

that serve 3 or more residences shall be considered private roads.

ARTICLE IV

PROCEDURE

SECTION 400 GENERAL PROCEDURE

Whenever any subdivision of land is proposed, before any recording of deeds, the developer or his authorized agent must apply for and receive approval for the proposed subdivision. There are four steps required to receive this approval:

- (1) Preapplication conference and submission of preapplication sketch (County Planner).
- (2) Submission and approval of the preliminary plat (County Planner).
- (3) Submission and approval of construction plans (County Engineer and Board of Supervisors).
- (4) Submission and approval of final plat (County Planner and Board of Supervisors).

The rest of Article IV will outline each of these steps in detail.

SECTION 401 PREAPPLICATION CONFERENCE AND SKETCH

401.01. Purpose: The developer or his engineer is required to hold a preapplication conference with the county planner. The purposes of this conference are:

- (1) to ensure that the development is being planned and will be constructed in compliance with the Lamar County Subdivision Regulations, and
- (2) to allow the developer an opportunity receive the advice and assistance of the county planner before the preparation of the preliminary plat and before application for its formal approval.

401.02 Submission of Preapplication Sketch to County Planner: The developer must submit a preapplication sketch to the county planner at the time of the preapplication conference. After the county planner's review, he may either approve or disapprove the sketch. It should be noted, however, that disapproval of a preapplication sketch does not deny the developer the right to submit a preliminary plat based on that disapproved preapplication sketch. It is only meant to convey to the developer that any subsequent preliminary plat based on the disapproved sketch will have difficulty complying with the Subdivision Regulations.

401.03 Number of Copies Required: Two (2) copies of the preapplication sketch must be submitted. These copies must be shown on black line or blue line prints. See Section 402.02-02.

401.04. Required Information on the Preapplication Sketch: The preapplication sketch should consist of and illustrate the following:

401.04-01 A vicinity map at a scale of 400 feet or more to the inch must be drawn on or accompany the preapplication plat. The map must show:

401.04-02 All existing subdivisions and the street and tract lines or acreage parcels of land, together with the name of the record owners of such parcels immediately adjoining the proposed subdivisions and between it;

401.04-03 The nearest existing highways or thoroughfares, streets, and alleys in neighboring subdivisions or unplatted property involved in producing the most advantageous development of the entire neighborhood;

401.04-04 Section, township, and range;

401.04-05 Any corporation or ad hoc district lines, such as school or sewer districts, etc.

401.04-06 Names, right-of-way and roadway widths of streets, and approximate grades; similar data for alleys, if any

401.04-07 Lot lines, including lot numbers.

401.04-08 Sites, if any, for apartment buildings, shopping centers, churches, industry, or other non-public uses exclusive of single-family dwellings.

401.04-09 Watercourses, marshes, flood areas, wooded areas, houses, and other significant features

SECTION 402 PRELIMINARY PLAT

402.01. Submission to Planning Department: After receiving approval of his preapplication sketch, the developer may begin preparation of the required preliminary plat. The preliminary plat must be approved by the Planning Department before the construction plans can be approved by the county engineer and the Board of Supervisors.

402.02. Number of Copies and Required Scale

402.02-01: Two (2) copies of the preliminary plat must be submitted initially to the county planner. Each must be shown on black line or blue line prints prepared by a qualified registered professional engineer and must be accompanied by an application in letterform.

402.02-02: The horizontal scale of the preliminary plat should be at a scale of not less than (1) one inch equals (200) two hundred feet. Subject to review and approval by the county planner, horizontal scale may be reduced or enlarged for subdivisions, which are respectively large or small.

402.03. Required Information on Preliminary Plat

402.03-01: Title under which the proposed subdivision is to be recorded, with names and address of owners, notation stating acreage, graphic scale, north arrow (true north), datum, benchmarks, and date of survey.

402.03-02: A metes and bounds description of the subdivision boundary

402.03-03: Location and description of boundary monuments.

402.03-04: 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 ties to lot corners must also be shown.

402.03-05: 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.

402.03-06: Number to identify each lot or site.

402.03-07: Purpose for which sites, other than residential lots, are dedicated or reserved.

402.03-08: Minimum building setback line on all lots and other sites.

402.03-09: Proposed method of water and sewer supply.

402.03-10: Line sizes, approximate invert elevations (where appropriate) of utilities, and cross sections of principal drainage ditches.

402.03-11: Name and width of each street or other right-of-way.

402.03-12: Location, dimensions, and purpose of any easements.

402.03-13. Areas lying within a designated F.I.A. flood hazard area.

402.03-14. All required easements

SECTION 403 CONSTRUCTION PLANS

403.01: Submission to County Engineer and Board of Supervisors: After receiving approval of his preliminary plat the developer may begin preparation of the construction plans for improvements required in Article V. The construction plans must be approved by the county engineer and the Board of Supervisors before any construction of any type is begun in the subdivision.

