the time and place the preliminary plat, construction plans and final plats are submitted to the Department of Planning and Development.

601.02. Preliminary Plat

601.02-01. Filing Fee-----\$200.00

601.02-02. Lot Fee-----\$ 15.00 per lot

601.03. Construction Plan Review

601.03-01. Lot Fee-----\$ 15.00 per lot

601.03-02. Sewerage and water-----\$ 5.00 per lot

601.03-03. Water supply facility-----\$ 30.00 per facility

601.03-04. Collection/treatment facility-----\$ 30.00 per facility

601.04. Final Plat

601.04-01. Filing fee-----\$100.00

601.04-02. Lot fee-----\$ 20.00 per lot

601.05. Minor Subdivisions and Resubdivisions

601.05-01. Per acre or part-----\$ 90.00

601.05-02. Maximum fee-----\$800.00

601.06. Subdivision Text

601.06-01. Subdivision Code Book-----\$ 12.00

601.06-02. Code Book Shipping & Mailing-----\$ 5.00

601.06-03. 3 ½ Disk-----\$ 5.00

601.07. Special Construction Special construction requiring the review and inspection by the County Engineer and/or their representative shall have fees established at their discretion subject to appeal by the petitioner to the Pearl River County Board of Supervisors. Examples of special construction are as follows: bulkheads, revetments, subsurface drainage, canals & water systems, miscellaneous construction involving the public health, welfare and safety, etc.

601.08. Chancery Clerk Filing Fees

601.08-01. Final Plat-----	\$ 20.00
601.08-02. Restrictive Covenants-----	\$ 6.00
Each Sectional Index-----	\$ 1.00
601.08-03. Deeds-----	\$ 6.00
Each Sectional Index-----	\$ 1.00

SECTION 602. BUILDING PERMITS

602.01. Building Permits Required Before any mobile home, or building designed, built or used for human habitation, hereafter termed a dwelling unit, shall be constructed, erected or placed on any lot of any development, the owner shall first acquire a building permit from the Department of Planning and Development.

602.02. Issuance of Permits No building permit may be issued by the Department of Planning and Development on any lot or development commenced after the adopting of this order unless the development has received final plat approval by the Pearl River County Board of Supervisors and has been accepted by the Board.

SECTION 603. PROPERTY ASSESSMENT

The County Tax Assessor's Office will provide a developer's discount for property assessment on all unsold lots within the subdivision for a period of no more than six (6) years. The discount will be calculated at seventy-five (75%) percent of the asking price of each lot. The asking price of each lot will be furnished to the Tax Assessor's Office upon final plat approval. Once a lot has been sold the property will be assessed full value. (B91p21-22 8-14-98)

ARTICLE VII

PENALTIES

SECTION 700. PENALTIES

- 700.01. Misdemeanor** Any person or persons, firm, corporation or agent using an unapproved and unrecorded plat in the sale of subdivided land, or who shall violate a provision of these Subdivision Regulations or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor. Each such person or persons, firm, corporation or agent shall be deemed guilty of a separate offense for each and every day during which any violation of any of the provisions of these Regulations is committed or continued, and upon conviction of any such violation shall be punished within the limits of and as provided by law.
- 700.02. Stop Work Orders** The County Engineer or Director of Planning and Development shall issue or cause to be issued a stop work order for any subdivision development found ongoing without approval of a preliminary plat and construction plans. In addition, a stop work order shall be issued for any construction work found non-compliant with approved construction plans. Disregard of a stop work order shall subject the violator to the penalties described in Section 601.02.
- 700.03. Injunction** It is further provided that the Attorney or Attorneys for the County shall upon request of the Board maintain an action for injunction or other remedial relief as shall be deemed necessary and proper.
- 700.04. Appeal** Any person or persons, firm, corporation or agent aggrieved at any final decision of the Board approving or disapproving a development plat may appeal therefrom to the next court of jurisdiction of Mississippi within the time and in the manner prescribed by Section 11-51-75 of the Mississippi Code of 1972, as amended.

ARTICLE VIII

SEVERABILITY AND CONFLICT

SECTION 800. SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of these Regulations should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of these Regulations, which shall remain in full force and effect, and to this end the provisions of these Regulations are hereby declared severable.

SECTION 801. CONFLICT

All County Regulations or part of County Regulations in conflict with these Subdivision Regulations are hereby repealed to the extent necessary to give these Regulations full force and effect.

ARTICLE IX

EFFECTIVE DATE

SECTION 900. EFFECTIVE DATE

Public hearings have been had on these Regulations as provided for Subdivision Regulations in Sec. 17-1-15, Mississippi Code of 1972, as amended. Thereafter the Board of Supervisors have made such changes as it deems necessary to adopt the regulations and the regulations as finally adopted shall be of full force and effect from the date of adoption.

This order took effect and was in force on the 9^h day of July, 1998 and is filed and recorded in the Board of Supervisors Minute Book Number 90, Pages 479-527, in the Chancery Clerk's Office, Poplarville, Mississippi.

July 2018 Amendments to the current Subdivision Regulations:

SECTION 105. EXEMPTIONS (amended to repeal and replace section 105.)

105.01. **Recordation** Provided that no public or private roads or streets are to be constructed and the drainage is not significantly altered, the following subdivision of lands are **exempt** from the requirements of these regulations but it is recommended that a plat of said subdivision be recorded in the Chancery Clerk's Office.

105.01-01. The partitioning of an estate among legal heirs or the sale or exchange of property among immediate family members.

105.01-02. The sale of a portion of a larger tract of land resulting in two (2) or more lots, tracts, sites or parcels from the original tract of land provided the smaller of such lot, tract, site or parcel shall: contain not less than one acre and when such division does not involve the construction of any new public or private roads or streets or an easement accessing multiple lots, tracts, sites or parcels.

105.02. **Multi-Use Large Tract Private Road Subdivisions** The sale of a portion of a larger portion of land resulting in two or more lots, tracts, sites or parcels from the original tract of land provided that no resulting lot, tract, site or parcel contain less than three and one half (3½) acres. Each lot, tract, site or parcel included in this type of subdivision shall be accessed by a properly planned and constructed private road. This type of subdivision will not require platting but rather can be described by metes and bounds method. Roads constructed in this type of subdivision can be constructed to only the granular base level without hard surface pavement. While this type of subdivision is exempt from the majority of these regulations the developer shall comply with the following:

105.02-01. A survey defining the land required for the proper construction and maintenance of all the roads in the subdivision must be provided in accordance with Section 106, of these regulations.

105.02-02. The conveyance of all subdivision lots, tracts, sites or parcels by the developer shall include the description and a copy of the survey as an exhibit of the entire road. The developer shall convey to purchaser and also reserve an assignable easement for all roads and drainage within the subdivision development.

105.02-03. The planning and design of the road shall be in accordance with the following sections of these regulations:

300. Application Conference

304. Construction Plans

501. General Grading

502. Erosion and Sediment Control

503. Storm Drainage

504. Streets (Excluding a reasonable thickness of hard surface pavement)

105.02-04. The right-of-way or easement width shall be sufficient to accommodate the limits of earthwork plus 10 feet (five (5) feet either side of centerline). Also, adequate easements for maintenance of drainage shall be included.

105.02-05. A copy of the road maintenance agreement shall be submitted to the County Planning and Development Department for review and approval. The approved road maintenance agreement shall be executed by the developer and the purchaser and recorded with each lot, tract, site or parcel conveyance.

105.02-06. The subdivision protective covenants shall include a statement that no further subdivision of a lot, tract, site or parcel will result in any lot, tract, site or parcel containing less than one (1) acre.

105.02-07. Every conveyance of a lot, tract, site or parcel by the developer shall include in the deed a statement that all roads within the development are private and will not be maintained by the county unless subsequently accepted by the county for maintenance. The county will not accept a private road as public unless it meets the current County standards at the time of acceptance.

SECTION 201. Definitions (amended to add two definitions)

Private Road Any road that is maintained using private (nontax-payer) funds. Private roads are constructed, controlled and maintained by a private individual or group of private individuals acting together.

Public Road Any road that is maintained using public (tax-payer) funds. New public roads are constructed as outlined in these subdivision regulations.

SECTION 301. Preliminary Plat Review (amended to repeal and replace section 301.06.)

301.06. Notice to Public

301.06-01. The published Board of Supervisors meeting agenda will include an item naming any preliminary plat being presented for consideration by the Board of Supervisors.

SECTION 303. Preliminary Plat (amended to repeal and replace section 303.03-06.)

303.03-06. While not required by the County, it is recommended that a wetlands determination be obtained and concurred with by the Army Corps of Engineers. The wetland demarcation lines then should be shown on the plat.

SECTION 307. Final Plat (amended to repeal and replace section 307.02-15.)

307.02-15. Flood zone boundaries as shown on the current FEMA Flood Insurance Rate Map shall be included on the Final Plat.

SECTION 603. Property Assessment (delete and not replace)

Effective Date These amendments and deletions shall be effective as of the date of enactment by the Board of Supervisors of Pearl River County, Mississippi.