

# Subdivision Ordinance

## City of Senatobia, Mississippi

### Article I. Title, Purpose & Legal Status Provisions

- Section 1. Short title.
- Section 2. Purpose.
- Section 3. Jurisdiction, Authority, & Enforcement.
- Section 4. Conflict.
- Section 5. Saving Clause.

### Article II. Definitions

### Article III. General Principles

- Section 1. Suitability of the land.
- Section 2. Conformance to comprehensive plan, zoning, & other regulations.
- Section 3. Planned unit development.

### Article IV. Plat Preparation Procedure

- Section 1. Pre-application consideration.
- Section 2. Application for preliminary plat approval.
- Section 3. Effect of preliminary plat approval.
- Section 4. Engineering requirements.
- Section 5. Application for final plat approval.

### Article V. Plat Specifications

- Section 1. Preliminary plat specifications.
- Section 2. Final plat specifications.
- Section 3. Plat Certificates.

### Article VI. Minimum Design Standards

- Section 1. Street plan.
- Section 2. Street grades.
- Section 3. Street pavement.
- Section 4. Alleys, easements, and half streets.
- Section 5. Curb and gutters.
- Section 6. Sidewalks.
- Section 7. Blocks
- Section 8. Lots.
- Section 9. Parking Facilities and loading docks.
- Section 10. Public Areas.

### Article VII. Improvements

- Section 1. Required improvements.
- Section 2. Performance and Maintenance bonds.

**Article VIII. Administration**

- Section 1. Administrative body.
- Section 2. Fees.
- Section 3. Penalties.
- Section 4. Amendments.

**Article IX. Variances**

- Section 1. Limits of variance.
- Section 2. Purpose.
- Section 3. Application & approval.

**Article X. Conclusion**

- Section 1. Repeal.
- Section 2. Effective date.
- Section 4. Adoption.
- Section 3. Adoption vote and certification.

## **ARTICLE I. TITLE, PURPOSE, & LEGAL STATUS PROVISIONS**

### **Section 1. Short title.**

This ordinance shall be known as the “Subdivision Regulations of the City of Senatobia, Mississippi”, and may be cited as the “Subdivision Regulations”.

### **Section 2. Purpose.**

Regulations regarding the subdivision of land inside the boundaries of Senatobia, Mississippi, as set forth in this Ordinance are based upon, and made in accordance with, the said official comprehensive and/or master plan of physical development of the said City of Senatobia adopted by the said board of aldermen heretofore; and are designed to assist orderly, efficient and coordinated development within the City of Senatobia; to promote health, safety and general welfare of the residents of Senatobia and its environs. The intent of this ordinance is to to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public improvements; to enhance and protect property values and quality of life; and, to secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance by both subdividers and the city planning commission.

### **Section 3. Authority, Jurisdiction, & Enforcement.**

This ordinance and the regulations and provisions as set forth and contained herein are adopted and enacted pursuant to the authority granted by and in the manner provided by MCA 1972, § 17-1-23, and other laws and statutes cited hereinafter. From and after the passage and enactment of this ordinance as provided by law, the regulations and provisions as contained and set forth herein shall govern each and every subdivision of land within the corporate limits of the City of Senatobia, Mississippi.

As is provided by MCA 1972, § 21-19-63, no map or plat of any subdivision of land or part thereof lying or being situated within the corporate limits of the said City of Senatobia, Mississippi, shall be recorded by the Chancery Clerk of Tate County, Mississippi, unless and until the same has been approved in the manner herein provided by the board of aldermen of the said City of Senatobia, Mississippi. Further any subdivision, proposed development, operation, or other activity that intends to have and be serviced by Senatobia city water and/or sewer and/or gas, shall abide by these rules and commit to being annexed into the city.

This ordinance shall not apply to lots of record or applications on file with the planning commission pending final approval.

The building inspector shall not issue building permits for any structure on any lot in a subdivision for which the plat has not been approved and recorded in the manner provided herein and prescribed by law.

### **Section 4. Conflict.**

In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of Senatobia, Mississippi, existing on the effective date of the ordinance, the provision which, in the opinion of the Mayor and Board of Aldermen, established the higher standard for the promotion and protection of the health and safety of the people of Senatobia shall take precedence.

### **Section 5. Saving Clause.**

Should any section, clause, paragraph, provision, or part of these regulations for any reason be held invalid or unconstitutional by any court of competent jurisdiction for any reason, this act shall not

affect the validity of any other section, clause, paragraph, provision or part of these regulations. All provisions of these regulations shall be considered separate provisions, and completely severable from all other portions.

## ARTICLE II. DEFINITIONS

As used in these rules and regulations, words in the present tense include the future; words in the singular include the plural, and words in the plural include the singular. The word "building" includes the word "structure" or "premises"; the word "shall" is mandatory and "may" is permissive; the word "person" includes a firm, organization, association, partnership, trust, company, or corporation, as well as an individual. Words not specifically defined herein shall be interpreted in accordance with their usual dictionary meaning and customary use. Words and terms are defined as follows:

**Bond:** A monetary guarantee, which secures installation of improvements in the event a developer defaults on required subdivision improvements. An acceptable bond shall include a surety bond from a company licensed to do business in the State of Mississippi; cashiers check, assignment of certificates of deposit, or irrevocable letters of credit from banks located in the state of Mississippi.

**Building:** Any structure having a roof supported by columns or walls built for the support, shelter, or enclosure of persons, animals, or property of any kind, but not including any vehicle, trailer (with or without wheels) nor any movable device. It is the intent of this ordinance that there shall be but one (1) main structure plus any permitted accessory structures on any lot used for residential purposes; also, that accessory structures, including storage buildings, shall not include living quarters, and generally conform to the style and appearance of the main structure to blend in with the main structure and/or the neighborhood.

**Building area:** The portion of the lot occupied by the building, including porches, carports, accessory building, other structures.

**Building line:** A line across the front of the lot establishing the minimum open space to be provided between the buildings and/or structures and the street property line.

**City:** City of Senatobia, Tate County, Mississippi.

**City clerk:** The city clerk or his designated representative of the City of Senatobia, Mississippi.

**City engineer:** The city engineer or his designated representative.

**Commission:** The Senatobia, Mississippi, city planning commission, (as established Mississippi Code § 17-1-11 et seq.).

**Comprehensive plan:** The complete plan or any of its component parts, prepared for the development of all or part of the territorial jurisdiction area, and adopted by the City of Senatobia.

**County:** Tate County, Mississippi.

**Dedication:** The intentional conveyance of land by the owner to the city for public use.

**Driveway:** A privately owned or maintained from a lot to a street. All driveways shall be paved.

**Easement:** A grant by the property owner for the use by the public, a corporation or persons of a strip of land for specific purposes such as utility line placement, access (ingress / egress), drainage flow and maintenance, etc.

**Engineer:** A registered engineer licensed to practice in the State of Mississippi.

**Health department:** The Senatobia City Health Department, the Tate County Health Department, or the Mississippi State Board of Health, whichever has jurisdiction.

**Improvements:** Required infrastructure that the developer builds, such as street pavement or resurfacing, curbs, gutters, sidewalks, water lines sewer lines, storm drains, flood control structures, utility lines, or other such construction, per these regulations to prepare land for subdivision.

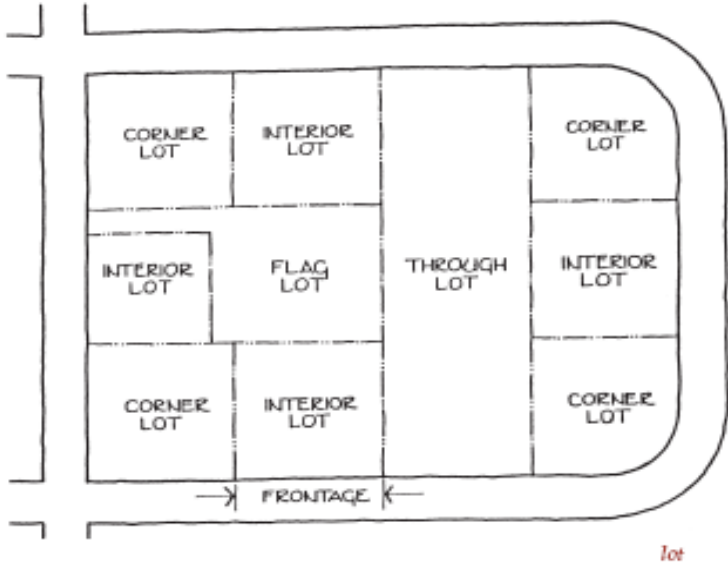
**Individual Sewage Treatment:** An on-site sewage disposal system, such as a septic tank, built to function on an individual lot basis.

**Lot:** A portion of a subdivision, any parcel, plot, piece, or survey of land, intended as a unit for transfer of ownership or for development. For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Every lot shall have frontage on a public right-of-way, public road, or public street of at least 50 feet except in a cove where at least 20 feet is required. (Types of lots are shown below)

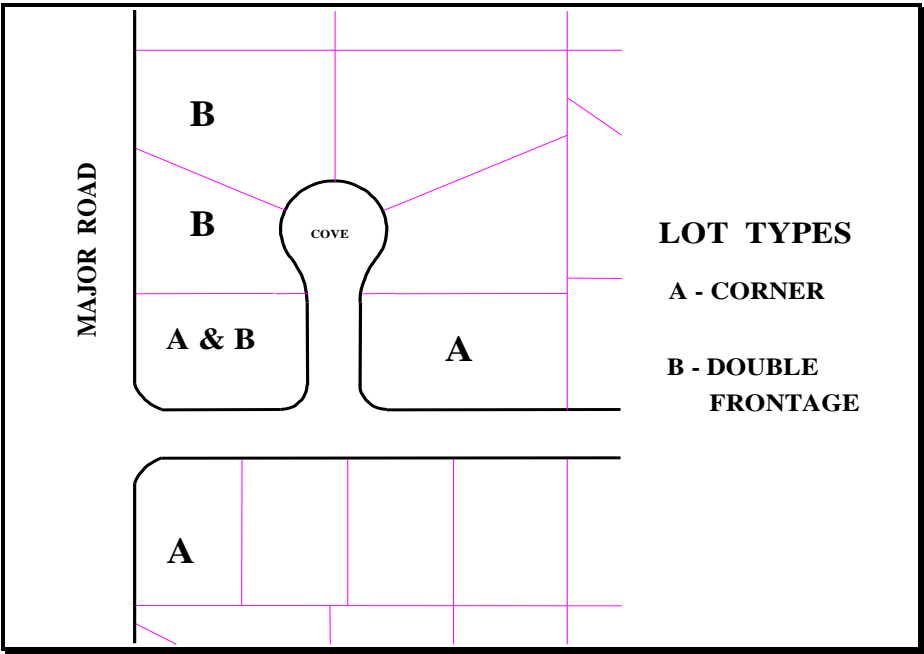
**Lot Area:** The total area within the lot lines of a lot including land area within easements and excluding any street rights-of-way.

**Lot, Corner:** A lot that fronts on two or more streets or roads at their intersection (see illustrations below).

**Lot, Double Frontage, Through or Reverse-Frontage:** A lot that fronts on two or more non-intersecting streets, as distinguished from a corner lot (see illustrations below).



Source: A Planners Dictionary, PAS report 521/522 (2004)



**Lot, Flag or Toothbrush:** A lot that is shaped so that the access is through a narrow strip of land, at least 50 feet wide, that touches a public street, but the main building and lot are set back from the street and otherwise conform to lot and yard requirements. No buildings are allowed in the narrow street that connects the main portion of the lot and the public street (see illustrations above).

**Lot Lines:** The property lines bounding the lot.

**Lot Line, Front:** The property line separating the lot from a street right-of-way. In the case of a corner lot each line separating such lot from the street shall be considered a front lot line.

**Lot line, Rear:** The lot line opposite and most distant from the front lot line of the lot. In the

case of a corner lot the line opposite the front of the house shall be considered the rear lot line.

**Lot line, Side:** Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is considered a front lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

**Lot of record:** A lot that is part of a subdivision, the map of which has been recorded in the office of the Chancery Clerk of Tate County, Mississippi.

**Parking Area:** Any public or private land designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated area of public streets. This definition does not include grassy or other non-hard surface areas of lots. And it is the intention of this ordinance that each lot should be designed to accommodate the parking requirements of the normal occupants of the lot/building/house on the lot in a hard surface area, driveway or garage without parking in the street. Coves should be left clear of parked vehicles to allow access and turning of emergency vehicle and school buses.

**Parking Space:** An area measuring a minimum of nine (9) feet in width and eighteen (18) feet in length with adequate space for ingress and egress to all spaces and/or right-of-way.

**Planned unit development (PUD):** A development with a minimum of four acres, planned as one group that may include residential and nonresidential uses, open space, etc., and whose setback building setback line and lot area requirements shall be built in accordance with development plan as specified in the zoning ordinance; whose overall density of development is in accord with the zoning ordinance, and, that is approved by the Mayor and Board of Aldermen. The PUD process in rezoning a property includes the preliminary plat subdivision approval process.

**Plat:** A map or drawing showing the lots and street arrangement, or other features or details, of the area proposed for subdivision.

**Preliminary plat:** A drawing that shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability in all respects, but not in acceptable form for recording. Required information is identified in Article IV.

**Final plat:** A finished drawing showing completely and accurately all legal and engineering information and certification necessary for recording. Required information is identified in Article IV.

**Recorded Plat:** The Final Plat after proper recording by the Chancery Clerk.

**Property Owners Association (POA), or Home Owners' Association (HOA):** A community association which is organized in a development in which individual owners share common interests in common property such as open space, private drives, or facilities. The POA/HOA manages and maintains the common property, and enforces certain covenants and restrictions. To assure that common property is maintained any development that proposes to have private amenities and/or common properties, those that are not being dedicated to and accepted by the city of Senatobia, shall have a POA/HOA that is established with the first part of the development POA/HOA and shall be mandatory in membership and dues, and shall apply to the entire development. All lots within the subdivision should be included in one POA /HOA for the entire development.

**Setback lines:**

- a. Front setback line: A line parallel to the street right-of-way line and representing distance which all or any part of the building is set back from said right-of-way line.
- b. Side setback line: A line parallel to the side lot line and representing the distance which all or any part of the building is set back from the rear lot line.
- c. Rear setback line: A line parallel to the rear lot line and representing the distance which all or any of the building is set back from the rear lot line.

**Streets and alleys:** The term “street” means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, or however otherwise designated. Streets are also defined as follows:

- a. Arterial streets or highways are those that are used primarily for fast and heavy traffic.
- b. Collector streets are those which carry traffic from minor or neighborhood streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.
- c. Cul-de-sac is a short street, less than 400 feet in length, having one end open to traffic and being permanently terminated within the plat by a permanent vehicular turnaround.
- d. Frontage road is a street, parallel to and adjacent to a major highway or thoroughfare, which provides access to abutting properties.
- e. Minor streets are those that are used primarily for access to the abutting properties.
- f. Alleys are minor ways that are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

**Staff:** The employees of the City of Senatobia, Mississippi, administering the ordinance.

**Subdivider:** Any person, individual, firm, partnership, association, corporation, estate or trust, or any other group acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined.

**Subdivision:** A subdivision shall include all divisions of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development. A subdivision shall include all divisions of land involving the dedication of a new street or a change in existing streets. The following shall not be included within this definition, nor be subject to the subdivision rules and regulations of this municipality:

- a. The division of land into parcels greater than five acres, and where no additional street right-of-way dedication is involved.
- b. The public acquisition by purchase or dedication of parcels of land for the purpose of widening or opening any public streets, or for making any other public improvements.

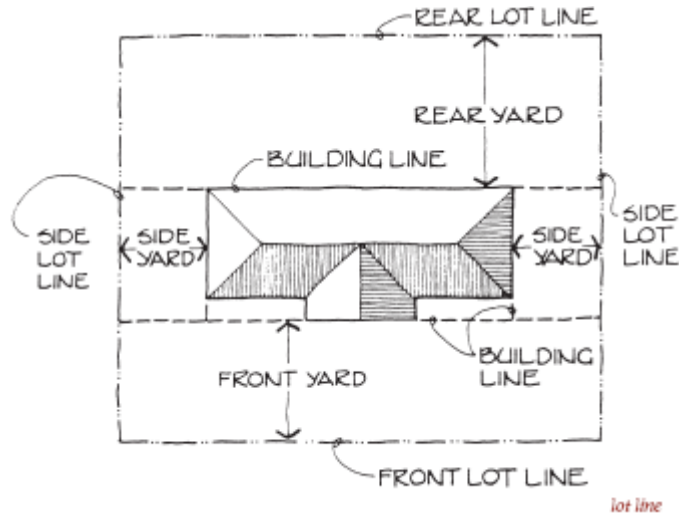
**Yard:** An open space, on the lot with the main building left open, unoccupied and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance (See illustrations below).

**Front yard:** The yard extending across the width of the lot between the main building, including covered porches, and the front lot line, or if an official future street right-of-way line has been established, between the main building, including covered porches, and the right-of-way line. Corner lots and double-frontage lots or “through” lots have two front yards (See illustrations below).

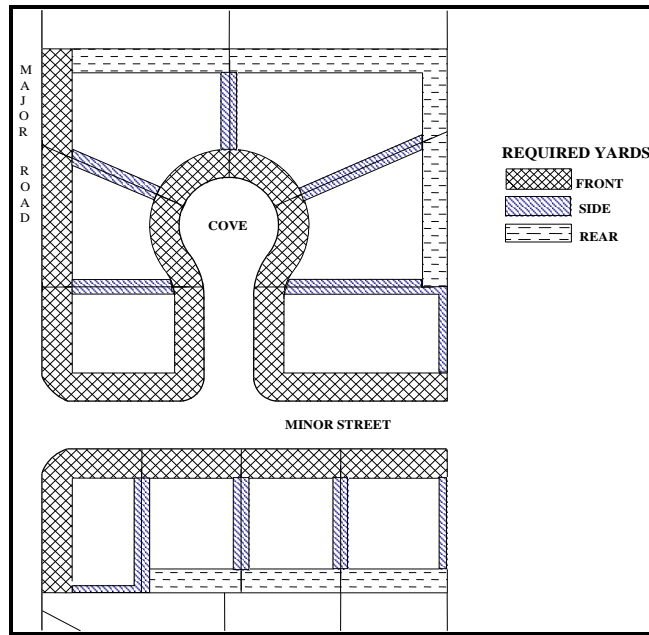
**Rear yard:** The yard extending across the entire width of the lot between the main building,

including covered porches, and the rear lot line (See illustrations below).

**Side yard:** The yard extending along a side lot line, from the front yard to the rear yard, between the main building, including covered porches and carports and such lot line (See illustrations below).



Source: A Planners Dictionary, PAS report 521/522 (2004)



Source: Tate County Zoning Ordinance (2001)

**Zoning Districts:** Any parcel, lot, or land in the city for which the zoning ordinances uniformly regulates the land and buildings in terms of use, density, bulk, height, setback, coverage, and size of yards.

### **ARTICLE III. GENERAL PRINCIPLES**

#### **Section 1. Suitability of the land.**

a. Land subject to flooding, improper drainage, and erosion, and land deemed to be topographically unsuitable for residential purposes shall not be platted for residential occupancy, nor shall such land be platted for any other uses as may continue such conditions or increase danger to health, safety, life or property unless approved steps are taken to diminish the above mentioned hazards.

b. Such land within a proposed subdivision not detrimental to the development of the subdivision shall be set aside for uses as set out by the commission.

#### **Section 2. Conformance to comprehensive plan, zoning ordinance and other regulations.**

a. All proposed subdivisions shall conform to the comprehensive plan, zoning ordinance and other regulations such as building codes, in effect at the time of submission to the commission.

b. All highways, streets, and other features of the comprehensive plan shall be platted by the subdivider in the location, and to the dimensions, if any, indicated by the comprehensive plan zoning ordinance and other regulations.

c. Where community or public facilities of the comprehensive plan are located in whole or in part of a proposed subdivision, the public board, commission, or body having jurisdiction and/or financial responsibility for the acquisition of such facility or facilities shall execute a written option to acquire by purchase, file suit for condemnation, or relinquish the location of such facility or facilities. Provided further, however, the option to acquire must be exercised and fully consummated within 12 months following the date of the recording of the final plat.

d. No final plat of land within the force and effect of an existing zoning code, building code, or other official code, ordinance, or regulation shall be approved unless it conforms to all such regulations.

e. No building permits shall be issued until such approval has been given.

#### **Section 3. Planned unit development (PUD).**

a. The planned unit development (PUD) zoning district has been designed to accommodate proposals for large-scale development, unusual properties, or innovative or unusual design of subdivision lots or features. This zone was specifically designed to facilitate innovative design that modifies the traditional requirements of subdivision regulations. For that reason, requests to modify or change parts of the subdivision process shall be handled through the PUD process from the zoning ordinance, except for the request of a simple variance on a single subdivision lot as described in Article IX below.

b. The application for approval must be accompanied by an overall development plan showing the proposed use or uses, dimensions and locations of proposed structures, parking spaces, and areas to be reserved for streets, parks, playgrounds, school sites, and other open spaces, as well as all other pertinent information necessary to determine if the contemplated arrangement or use will require the application of provisions or restrictions differing from those ordinarily applicable under this ordinance.

c. The authorization of a planned unit development as described in the zoning ordinance allows the Mayor and Board of Aldermen to authorize the development as submitted, modify, alter, or adjust the development plan before granting authorization, and in authorizing the development, it may also prescribe other conditions. The development as authorized shall be subject to all conditions so imposed, and shall be exempted from provisions of this ordinance only to the extent specified in the authorization. This approval constitutes approval of the preliminary plat for subdivision purposes, and the approved preliminary PUD Outline Plan is equivalent to an approved subdivision preliminary plat.

d. The final PUD Outline Plan requirements are the same as those of the final plat subdivision process.

## ARTICLE IV. PLAT PREPARATION PROCEDURE

### Section 1. Pre-application consideration.

Whenever any subdivision of a tract of land is contemplated, the subdivider or his authorized agent may submit to the staff preliminary plans and data concerning existing conditions of the proposed subdivision and its vicinity which shall convey the intentions of the subdivider with respect to the proposed type of development and layout. The purpose of this conference is to acquaint the subdivider with the plans and policies in effect that will influence the proposed subdivision layout.

### Section 2. Application for preliminary plat approval.

a. To obtain preliminary approval of a proposed subdivision, the subdivider or his authorized agent shall submit to the commission the following documents:

1. An application for "Preliminary Subdivision Plat Approval" shall be filed with the Planning Commission. The application shall be accompanied by a non-refundable fee established by the Mayor and Board of Aldermen.
2. A vicinity sketch that shows the relationship of the proposed subdivision to existing development and nearby community facilities.
3. Six (6) copies of a preliminary plat and data as specified in Article V, section 2, concerning existing conditions of the site and which shall convey the intentions of the subdivider with respect as to the proposed type of development and layout.

b. In order for said plat and vicinity sketch map to be properly reviewed, the subdivider or his authorized agent shall submit the preliminary plat material not less than fourteen (14) days in advance of the regular meeting date at which the said plat is to be considered by the Senatobia planning commission.

c. Upon receipt of an application for preliminary plat approval the commission shall distribute the application and map(s) to the city engineer, fire department, and the various primary utility companies for review and recommendations.

d. The commission may, prior to taking any action on a preliminary plat, hold a hearing thereon at such time and upon such notice as the commission may designate.

e. The commission shall then recommend, recommend conditionally, or disapprove, such preliminary plat within 90 days after the submission. If any of the requirements are modified or waived, the reasons for such shall be specified. The following steps are required because of commission actions:

1. Approval of a preliminary plat by the commission shall be denoted by the issuance of a certificate of preliminary plat approval. One copy of the approved preliminary plat shall be retained in the commission's files, and one copy endorsed with the Certificate of Preliminary Plat Approval shall be returned to the subdivider.
2. If plat approval is recommended conditionally, the conditions and reasons therefore shall be stated, and if necessary, the commission may require that the subdivider submit a revised preliminary plat.
3. If the commission should recommend disapproval of the preliminary plat, the reasons for such action shall be stated, and if possible, recommendations should be made on the basis of which the proposed subdivision could be recommended for approval. A disapproved preliminary plat may be re-submitted to the commission

after the suggested changes have been made, or it may be appealed directly to the board of aldermen for their action.

f. Approval of the preliminary plat shall be governed and contingent on the following qualifications:

1. Approval of a preliminary plat shall be tentative, pending the submission of the final plat as specified in Article V, section 3.
2. Approval of the preliminary plat shall be effective and binding upon the commission for one year.

### **Section 3. Effect of preliminary plat approval.**

Receipt of notice of approval of the preliminary plat is the subdivider's authorization, subject to issuance of all necessary and proper permits to proceed with the construction, of any improvements subject to the inspection and approval of the city engineer, and with the staking of streets and lots in preparation for the final plat.

### **Section 4. Engineering requirements**

After preliminary approval, but prior to construction, the subdivider shall furnish the city engineer all plans and information necessary for engineering consideration and approval for the construction of all proposed improvements. Such plans and information shall be furnished separately and apart from the preliminary plat and vicinity sketch. Before commencing construction all necessary arrangements must be made between the subdivider and city engineer for adequate laboratory and construction inspection to assure that the improvements shall comply with the standard specifications of the city.

### **Section 5. Application for final plat approval**

a. When the provisions of these rules and regulations have been complied with, and while the certificate of preliminary plat approval is in effect, the subdivider may submit to the commission an application for review and approval of the final plat. This application shall consist of the following:

1. An application for "Final Subdivision Plat Approval" shall be filed with the Planning Commission. The application shall be accompanied by a non-refundable fee established by the Mayor and Board of Aldermen.
2. One original on Mylar or other transparent film, and six (6) copies of the final plat and other documents specified in Article V, section 3.

b. In order for said plat to be properly reviewed, the subdivider or his authorized agent shall submit the final plat material not less than fourteen (14) days in advance of the regular meeting date at which the said plat is to be considered by the Senatobia planning commission.

c. Approval or disapproval of the final plat shall be given within thirty (30) days after the date of submittal, unless the subdivider agrees to an extension of that time. Failure of the commission to act within sixty (60) days from receipt of an application shall, for approval of the final plat, be deemed as disapproval of the final.

d. If the final plat is disapproved by the commission, the applicant shall be notified in writing and the reasons for the disapproval shall be enumerated.

e. If the final plat is disapproved by the board of aldermen, the action of the board of aldermen shall be shown on the final plat, along with the date such action was taken the grounds for refusal, over the signature of the person authorized by the board of aldermen to sign such plats.

f. Whenever a subdivider has been issued a notice of final plat approval from the Mayor and Board of Aldermen, the staff shall be authorized to execute a certificate of final plat approval on the plat upon certification by the city clerk or the city engineer that the city has received one of the

following:

1. A certificate submitted by the subdivider, and approved by the city engineer, stating that all improvements and installations to the subdivision required for its approval under the terms of these rules and regulations have been made, added or installed, and, are in accordance with these specification.
2. A contract between the subdivider and the city to install the required improvements. Such contract shall be based on a satisfactory demonstration to the commission of the subdivider's financial ability to make the required improvements.
3. A performance bond which shall:
  - a. Be in an amount determined by the city engineer to be sufficient to complete the improvements and installments for the subdivision of compliance with these rules and regulations. Such bond shall not exceed two hundred (200) percent of the estimated cost of improvements.
  - b. Run to the city.
  - c. Be with surety by a company licensed to do business in the State of Mississippi.
  - d. Specify the time for the completion of the improvements and installations.
4. A cash or escrow deposit in the full amount as determined by the city engineer necessary to complete the improvements and installations for the subdivision in compliance with these rules and regulations. Such cash deposit may be withdrawn by the owner in direct proportion to the amount of work completed, only after approval by the city engineer.

g. Approval of the final plat by the commission shall not be deemed as acceptance of any of the dedications shown on the plat. All such acceptance shall be made by the Mayor and Board of Aldermen.

h. After recording the approved final plat, a print of the final plat with all certificates endorsed shall be returned to the commission for inclusion in its files.

## **ARTICLE V. PLAT SPECIFICATIONS**

### **Section 1. Preliminary Subdivision Plat.**

a. The submission to the commission shall consist of six (6) black or blue prints on white background and other documents in six (6) copies as are necessary to meet the requirements of these regulations.

b. Two electronic versions of the Preliminary PUD Outline Plan or Subdivision Plat shall be provided, one in "dwg" or "tif" or "shp" format, AND, one in "pdf" format.

c. The preliminary plat shall be clearly and legibly drawn. The size of the plat drawing shall not be smaller than inches or larger than a maximum size of twenty-four by thirty-six inch (24" x 36"). The scale of the plat showing subdivision lots shall be one inch equals one hundred feet (1"=100'), the scale of a subdivision containing one (1) acre or less shall be one inch equals 50 feet (1"=50'). An overall drawing of the subdivision at a scale that shows the entire proposal on one 8 ½ by 11 page shall be included.

d. The preliminary plat shall include the following information:

1. Vicinity map, a drawing of the proposed site that shall locate streets and highways, railroads, schools, parks and other community facilities, section lines, tract lines, existing subdivisions and other significant features within one-half (1/2) mile of the

- proposed PUD or subdivision.
2. North arrow and scale (graphically and numerically).
  3. Date of the survey and date of proposed PUD outline plan.
  4. Proposed PUD or subdivision name.
  5. Exact boundary lines of the tract indicated by a heavy line or other acceptable control traverse, giving dimensions to the nearest one-tenth foot, and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one to 5,000.
  6. Tie in dimension and distance from property corner to nearest existing street(s) and to section corner.
  7. Names and addresses of the owners of the property, including the names of the existing mortgages, the Developer or Subdivider, and the engineer platting the tract.
  8. The location of the tract by legal description giving total acreage.
  9. Source of title, giving deed record book and page number.
  10. Preliminary engineering certificate.
  11. Any city and county political lines, section lines, or other significant information to locate the particular parcel of land.
  12. Adjoining subdivisions by name, section and lot number, and zoning designation, with plat book, page references; and the names of owners, parcel acreage and instrument number for all abutting unsubdivided tracts (across the street is construed to mean abutting);
  13. Existing and platted streets abutting the proposed subdivision, showing the right-of-way and pavement widths as well as all existing bridges and culverts.
  14. The locations of existing streets on the parcel, with both the existing and proposed rights-of-way from centerline. Street center lines showing angles of deflection, angles of intersection, radii, length of tangents and arcs, degree of curvature, and all required curve data.
  15. Lot and block numbers, and lot lines with dimensions to the nearest one-tenth foot, necessary internal angles, arcs and chords and radii of rounded corners.
  16. Every lot shall be shown in its entirety on one sheet or another---no lots split across pages as the only portrayal of the lot.
  17. The right-of-way, pavement widths, and names of all proposed streets.
  18. Typical cross sections of all street improvements with curb, gutter, and sidewalk. Centerline profiles of approximate street grades, derived from office computations, may be required by the staff if deemed advisable.
  19. The size and location of all utilities on or adjacent to the tract to be subdivided, including pipe lines, and power transmission lines should be noted.
  20. Any other existing and proposed right-of-way or easements showing locations, widths, and designated purposes.
  21. Existing topography showing contour intervals, to sea level datum, of not more than two feet when the slope is less than four percent, and not more than five feet when the slope is greater than four percent, referenced to a United States Geological Survey or Coast and Geodetic Survey benchmark or monument.
  22. Natural features within and immediately surrounding the proposed subdivision, including drainage channels, bodies of water, wooded areas, and other significant features. On all watercourses leaving the tract, the direction of flow shall be indicated; and for all watercourses entering the tract, the drainage area above the point of entry shall be noted.
  23. If any portion of the land of the proposed subdivision is subject to inundation by storm drainage or overflow or ponding of local storm water; or if the land is located in a designated floodplain area shown as FEMA Floodway and Flood Plain, boundaries as shown on current FEMA maps; the extent of the land so affected shall be clearly shown and identified.

24. The location of all major existing tree growth. Major tree growth shall be defined as trees greater than six (6) inches in diameter at four (4) feet above the ground.
25. Grading and drainage information, including preliminary proposals for on-site detention of storm water, if necessary, in accordance with City storm water drainage policy.
26. Required or proposed landscape buffering (shown on the plan graphically and in cross section).
27. Accurate outlines and descriptions of any areas to be dedicated or reserved for public use or acquisition, such as proposed parks, playgrounds, open space, or school sites, with the purposes indicated thereon; and of any areas to be reserved by deed covenant for common use by all the property owners.
28. Proposed source and adequacy for provision of water and sewer.
29. Existing and proposed covenants and restrictions.
30. Any other information that may be necessary for the full and proper consideration of the proposed PUD or subdivision if such material is deemed reasonable and essential to the consideration of the project. Such material may include, but not be limited to, studies of traffic generation, drainage, sewer and public utilities, marketing and economic feasibility analyses and other issues that may be pertinent to the site and surrounding area.

## **Section 2. Final plat specifications.**

a. Submission of the final plat shall consist of the original drawing plus six prints, and six copies of all documents that may be required to meet the provisions of this section. (same as Preliminary Plat requirement)

b. The final plat shall be clearly and legibly drawn in black ink on tracing cloth or another suitable transparent material. The commission may require specific scales to be used.

c. The final plat shall contain the following information:

1. All of the information required by the preliminary subdivision plat, listed above, except:
  - Preliminary Engineering Certificate (Article V, 1, d, 10); and
  - Existing topography (Article V, 1, d, 21).
2. The following additional information:
  - a. Accurate location and description of existing monuments and markers, or the location and description of a permanent benchmark set as a part of the subdivision survey.
  - b. A Title block that includes the information from the preliminary plat submission and also the subdivision name and phase or section number, the number of lots shown on the plat, including common areas, the “section, township, and range” numbers, and the jurisdiction location.
  - c. Dimension and location of all setback lines.
  - d. Conditions imposed by the Planning Commission and Mayor and Board of Aldermen.
  - e. Location/footprint of proposed buildings, including height in stories and feet, floor area ratio, total floor area, and total square feet of ground area coverage.
  - f. Points of ingress and egress, parking areas, all internal circulation, including bicycle or pedestrian easements/paths.
  - g. The number of off-street parking spaces and off-street loading areas.
  - h. Existing tree masses to remain, streams, flood plain, and other natural features.

- i. Landscaping, screening, buffering, and open space areas in accordance with the approved outline plan.
- j. On-site drainage retention basins located in accordance with the outline plan with design approved by the City Engineer.
- k. The following certificates, as worded in Article V, section 4, signed, and notarized:
  - (1) Owner's Certificate.
  - (2) Mortgagee's Certificate, or a note that there is no mortgagee.
  - (3) Notary's Certificates for all owners, mortgagees, signed and sealed.
  - (4) Certificate of engineering accuracy, with engineer's and/or surveyor's certificate number, signature, and seal.
  - (6) Final Plat Approval certificate
  - (7) Recording Certificate.
- l. The final plat shall be accompanied by the following information and documents, unless this information appears on the plat itself:
  1. Certificate of approval of water supply and sanitary sewage disposal facilities by the appropriate health department when the system is not connected to the municipal system.
  2. A statement of organizational arrangements for the ownership, maintenance, and preservation of common open space;
  3. Resolution by the board of aldermen accepting or assenting to the vacation of any street, public way, or portion thereof shown on the plat, together with the certification of the city clerk as to the correctness of the resolution.
  4. A copy of a covenant running with the land stating that the city may at any time change the grade of any such street or other public way or any part thereof from the natural grade to the permanent grade without the payment of compensation or damages to the abutting property owners. The certificate shall include the consent by the mortgagee to the aforesaid dedication and covenant, if a lien holder does exist.
  5. A copy of a covenant running with the land setting forth the deed restrictions and covenants running with each lot; and the procedure by which amendments can be made and containing a reference to the approval of the final plat.
  6. The final plat shall be accompanied by three copies of any protection covenants running with the land in form for recording and their location, size, type and material are correctly shown; and that all requirements of the Senatobia, Mississippi, Subdivision Regulations have been complied with.

**Section 3. Plat Certificates.**

A. Preliminary Engineering Certificate

PRELIMINARY ENGINEERING CERTIFICATE

I, \_\_\_\_\_, hereby certify that this proposed preliminary plat correctly represents a survey completed by me or under my supervision on \_\_\_\_\_, 19\_\_\_\_: and is a true and correct representation of surveys made on the ground; and that all monuments which were found or placed on the property are correctly described and located.

\_\_\_\_\_  
Date of Execution (signed) \_\_\_\_\_  
Name  
Registered Professional Engineer  
No. \_\_\_\_\_, Mississippi

B. Certificate of Ownership

OWNER'S CERTIFICATE

I, (We), the undersigned, owner(s) or authorized representative of the owner of the property shown and described herein, hereby adopt this as my plan of subdivision and dedicate the right-of-way for the roads as shown on the plat of the subdivision for public use forever and reserve for the public utilities the utility easements as shown on the plat. I hereby certify that I am the owner in fee simple of the property and that no taxes have become due and payable. This the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Source of Title: (signed) \_\_\_\_\_  
D.R. \_\_\_\_\_, page \_\_\_\_\_  
Name & Address

C. Mortgagee Certificate

MORTGAGEE'S CERTIFICATE

\_\_\_\_\_, mortgagee of the property hereon, hereby adopts this as our plan of subdivision and dedicate the right-of-way for the roads as shown on the plat of the subdivision for public use forever and reserve for the public utilities the utility easements as shown on the plat. I hereby certify that I am the mortgagee in fee simple of the property and that no taxes have become due and payable. This the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Title (signed) \_\_\_\_\_  
Name  
\_\_\_\_\_  
Bank Name



F. Certificate of Engineering Accuracy

CERTIFICATE OF ENGINEERING ACCURACY

I, \_\_\_\_\_, hereby certify that this plat correctly represents a survey and plan made by me or under my supervision; that all monuments shown hereon actually exist and their location, size, type, and material are correctly shown; and that all requirements of the Senatobia, Mississippi Subdivision Regulations have been fully complied with.

\_\_\_\_\_  
Date of Execution

(signed) \_\_\_\_\_

\_\_\_\_\_  
Name, Registered Professional Engineer  
No. \_\_\_\_\_, Mississippi

G. Certificate of Final Approval: (this certificate combines the Planning Commission approval, the City Engineer's approval, and Mayor & Board's approval into one certificate)

CERTIFICATE OF FINAL APPROVAL

Pursuant to the Senatobia, Mississippi Subdivision Regulations, this document was given approval by the Senatobia city planning commission at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. All of the conditions of approval having been completed, this document is hereby accepted, and this certificate executed under authority of these regulations.

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Chairman, City Planning Commission  
Senatobia, Mississippi

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
City Engineer

Pursuant to the Senatobia, Mississippi, Subdivision Regulations, this document was given approval by the mayor and board of aldermen at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. All of the conditions of approval having been completed, this document is hereby accepted, and this certificate executed under authority of these regulations, provided, however, this approval shall be invalid, null and void, unless this plat is filed with the Chancery Clerk within six months hereafter.

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Mayor, City of Senatobia, Mississippi

\_\_\_\_\_  
City Clerk

## ARTICLE VI. MINIMUM DESIGN STANDARDS

### Section 1. Street plan.

a. The location and width of all highways, thoroughfares, streets and roads shall conform to the comprehensive plan, zoning ordinance and descriptions below.

b. The proposed street system shall be laid out according to good land planning principles and practices for the type of development proposed, and shall be coordinated with the street systems of the surrounding areas. All streets must provide for the continuation or appropriate projection of principal streets in the surrounding area, and provide a reasonable means of ingress and egress for surrounding acreage tracts.

c. Reserve strips or spite strips shall be prohibited.

d. Subdivisions that border on, or have included within the proposed area to be subdivided, any arterial street or major highways shall provide lot design so that the individual lots shall not have direct access to such highway.

e. Subdivisions that adjoin existing streets shall dedicate additional rights-of-way to meet the minimum street width requirements from each side of the centerline of the existing street. When a subdivision is located on only one side of an existing street, one-half of the required right-of-way, and in no case less than 25 feet measured from the centerline of the existing right-of-way, shall be provided by the subdivision.

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

1. Street right-of way width shall not be less than the following:

- (a) Expressways, arterial streets and freeways – As specified by the comprehensive plan, zoning ordinance, or city engineer.
- (b) Major streets – 80-foot minimum.
- (c) Collector streets – 60 foot minimum.
- (d) Minor Streets – 50-foot minimum.
- (e) Cul-de-sacs – 50 foot minimum.
- (f) Cul-de-sac turnarounds – 50 foot radius.
- (g) Alleys – 20 feet.

2. Minimum roadway width shall be as follows:

- (a) Expressways, arterial streets and freeways – As specified by the comprehensive plan, zoning ordinance, or city engineer. Right-of-way requirements in excess of 90 feet, as shown on the recorded comprehensive plan, shall be reserved for acquisition by the appropriate public body at a later date on all properties purchased on or after the adoption of these regulations in accordance with Article V, sections 2 and 3.
- (b) Major streets – 49 feet back of curb to back of curb.
- (c) Collector streets – 41 feet back of curb to back of curb.
- (d) Minor streets-31 feet back of curb to back of curb.
- (e) Cul-de-sacs – 31 feet back of curb to back of curb.
- (f) Cul-de-sacs turnarounds – 40 feet from center of circle to outer curb (40-foot radius).
- (g) Alleys – 16 feet.

g. Street alignment shall be designed to eliminate sharp curves and street jogs.

1. Tangents of at least 100 feet will be required between reverse curbs unless severe local conditions would warrant a shorter tangent. In such cases, the board of aldermen shall have the power to grant a modification to the provision, provided no traffic hazard would result.
  2. Street intersections with centerline offsets of less than 125 feet shall not be permitted.
  3. Street intersections shall be as nearly at right angles as possible, and no intersection shall be permitted at an angle of less than 60 degrees. Detailed designs of intersections may be required by the planning commission.
  4. Property line radii at street intersections shall not be less than ten feet, and where the angle of street intersection is less than 90 degrees; the commission may require a greater radius.
  5. Curb line radii at street intersections shall be at least 20 feet. Curb radii of streets or driveways feeding into arterial highways or major streets shall have a radius of not less than 25 feet. Where the angle of street intersection is less than 90 degrees, the commission may require that greater radii be required.
- h. Cul-de sac streets or courts designed to have one end permanently closed shall be no more than 400 feet long.
- i. For other “dead-end” streets or streets that will be extended in the future, a paved temporary turnaround with no curb or gutter is required. Streets should be connected to new subdivisions, and “dead-end” streets should be eliminated as much as possible.
- j. Street names for all subdivision plats shall be subject to the approval of the city engineer.

## Section 2. Street grades.

- a. Street grades of minor streets shall comply with good engineering practice, and shall not exceed ten percent or less than one-half of one percent. Street grades of arterial streets and major streets shall not exceed five percent. Street profile shall not to change more than three percent per 100 feet.
- b. Grades approaching intersections shall not exceed five percent for a distance of not less than 100 feet from the centerline of said intersecting roads.
- c. A variance to these standards may be permitted if topographic conditions are such as to make compliance very difficult. If it becomes necessary for the approved grade to exceed 15 percent, the street shall be paved with concrete.
- d. All streets shall be graded to a minimum line extending seven feet back of the curb line, with a minimum rise of not less than eight inches, and a maximum of not more than 15 inches from the flow of the gutter, unless the topography is such as to make this requirement prohibitive.

## Section 3. Street Pavement

- a. Pavement design for the subdivision shall be as follows:
1. The minimum wearing surface for all roads shall be three (3) inches of hot mix asphalt, installed in two (2), one and one-half (1 ½) inch lifts, and as specified in the most current edition of the *Mississippi Standard Specifications for State Aid Road and Bridge Construction*. The material shall conform to the appropriate subsection of the same edition unless otherwise approved by the City Engineer. One and one-half (1 ½) inches of surface course shall be installed upon approval of the base material by the City Engineer. The remaining one and one-half (1 ½) inches of surface course shall be installed no sooner than six (6) months no later than eighteen (18) months after installation of the initial surface course, provided, however, that upon completion of at least 70% of the homes and/or other building located within the subdivision and with

approval by the City Engineer, the Subdivider may install the final lift of asphalt. Prior to the installation of the final surface course, the initial surface course shall be inspected by the City Engineer and any defects in the surface course, base, and/or subgrade shall be corrected by the Subdivider.

2. The minimum pavement design thickness for subdivision streets shall be twelve (12) inch compacted red clay gravel base or the recommended base thickness as calculated for the estimated daily traffic count recommended for the particular subdivision development conforming to the most current procedures for structure thickness as established by the Office of State Aid Road Construction and as specified in the most current edition of the *Mississippi Standard Specifications for State Aid Road and Bridge Construction*, Section 304. The materials required and mixing, shaping and compacting of the material shall conform to all applicable sections and subsections for granular material, Class 4 Group B. Senatobia reserves the right to inspect the material in place for compliance with these specifications. The owner shall employ an independent laboratory to conduct field compaction tests with a minimum 97% compaction of standard proctor especially around manholes and drainage inlets. The City shall require proof rolling, witnessed by the City Engineer or City Engineer's personnel, of the entire roadway subgrade prior to placement of granular material or soil cement or base and immediately prior to placing the hot mix surface. The proof roll shall be accomplished with a loaded dump truck as directed by the City Engineer or his representative. The owner/developer's contractor shall give sufficient notice to the City Engineer in order for the proof roll to be arranged in a timely manner. Upon approval of the subgrade, the contractor may proceed with installation of the base material. After installation of the base material, the contractor shall request another proof roll. Upon approval of the base material, the contractor may place the hot mix asphalt surface. The owner/developer shall be billed by the City Engineer for all proof rolling and inspection on an hourly basis.

3. Alternate methods of base construction include (1) using red clay topping with either six inches (6") of soil cement or eight inches (8") of limestone. Both methods for setting up an approved base may be allowed but shall conform and comply with all applicable sections and subsections of the most current edition of *Mississippi Standard Specifications for State Aid Road and Bridge Construction*, if requested and approved by the County Engineer. The Owner shall employ an independent laboratory to establish soil cement mix design percentage and conduct field compaction tests with a minimum of 97% compaction of standard proctor especially around manholes and drainage inlets.

#### **Section 4. Alleys, easements, and half streets.**

a. Alleys will not be permitted in residential districts, except where the subdivider produces evidence satisfactory to the commission of the need for alleys.

b. Alleys shall be required in commercial and industrial districts if it is determined by the board of aldermen that conditions necessitate the provisions of alleys in the particular district.

c. All easements shall be not less than ten feet in width, except in cases of double-tiered lots, where a width of 7 ½ feet for each tier will be permitted. Also, where there exists a stormwater ditch, creek, or any other such watercourse, the easement shall be of sufficient width to construct and effectively maintain the necessary appurtenances. The location of any storm ditch, creek, or watercourse shall not be changed without the approval of the city engineer.

d. Half streets will not be permitted, except in such cases where there exists a half street contiguous thereto. And then no less than twenty-four (24) feet of pavement shall be allowed for the

new road.

### **Section 5. Curb and gutter.**

Curb and gutter shall be installed in all residential, commercial, and industrial zoned subdivisions using the Mississippi State Highway specifications. "6-24" type curb and gutter shall be utilized unless otherwise specified in accordance with the city engineer's recommendation. The developer shall have the material and compression tests of the concrete performed and the results submitted to the city engineer. Each property line / lot line extension location shall be marked in the curb with a "crow's foot" imprint.

### **Section 6. Sidewalks.**

- a. Concrete sidewalks at least five (5) feet wide and four (4) inches in depth shall be constructed in all new subdivisions on one side of all streets excepts coves. Sidewalks are required along major streets.
- b. Individual sections will be tied together in an obvious pedestrian path through the neighborhood.
- c. All sidewalks will be constructed to American's with Disabilities Act (ADA) standards.
- d. Materials and compression tests of the concrete shall be performed and submitted to the city engineer.

### **Section 7. Blocks.**

- a. Blocks shall be laid out with special attention given to the type of use contemplated.
- b. Residential blocks shall be wide enough to provide two tiers of lots of minimum depth, except where fronting on freeways, expressways, or major thoroughfares, or prevented by topographical conditions or size of the property. In such case the commission may approve a subdivision containing a single tier of lots of minimum depth.
- c. Length of blocks shall be from 400 to 1,200 feet. Residential blocks shall not be less than 400 feet or more than 1,200 feet in length, except as the commission considers necessary to secure efficient use of land or to achieve desired features of the street system. In blocks over 800 feet long, the commission may require public crosswalks across the block.
- d. The width of block shall be from 250 to 400 feet.

### **Section 8. Lots.**

- a. Lot sizes, shapes and locations shall be made with due regard to topographic conditions, contemplated use, and the surrounding area. A re-subdivision, or a subdivision in an area already subdivided, shall improve rather than detract from the surrounding neighborhood.
- b. Every lot must abut upon a dedicated public street. There shall be a mark in the curb, commonly called a "crows foot" to show the property line at the street.
- c. Lots, other than corner lots, fronting on two streets shall not be permitted.
- d. Side lot lines shall be substantially at right angles to streets, except on curves where they shall be radial. Where the distance between rear lot corners on double-tiered lots would be less than ten feet, the lot lines shall be deviated so that the property corners along the rear lot line will coincide.
- e. The area of all lots must conform to the requirements of the zoning ordinance. In all cases where there is no reasonable possibility of sanitary sewer service, the individual lots must be of sufficient size to accommodate a suitable sewage disposal device that shall conform to health department regulations. In such cases minimum lot sizes shall be determined as follows: A subdivider shall conduct a percolation test on each proposed lot in a subdivision and indicate the location and result of each test hole on the preliminary plat. The dimensions and area of each lot will then be established at levels necessary to fulfill state health department regulations for disposal septic tank

effluent.

f. All building and setback lines shall conform to requirements established in the zoning ordinance.

g. Where easements for public utilities or storm or sanitary sewers are contemplated, the lot lines shall be platted so as to facilitate the construction and maintenance of said improvements.

### **Section 9. Parking Facilities and loading docks.**

a. In residential areas, off-street parking facilities shall be provided as specified by the zoning ordinance.

b. In other than residential district adequate space for off-street parking facilities and loading docks shall be provided as required by the zoning ordinance, and approved by the planning commission.

### **Section 10. Public Areas.**

In all large subdivisions it is recommended that a suitable amount of open spaces be provided and dedicated for public use unless there are such facilities already available and of adequate size in close proximity to comply with acceptable city or state standards. Dedication of all such areas shall be subject to approval and acceptance of the tract(s) proposed for dedication by the park and recreation commission and the board of aldermen. Parks, open spaces and/or playgrounds must be suitably improved for their intended use, but parks, open spaces and/or playgrounds containing natural features clearly worthy of preservation may be left unimproved. At its discretion, the Planning Commission may recommend that the Mayor and Board of Aldermen accept a cash contribution in lieu of land dedication for parks and open spaces; this payment, in lieu of land dedication, will be no less than three hundred fifty dollars (\$350) per dwelling units created.

## **ARTICLE VII. IMPROVEMENTS**

### **Section 1. Required improvements.**

As stated above, receipt of notice of approval of the preliminary plat is the subdivider's authorization to proceed with the construction of any improvements, subject to issuance of all necessary and proper permits, and subject to the inspection and approval of the city engineer.

Every subdivider shall be required to install at his own expense, or have installed by the appropriate public utility, the following improvements:

a. *Streets:*

1. Grading:

(a). All streets shall be cleared and grades as approved by the city engineer.

(b). All streets shall have been graded in conformity with the requirements set out in Article VI, section 2.

(c). Finished grades shall be at levels approved by the city engineer or the appropriate agency.

2. Paving:

(a). Streets shall be paved to widths specified in Article VI, section 1.

(b). Street pavements shall be installed in conformity with the requirements set out in Article VI, section 3.

(c). A suitable hard surface permanent type of pavement shall have been constructed meeting the requirements of the city's standard

specifications.

(d). Water and sanitary sewer mains shall be constructed prior to installation of paving and in accordance with Article VI, section 3 of this ordinance.

3. Curb and gutter: Curbs and gutters shall be installed on all streets, and shall be in accordance with the requirements set out in Article VI, section 5.

b. *Sidewalks:*

Sidewalks shall be constructed in accordance with Article VI, section 6.

c. *Water supply:*

1. The subdivider shall install or have installed a system of water mains and shall connect this system to a public water supply system if one is located within a reasonable distance. Connections to each lot shall be installed prior to paving of the street.

2. Where a public water supply system is not reasonably available, each lot in the subdivision shall be provided with an individual water supply system approved by the health department.

d. *Sanitary sewage disposal:*

1. Where public sanitary sewage system is located within a reasonable distance of any point of the subdivision, the subdivider shall connect his subdivision to the system, and provide a connection to each lot.

2. Such sanitary sewage system shall be installed prior to installation of the street pavement.

3. Where a public sanitary sewer is not accessible, an alternate method of sewage disposal for each lot, or a community sewage disposal system may be used when in compliance with the standards of the health department and these regulations.

4. In the preceding paragraphs, the phrase, "Every subdivider shall be required to install ..." shall be interpreted to mean that the subdivider shall cause the improvements referred to herein to be installed, or whenever a septic tank and absorption system or private water supply is to be provided, that the subdivider shall require, as a condition in the bill of assurance of the subdivision, that those facilities shall be installed by the builders of the improvements of the lots in accordance with these rules and regulations.

e. *Storm water drainage:*

1. Every subdivision shall be served by storm drainage facilities, including drains, sewers, catch basins, culverts, and other facilities.

2. In cases where the size of such storm sewer would make the cost prohibitive in relation to the value of the land and the city does not have sufficient funds allocated to participate in the cost for such improvements, such areas shall be planned and shown on the plat in dotted lines. They shall be shown as areas of proposed future development, but shall be excluded from the proposed subdivision.

3. All drainage facilities shall be designed to serve the entire drainage area.

4. All surface water drainage shall be transported to existing storm sewers, or to drainage facilities approved by the city engineer.

5. The city engineer shall approve all proposed drainage facilities.

6. Lakes, ponds, creeks, and similar areas will be accepted for public maintenance only if a sufficient amount of land is dedicated as a public

recreation area or park, or if such area constitutes a necessary part of the drainage control system of the subdivision. All such area must be approved by the park and recreation commission, and accepted by the board of aldermen before approval is granted for the final plat.

7. Areas subject to periodic flooding caused by poor drainage facilities will not be accepted by the board of aldermen unless the subdivider takes all the necessary steps specified by the city engineer to eliminate all such flooding.

f. *Other utilities:*

All other in-ground utilities not specifically mentioned in above are to be installed in a subdivision shall be located in the grass plot back of the curb lines. If lateral lines are not installed to each property line, connections between the lots and utility lines shall be made without tearing up the wearing surface of the street whenever possible. Jacking operations are recommended.

g. *Monuments:*

Iron pins of no less than 30 inches long or less than three-fourths inch in diameter shall be set flush with the ground at every lot corner.

h. *Fire protection:*

Fire hydrants shall be placed so that no lot in a residential subdivision is more than 500 feet from a fire hydrant located along the same street. Fire hydrants shall not be placed in coves along the curve; rather, they shall be placed at the beginning of the turnaround. The commission and/or fire chief may require other spacing requirements in residential, commercial and/or industrial subdivisions if special circumstances warrant.

i. *Traffic control:*

1. All subdividers will be required to install or pay for approved street signs, for all streets, at points designated by the city engineer.
2. Street name signs shall be placed on diagonally opposite corners of each street intersection in conformance with specifications adopted by the city.

j. *Street lighting:*

The city will provide standard street lighting in each subdivision consisting of a standard fixture and concrete pole as installed by the power company, and the city will assume the monthly cost of the lights. If the developer desires to upgrade the streetlights, which would result in additional cost, then the developer will be required to make payments to the city in an amount equal to the difference between the monthly charge for the standard lights and the monthly charge for the upgraded lights for a period of five months (60 months), with this payment to be received by the city prior to final plat approval.

k. *Other Improvements:*

In some proposed developments, particularly PUDs, other improvements such as trees, buffers, walking trails, playgrounds, or other amenities, are proposed to be constructed by the developer or subdivider as a part of the improvements required in this section. These additional improvements shall be constructed as approved in the Outline Plan or other conditions and are subject to inspection and approval by the staff or city engineer.

## **Section 2. Performance and Maintenance bonds.**

a. No final plat of any subdivision shall be recorded unless all improvements specified in this ordinance, or otherwise required, have been completed, inspected, and approved by the City engineer or Building Official, OR, a performance bond has been filed with the City securing the construction of

the improvements yet to be done.

b. The subdivider shall sign an agreement with the City agreeing to install or provide the required improvements and shall file a bond with the City. This agreement and bond shall be conditional to secure the construction of the required improvements listed in this Article in a satisfactory manner and within a period specified, such period not to exceed four years. Further, there shall be a minimum time of 12 months or the time until after 60% of the lots in the subdivision have been developed, whichever is longer. "Developed" can be defined, in a residential subdivision, as when the home is completed; in a commercial subdivision, as when 75% of the approved space is completed; and in an industrial subdivision, as when 75% of the approved space is completed. No such bond shall be accepted unless it is enforceable by or payable to Senatobia in a sum at least equal to the amount specified below and in a form with surety and conditions approved by the Attorney for the City, where costs of improvements are not specified, this amount shall be estimated by the Engineer.

c. The bond amount for streets shall be determined by the City Engineer and shall be a sum at least equal to the amount required to construct the required improvements to the required specifications two (2) years from the date of the agreement. All subdivision road improvements shall be completed with final one and a half (1 ½) inch layer of asphalt for a total of three inches within four years from recording said subdivision plat.

d. All road bond amounts approved by the City Engineer, shall automatically increase by five percent (5%) each year at time of renewal, beginning with the first bond renewal.

e. All road construction will be guaranteed after acceptance by Senatobia subject to normal wear and tear. A maintenance bond in an amount set by the City Engineer will be required in order to assure the satisfactory condition of the required improvements. The maintenance bond shall continue to be in effect for a minimum of one (1) year and the city may require an additional one (1) year if the City Engineer deems necessary.

f. When all of the required improvements have been constructed, the subdivider shall contact the City Engineer / Building Official for a final inspection and shall provide certification that the final improvements have been installed according to City specifications. The County Engineer / Building Official shall inspect the subdivision and make a written report, a copy of which is to be provided to the subdivider and the Mayor and Board of Aldermen.

g. The bond will be released by order of the Mayor and Board of Aldermen when the subdivision receives an approved final inspection report from the City Engineer. The Mayor and Board of Aldermen on recommendation of the City Engineer may reduce liability on the bond as work progresses and after acceptance, may reduce the bond to such amount as the City Engineer deems sufficient to guarantee performance of the warranty.

## **ARTICLE VIII. ADMINISTRATION**

### **Section 1. Administrative body.**

a. These regulations and rules shall be administered by the Senatobia planning commission, mayor, and board of aldermen and the appropriate designated employees.

b. The commission may, from time to time, issue instructions and operating procedure to be followed in the administration of these regulations, to the end that the public may be informed, and approval of subdivision plats may be expedited.

### **Section 2. Amendments.**

The Mayor & Board of Aldermen may from time to time adopt amendments that will tend to increase the effectiveness of these subdivision regulations and expedite the approval of subdivision plats. These subdivision regulations may be revised or amended by the board of aldermen after giving

adequate public notice as required by law and conducting a public hearing.

**Section 3. Fees.**

At the time of filing an application for preliminary plat approval with the Senatobia city planning commission requesting consideration of a subdivision plat, the subdivider shall pay to the city clerk a filing fee from a fee schedule as set by the Mayor & Board of Aldermen.

**Section 4. Penalties.**

Any violation of these rules and regulations shall be interpreted as a misdemeanor under the laws of the State of Mississippi, and the offender, upon conviction, shall be punished accordingly. Any court having jurisdiction of misdemeanor cases shall have jurisdiction to try such offenders, and upon conviction to fine them not less than \$25.00 nor more than \$100.00 for each offense. Each day that any violation of the regulations continues shall constitute a separate offense.

**ARTICLE IX. VARIANCES**

**Section 1. Limits of variance.**

Upon the written request of the subdivider, the Board of Adjustments (BOA), as outlined in the zoning ordinance, may modify some of the design requirements, but it has not authority to waive any of the improvements or procedural steps that must be followed.

**Section 2. Purpose.**

Minor modifications of the provisions set forth in these rules and regulations may be authorized by the BOA in specific cases, when, in its opinion, undue hardships may result from a strict adherence to these requirements. All final determinations shall be based fundamentally on the fact that unusual topographic and/or other exceptional conditions require that such modification be made. In granting such modifications, variances, or waivers, the BOA may attach any other reasonable conditions that will, in its judgment, justify such modifications, variances, or waivers, and at the same time preserve and foster the objectives of these regulations. Every modification, variance, or waiver of the regulations, as well as the reason for such modification, variance or waiver, shall be entered upon the minutes of the BOA.

**Section 3. Application & Approval.**

Application for any of the aforementioned modifications shall be filed in writing by the subdivider, along with all the necessary supporting documents to the commission, explaining in detail the reasons and facts supporting the application. Each and every modification, variance, or waiver of the subdivision regulations sought by a subdivider shall be specifically applied for, in the numerical order of these subdivision regulations, in writing by the subdivider. Said application shall be filed with the commission at least 14 days prior to the regularly scheduled meeting date. Any condition shown on the preliminary or final plat or on engineering plans or data called for by Article V, sections 1 or 2, that would require a modification, variance, or waiver, shall constitute a ground for disapproval of the preliminary or final plat unless such special application for a modification, variance or waiver is applied for in writing by the subdivider.

**ARTICLE X. CONCLUSION**

**Section 1. Repeal.**

The ordinance enacted by the mayor and board of aldermen of the said City of Senatobia on June 1, 1976, the same being an ordinance entitled "An Ordinance Providing Regulations Governing Subdivision of Land Within the Corporate Limits of the City of Senatobia, Mississippi: Providing the Procedure for the Administration Thereof: Establishing Plat Requirements, Required Improvements, and Design Standards: Providing for Variances: and for Related Purposes", recorded in Ordinance Book No. B at page 15 of said City of Senatobia that is kept in the office of the city clerk of said city be and the same is hereby repealed.

**Section 2. Adoption.**

These rules and regulations shall be in full force and effect upon their adoption by the board of aldermen of Senatobia, Mississippi.

**3. Adoption and certification.**

The above and foregoing ordinance was previously reduced to writing, proposed and introduced for the consideration of the Mayor and Board of Aldermen of the City of Senatobia, and was read, considered and voted upon by sections and as a whole; the vote on each and all the sections, and upon the ordinance as an entirety was taken by "yea" and "nay" vote. The Aldermen voted as follows:

- Alderman
- Alderman
- Alderman
- Alderman
- Alderman

and the said ordinance was adopted, enacted and passed on \_\_\_\_\_ by the Mayor and Board of Aldermen in lawful session, all as appears of record in the Municipal Minutes Book Number \_\_\_\_.

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Kay Minton, City Clerk

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Alan Callicott, Mayor

It is hereby certified that the foregoing ordinance was passed, adopted, and granted by the Mayor and Board of Aldermen of the City of Senatobia, Mississippi on the day and in the manner therein stated, and the foregoing is a true and exact copy of the same as so passed, and adopted, and granted.

This the    day of            , 20    ,

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Kay Minton, City Clerk

Read, verified, and subscribed to by the Mayor and the City Clerk at a regular meeting of the Mayor and Board of Aldermen held on the    day of                   , in the manner provided and as required by Section 21-13-13 and 21-13-17, Mississippi .

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Kay Minton, City Clerk

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Alan Callicott, Mayor