403.02: Required Information on Construction Plans

403.02-01: The construction plans must be prepared on sheets twenty-four (24) by thirty-six (36) inches. The plan and profile sheets (street and sanitary sewers) must be drawn on an appropriate scale designated by the developing engineer and approved by the county engineer.

403.02-02: A combination plan and profile for each street and a typical cross section of the proposed grading, drainage, base course, and pavement.

403.02-03: Detailed plans for water and sanitary sewer systems, culverts, drainage structures, and bridges. Such plans and specifications for the proposed water and sewer system must be accompanied by written certification from the Mississippi State Board of Health and the Mississippi Bureau of Pollution Control that the proposed systems are in conformance with all applicable laws and regulations.

403.02-04: An erosion and sediment control plan as specified in Article V.

403.03: Distribution of Copies: Upon approval by the Board, one (1) copy of the preliminary plat and one (1) copy of the construction plans will be returned to the developer, and one (1) copy of each will be retained by the Planning Department.

403.04: Interpretation of Preliminary Plat Approval: Approval of the preliminary plat shall not constitute approval of the final plat. Rather, it should be considered as authorization, subject to the issuance of all necessary and proper permits, to proceed with the construction of any improvements subject to the inspection of the county engineer and with the staking of lots in preparation of the final plat, which will be submitted for approval to the Board of Supervisors.

SECTION 404 FINAL PLAT

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

404.02: Number of Copies and Required Scale: The final plat should be prepared at a minimum horizontal scale of one (1) inch equals two hundred (200) feet. Subject to review and

approval by the county planner, horizontal scale may be reduced or enlarged for subdivisions that are exceptionally large or small. The plat or plats must be drawn on sheets of linen-backed paper, eighteen (18) by twenty-four (24) inches. When necessary the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. One (1) original and two (2) copies must be prepared and submitted to the county planner within two (2) years after approval of the preliminary plat.

404.03: Required Information on Final Plat

404.03-01: 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.

404.03-02: 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.

404.03-03: Name and width of each street or other right-of-way.

404.03-04: Location, dimensions, and purpose of any easements.

404.03-05: Number to identify each lot or site.

404.03-06: Purpose for which sites, other than residential lots, are dedicated or reserved.

404.03-07: And any areas lying within a flood hazard area

404.03-08: Minimum building setback line on all lots and other sites.

404.03-09: Location and description of boundary monuments.

404.03-10: Title, graphic scale, north arrow (true north), and date.

404.03-11: A metes and bounds description of the subdivision boundary.

404.03-12: Attached to the final plat must be a certificate issued by the authorized county officials to the effect that there are no unpaid taxes due at the time of plat approval on any of the lands included in the plat, and that all outstanding taxes and special assessments have been paid on all property dedicated to public use.

404.03-13: An affidavit and certificate by a qualified registered professional engineer or surveyor must be printed on the original tracing of the final plat and read to the effect that he has fully complied with the requirements of these regulations and the subdivision laws of the State of Mississippi governing surveying, dividing and mapping of the land, that the plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it; and that the plat represents a survey made by him and that all monuments indicated thereon actually exist and their location, size and material are correctly shown.

404.03-14: A certificate of the following form must be printed on the original tracing of the final plat.

Owner's Certificate The undersigned owners of the property shown hereon, hereby adopt this plat as our plan of subdivision and dedicate the street rights-of-way, and utilities as shown to public use forever.

Date _____ 20_____ Signed _____

404.03-15: A certificate of the following form must be printed on the original tracing of the final

plat.

404.03-15: The preliminary plat for a subdivision shall show the master layout of the entire development. This includes all future phases. Proposed infrastructure shall be included as part of the layout.

404.03-16: Letter of Approval from the Home Owner's Association must be obtained from them for replats or resubdivisions, if the Association has been established. If there is no Home Owner's Association is established, appropriate notice should be given to the existing homeowners regarding any changes.

County's Approval Certificate: I hereby certify that this is a true copy and this plat was approved by the Board of Supervisors for filing purposes only in session on this _____ day of _____, 20_____

Signed _____ President,
Board of Supervisors

Chancery Clerk

404.04. Review by the County Engineer: The plat must first be submitted to the County Planning Department. The Department will send it 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 engineer will also determine that all conditions set forth in the construction plans have been satisfied.

404.05. Approval by the Planning Department: Should the county engineer and county planner determine that all requirements set forth in these regulations have been met, they will within thirty (30) days submit the final plat, along with their recommendation, to the Board of Supervisors for their approval.

404.06. Conditions for Approval by the Board: The final plat will not be approved by the Board of Supervisors until the developer has done the following:

Until he has either;

- (1) Actually completed construction of all improvements as required in Article V and as approved on the preliminary plan; or
- (2) Given the Board of Supervisors a performance bond, or a certified check,
- (3) Final plats for subdivisions with private roads shall submit a performance bond for improvements. The estimated cost of the bond is to be determined by the County Engineer after his inspection.
- (4) Statements regarding private road and their maintenance shall be placed on the plat.

404.07. Approval by the Board of Supervisors: When the conditions specified in 403.05 and 403.06 have been met, the Board of Supervisors will adopt an order at the next regularly scheduled meeting approving the final plat. The subdivision's roads and streets will not be formally accepted until they are actually completed.

404.08. Endorsement and Distribution of Copies: 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. The original copy of the final plat will be filed with the Chancery Clerk; One (1) paper copy shall be submitted to the E911/Addressing. The Tax Collector's shall also be paper. The original copy submitted to the Chancery Clerk shall be on linen. A digital copy shall be submitted to the County Engineer. The Planning Department's copy will be on Mylar. Additional copies may be required by the Planning Department. A

digital copy of the final plat in a CAD file shall be submitted

404.09 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, road 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 road rights-of-way. 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.

404.10. A letter from the project engineer shall be submitted. This letter shall state that the engineer verifies that the different phases of the work have been in accordance with the approved plans and specifications.

404.11. Work on Platted Subdivisions: Once a final plat for a subdivision is approved, work on the subdivision must start with 6 months. This work must also proceed with due diligence until completion. If progress stops for longer than 1 year, then the developer must come back before the Board of Supervisors.

SECTION 405 MODIFICATIONS AND EXCEPTIONS

405.01: Minor Subdivisions Exemptions: In the case of a small subdivision of minor importance which utilizes existing streets and utilities situated in a locality where conditions are well defined, the Board of Supervisors, on written request of the developer, may exempt the developer from complying with some of the requirements stipulated in Article IV and V pertaining to the preparation of the plats and required improvements. Such requests must be submitted to the county planner.

405.02: Lot Splits: The intention of this provision is for the redivision or combining of lots in an existing subdivision. All lot splits are subject to review and approval by the Board of Supervisors. Any proposed lot split must be submitted to the county planning staff for review by the Planning Department. If the Planning Department is satisfied that such proposed lot split is not in conflict with the applicable regulations it will stamp the same "Approved by the Lamar County Board of Supervisors, no plat required". A survey and description of property required. Letter of Approval from the Home Owner's Association must be obtained from them for replats or resubdivisions, if the Association has been established. A lot may not be created that is smaller than the average of the existing lots.

405.03. Waiver of Development Standards: If any particular case where the developer can show 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. Applications for request for waiver of development standards from the subdivision regulations or the zoning ordinance must be submitted to the county planner for approval 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.

405.04. The partitioning of an estate among legal heirs or the sale or exchange of property among immediate family members. The lots are not designed to be further subdivided or resold to a non family member.

405.05. Minimum Acreage: Lots of more than 3 acres in size that do not involve a new road or access easement.

405.06. The County Engineer or County Planner should be notified of any significant changes to the construction plans or final plat.

405.07. Procedures for amending or the resubdividing of an existing subdivision.

405.07-01 An in the newspaper must be ran 15 days prior to the hearing.

405.07-02 After the public hearing is held, the Board of Supervisors must approve the revised plat.

SECTION 406: MINOR SUBDIVISIONS

406.01. Platting. Minor subdivisions shall meet the platting requirements, unless exempted by Section 405.01. Further, the proposed subdivision shall comply with Section 404.

406.02. Review. Minor subdivisions shall be reviewed by the Planning Department Staff and approved by the Board of Supervisors. The Planning Department Staff will determine whether a plat needs to be filed. The Department will take into consideration the site distances on the driveways.

406.03. All land divisions off of a root parcel are cumulative. Once the threshold for a major subdivision has been reached, the entire root parcel will have to be platted as a major subdivision. For purposes of these regulations, a root parcel is the property described in the legal description in the deed of the property when it was purchased.

ARTICLE V

REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

SECTION 500 IMPROVEMENTS IN SUBDIVISIONS

500.01: Before the county can assume the responsibility for maintaining the dedicated streets constructed within a subdivision, the owner or owners of the subdivision must ensure that the following improvements are constructed according to the specifications set forth in these regulations.

500.02: 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.

500.03: Upon completion of construction of any utilities or improvements, one set of complete final plans, dated, signed, and certified by the engineer in charge must be filed with the county engineer and the Planning Department. 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.

500.04: All tests necessary to insure that the following improvements are in compliance with these regulations are the responsibility of the developer.

500.05: At the time construction begins on any of the improvements required by these regulations, the developer or his agent must notify the county engineer.

SECTION 501 STREETS

501.01. The county engineer and Planning Department will review the street system for the proposed subdivision and classify all proposed streets in one of the following categories: