

Subdivision Ordinance City of Senatobia, Mississippi

**Adopted on December 7, 2010
Amended through August 17, 2021**

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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 also be cited as the “Subdivision Ordinance”.

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 City of Senatobia adopted by the Mayor and Board of Aldermen heretofore; are designed to assist orderly, efficient and coordinated development within the City of Senatobia; and are designed to promote health, safety and general welfare of the residents of Senatobia and its environs. The intent of this ordinance is 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 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 Mayor and Board of Aldermen of the 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.

These new regulations shall take effect at the time of adoption by the Mayor and Board of Aldermen. Subdivisions which received preliminary plat approval prior to the adoption of this ordinance, but have not sought final plat approval within the appropriate timeframe as specified herein, may be subject to these new regulations in order to ensure protection of the public health, safety, and general welfare.

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:

As-built drawings: Construction or engineering plans prepared after the completion of construction, by the project engineer, to identify the exact location of all on-site improvements.

Board of Adjustment (BOA): Established and appointed by the Mayor and Board of Aldermen as outlined in the Zoning Ordinance. The Board of Adjustment will hear and decide appeals of the Building Official/Staff decisions and to authorize variances. More details of the powers of the BOA is discussed in the Zoning Ordinance.

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 checks, assignment of certificates of deposit, or irrevocable letters of credit are also acceptable; all of the above shall be 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 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, and 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 the designated representative of the City of Senatobia, Mississippi.

City Engineer: The City Engineer or the 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.

Drip Line: The projected circumference of the outermost extent of the tree canopy onto the ground surface. This line represents a critical area of the tree where alteration of the existing ground by cutting, filling, compacting, or disturbing the root system in any way may affect the survival of the tree.

Driveway: A privately owned or maintained strip of land or access pathway 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.

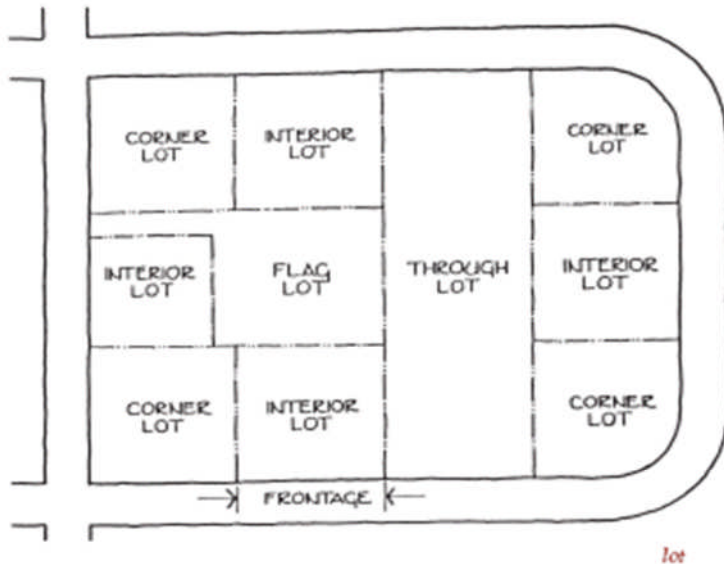
Individual Sewage Treatment: An on-site sewage disposal system, such as a septic tank, built to function on an individual lot basis, where the central sewer system is not available. These systems shall be approved by the Health Department and shall be located on a minimum sized lot as determined by the Health Department, which may be larger than those lots permitted by the zoning district. If a central sewer system is available or becomes available, then individual sewage treatment shall be discontinued or not allowed to start, and the lot shall connect to the central sewer system.

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 required. (Types of lots are shown below)

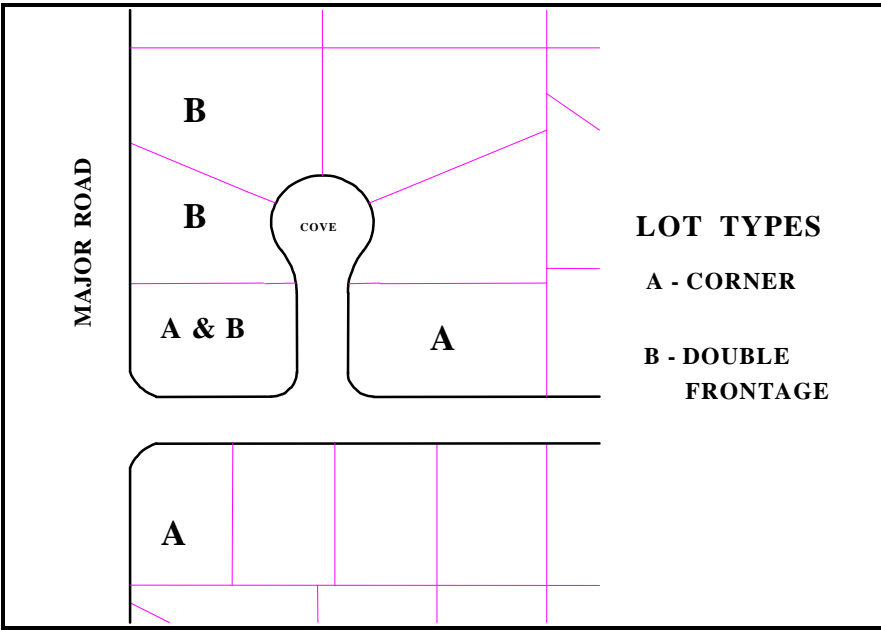
Lot Area: The total area within the lot lines of a lot including land area within easements and excluding any street rights-of-way.

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 strip 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 areas 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 unit or group that may include residential and nonresidential uses, open space, etc. The building setback lines and lot area requirements shall be shown in the development plan and shall be in accordance with zoning districts in the zoning ordinance. The overall density of development shall be shown in the development plan proposal and be in accordance with the zoning ordinance and Comprehensive Plan. The PUD proposed development plan shall be specifically evaluated and approved by the Mayor and Board of Aldermen. The PUD process in rezoning a property includes the preliminary plat subdivision approval process. (See Article III, Section 3 and the Zoning Ordinance for more details).

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

Plat, Preliminary: 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 V.

Plat, Final: A finished drawing showing completely and accurately all legal and engineering information and certification necessary for recording. Required information is identified in Article V.

Plat, Recorded: 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 streets, or facilities. The POA/HOA manages and maintains the common property, and enforces certain covenants and restrictions.

Setback lines:

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

Site Plan, Non-Residential: A site plan prepared by a licensed Professional Engineer, which includes, at a minimum, a site civil engineer plan, parking lot design, landscaping design, and signage plan.¹

¹ Added by amendment, April 2, 2019

Site Plan, Residential: A site plan prepared by a licensed Professional Engineer or licensed Professional Surveyor, showing a proposed residence's location on a piece of property. Residential site plan shall also show property lines, setbacks, easements, and utility tap locations.²

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

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.
- c. Cul-de-sac is a short street 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 or streets for circulation within a residential development.
- 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.
- g. Half streets have half the required width of the required right-of-way on the bounding edge of a tract being subdivided.

Strip, "Reserve strip" or "spite strip": A privately owned strip of land that is not of sufficient size to be used as a buildable lot, usually adjacent to a street right-of way (ROW) along the outer edge of a subdivision, which is designed to prevent an adjacent property from accessing the proposed street.

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 of sale or building development, whether for immediate or future sale or development. The public acquisition of land, either by purchase or dedication of parcels, for the purpose of widening or opening any public streets, or for making any other public improvements shall not be included within this definition of a subdivision or be subject to these subdivision procedures.

Subdivision, Major: A subdivision of land as defined above involving the dedication of a new street or a change in existing streets. A major subdivision shall also include divisions of more than five lots that do not involve the dedication or construction of a new street regardless of the zoning classification.

² Added by amendment, April 2, 2019

Subdivision, Minor: A subdivision of land as defined above that does not involve the dedication or construction of a new street, that is currently zoned Agricultural Residential (A-R), and has frontage on an existing public right-of-way sufficient to comply with requirements of the zoning ordinance and other regulations. A minor subdivision shall also be defined to include the division of two or more lots with a maximum of five lots.

Tree Growth, Major: Existing vegetation that is six (6) inches or more in diameter measured four (4) feet above the ground surface.

Tree Mitigation/Replacement: When existing trees, equal to or greater than six (6) inches in diameter, are removed by the proposed development, trees of similar mature size shall be replaced on site. The mitigation/replacement ratio is discussed in Article VI, Section 11.

Trees, Large: When proposed landscaping or tree mitigation calls for large trees, a mature size equal to or greater than thirty (30) feet in height is expected.

Trees, Medium: When proposed landscaping or tree mitigation calls for medium trees, a mature size more than fifteen (15) feet and less than thirty (30) feet in height is expected.

Trees, Small: A mature size between ten (10) and fifteen (15) feet in height is expected.

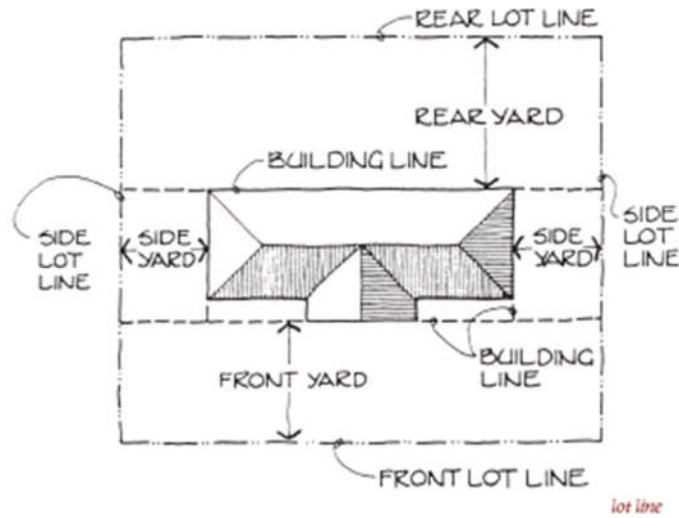
Trees, Multi-trunk: Multi-trunk trees are similar in mature size to small or medium trees.

Yard: The open area on any lot that is left unoccupied and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance (See illustrations below).

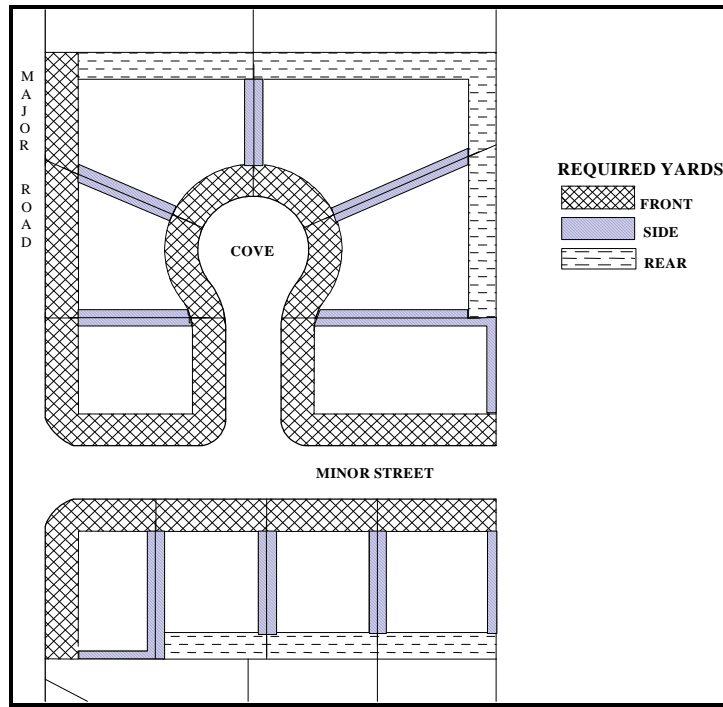
Front yard: The yard extending across the width of the lot between the main building, including covered porches, and the front lot line, or if an official future street right-of-way line has been established, between the main building, including covered porches, and the right-of-way line. Corner lots 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). In the case of a corner lot, the yard opposite the front of the house shall be considered the rear yard.

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). In the case of a corner lot the yard opposite the front of the house shall be considered the rear yard.



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



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

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 that would continue the conditions or increase danger to health, safety, life or property unless approved steps are taken to diminish the above mentioned hazards.

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 twelve (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.

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.

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.

Section 4. Property Owners Associations (POA)

To ensure that common property is maintained, any development that proposes to have private amenities and/or common properties that are not being dedicated to and accepted by the City of Senatobia shall have a Property Owners Association (POA). The POA shall be established before final plat approval of the first part/phase of the subdivision. The POA shall require mandatory membership and dues of all property owners in the subdivision.

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 shall meet with staff and submit 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. During this pre-application conference, planning staff shall also determine the proposed subdivision status as minor or major, as defined by this ordinance. This status will determine how the subdivider proceeds with the application process. Staff shall provide the subdivider with a certificate for minor subdivision application. The subdivider shall include this certificate in the final plat application packet to the Planning Commission.

Section 2. Application for preliminary plat approval

Preliminary plat application and approval shall be required for all major subdivisions, as defined in this ordinance. Minor subdivisions that conform to the definition provided in this ordinance may be exempt from the preliminary plat application process by staff during the pre-application conference. Minor subdivisions shall then follow the final plat procedure as described in Section 5 of this Article. Major subdivisions shall continue with the preliminary application process as described below.

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. Eight (8) large copies of a preliminary plat and data as specified in Article V, Section 1, 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. Other required copies are listed in Article V, Section 1.

b. In order for said preliminary plat material to be properly reviewed, the subdivider or his authorized agent shall submit the complete preliminary plat material at least 45 days in advance of the regularly scheduled meeting date of the Senatobia Planning Commission at which the plat is to be considered.³

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 review the preliminary plat within 45 days and, shall 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 2.
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. The approval of the preliminary plat is valid for one year. If a final plat application is not filed within one year, the preliminary plat shall be returned to the Planning Commission for review and re-evaluation.

³ Paragraph b amended, August 17, 2021

Section 4. Engineering requirements

The subdivider shall furnish the City Engineer all plans and information necessary for engineering consideration and approval for the construction of all proposed improvements.. 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.

After construction, but prior to final plat approval, the subdivider shall furnish the City as-built drawings of on-site improvements and all utilities as installed on the property. As-built drawings for water, sewer, gas, and storm drainage shall be submitted to the City; as-built drawings for other utilities or improvements may be deemed appropriate by the City Engineer and requested as part of the final plat application. These drawings will ensure the City has the proper documentation and location of all installed utilities for future connections. These drawings are part of the final plat application package as discussed in Article V, Section 2.

Section 5. Application for final plat approval

Major subdivisions with preliminary plat approval shall continue with the final plat application process within one year of the preliminary approval date. Minor subdivisions, as determined by staff in the Pre-application conference, shall submit final plat documents to the Planning Commission reflecting the certificate of minor subdivision application and including any necessary information listed within the preliminary plat specifications in Article V, Section 1. The Planning Commission maintains the right to request additional information for minor subdivisions if the submitted application is not clear or does not contain enough detail. The Commission also reserves the right to apply conditions of approval to minor subdivisions, similar to the preliminary plat approval process for all other subdivisions. If the Commission sees the need for certain conditions of approval for minor subdivisions, these conditions shall be addressed prior to hearing by the Mayor and Board of Aldermen.

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. The final plat shall substantially conform to the layout and proposal as approved in preliminary 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 eight (8) large copies of the final plat and other documents specified in Article V, Section 2.

b. In order for said final plat material to be properly reviewed, the subdivider or his authorized agent shall submit the complete final plat material at least 21 days in advance of the regularly scheduled meeting date of the Senatobia Planning Commission at which the plat is to be considered.⁴

c. Approval or disapproval of the final plat shall be given within forty-five (45) days after the date of submittal, unless the subdivider agrees to an extension of that time. Failure of the Commission to act within ninety (90) days from receipt of an application shall, for approval of the final plat, be deemed as disapproval of the final plat.

⁴ Paragraph b amended, August 17, 2021

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 in a timely manner prior to hearing by the Mayor and Board of Aldermen.

e. If the final plat is disapproved by the Mayor and Board of Aldermen, the date such action was taken and the grounds for refusal shall be shown on the final plat, over the signature of the person authorized by the Mayor and 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 the Mayor and Board of Aldermen regarding 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.

i. The developer shall record the approved final plat within one year of the approval by the Mayor and Board of Aldermen. If the approved final plat is not recorded within the one (1) year period, then the subdivision's final plat shall be subject to re-evaluation and potential change before approval as if it were a new subdivision.

ARTICLE V. PLAT SPECIFICATIONS

Section 1. Preliminary Plat Specifications

a. The submission to the Commission shall consist of eight (8) black or blue prints on white background and other documents in eight (8) copies as are necessary to meet the requirements of these regulations. In addition to the eight (8) large sets of all drawings submitted to be reviewed by City Departments, seven (7) small sets of the preliminary plat, existing tree survey, and proposed landscaping plan shall also be submitted for individual review by the Planning Commission members.

b. Two electronic versions of the Preliminary PUD Outline Plan or Subdivision Plat shall be provided, one in “dwg” format AND one in “pdf” format or any other media approved by the City Engineer.

c. The preliminary plat shall be clearly and legibly drawn. The size of the plat drawing and all supporting drawings shall be twenty-four by thirty-six inches (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').

d. Additional copies of the three drawings requested for review by individual Planning Commission members shall be at a scale that shows the entire proposal on one 8 ½ by 11 page or 11 by 17 page.

e. 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. Existing zoning districts of subject property and surrounding properties.
13. Required dimension and location of all setback lines.
14. 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 un-subdivided tracts (across the street is construed to mean abutting);
15. Existing and platted streets abutting the proposed subdivision, showing the right-of-way and pavement widths as well as all existing bridges and culverts.

16. 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.
 17. 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.
 18. 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.
 19. The right-of-way, pavement widths, and names of all proposed streets.
 20. Any other existing and proposed right-of-way, sidewalks, 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. A note reporting the status of the land in the proposed subdivision related to the FEMA FIRM Maps (located in Zone X, A, AE, FW, etc.) with the Map number and date.
 24. If the land is located in a designated floodplain area shown as FEMA Floodway and Flood Plain, boundaries as shown on current FEMA maps shall be clearly shown and identified including the Base Flood Elevation (BFE). Or, 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; the extent of the land so affected shall be clearly shown and identified.
 25. 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.
- f. The preliminary plat shall be accompanied by the following plans or documents.
1. Typical cross sections of all street improvements with curb, gutter, and sidewalks. Centerline profiles of approximate street grades, derived from office computations, may be required by the staff if deemed advisable.
 2. 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.
 3. Preliminary construction plans showing proposed utilities and the proposed source and adequacy for provision of water and sewer.
 4. Proposed topography and grading plan, in addition to grading and drainage information, including preliminary proposals for on-site detention of storm water, if necessary, in accordance with City storm water drainage policy.
 5. Traffic control signs and striping layouts as described in Article VII, Section 1.
 6. Any required documentation from the Mississippi Department of Environmental Quality (DEQ) regarding storm water drainage as discussed further in Article VII, Section 1.
 7. An erosion and sediment control plan as described in Article VII, Section 1.
 8. Proposed street lighting plan.

9. An existing tree survey of all major tree growth defined as trees greater than six (6) inches in diameter at four (4) feet above the ground. The survey shall include the species of the tree and the size in diameter measured four (4) above the ground.
10. Required/proposed landscape buffering on side and rear property lines (shown on the plan graphically and in cross section).
11. Proposed landscape plan noting individual trees from the tree survey that are proposed to be removed and those that are to be preserved on site. The plan shall detail the size and type of all proposed landscaping inside and outside of the required buffers. Proposed landscaping shall include the required number of trees based on the replacement ratio in Article VI, Section 11.
12. Existing and proposed covenants and restrictions. Any documentation establishing a Property Owners Association.
13. 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 eight (8) copies of the plat, and eight (8) copies of all documents that may be required to meet the provisions of this Section. (Same as Preliminary Plat requirement) In addition to the eight (8) large sets of all drawings submitted to be reviewed by City Departments, seven (7) small copies (8 ½ by 11 or 11 by 17) of the preliminary plat and proposed landscaping plan shall also be submitted for individual review by the Planning Commission members.

b. The final plat shall be clearly and legibly drawn in black ink on mylar or another suitable transparent material. The Commission may require specific scales to be used such as 1" = 100' or 1" = 50' as described for the Preliminary Plat. All drawing sizes shall be the same as required under the Preliminary Plat in Section 1 of this Article.

c. The final plat shall contain the following information:

1. **All of the information required by the preliminary subdivision plat**, listed above, except:
 - a. Preliminary Engineering Certificate (Article V, 1, d, 10)
 - b. Existing topography (Article V, 1, d, 21)
 - c. Preliminary construction plans and preliminary utility locations
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. Conditions imposed by the Planning Commission and Mayor and Board of Aldermen.

- d. As-built drawings identifying the exact location of all utilities (sewer, water, gas, storm drainage, and others the City or the City Engineer determine as necessary) as installed on the property.
- e. On-site drainage retention basins located in accordance with the preliminary plat with design approved by the City Engineer.
- f. The following certificates, as worded below in Article V, Section 3, signed, and notarized:
 - (1) Owner's Certificate.
 - (2) Minor Subdivision Certificate, if applicable.
 - (3) Mortgagee's Certificate, or a note that there is no mortgagee.
 - (4) Notary's Certificates for all owners, mortgagees, signed and sealed.
 - (5) Certificate of engineering accuracy, with engineer's and/or surveyor's certificate number, signature, and seal.
 - (6) Final Plat Approval certificate
 - (7) Recording Certificate.
- g. 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 Mayor and 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, property owners associations, 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 protective 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 Subdivision Regulations of the City of Senatobia, Mississippi, 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 _____, 20____; 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.

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

B. Certificate of Minor Subdivision Application (this certificate combines the Staff approval and the Planning Commission confirmation that this subdivision may in fact be exempt of preliminary plat approval)

CERTIFICATE OF MINOR SUBDIVISION

Pursuant to the City of Senatobia, Mississippi Subdivision Regulations, this document was given approval to be classified as a minor subdivision by the Staff during the Pre-Application conference held on ____date of _____, 20__ and confirmed by the City Planning Commission on ____date of _____, 20__.

_____ Date of Execution
_____ Date of Execution
_____ City Planning Staff
_____ Chairman, City Planning Commission
Senatobia, Mississippi

C. 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____.

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

D. Mortgage 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

E. Notary Certificate (separate certificate for each owner & mortgagee) (notary certificates must be changed to suit the type of ownership arrangement; qualified notary's can supply alternate wording)

NOTARY'S CERTIFICATE (for owner)

Personally appeared before me the undersigned authority in and for the said county and state, on the ____ day of _____, 20____. Within my jurisdiction, the within named _____, who acknowledges the he/she is _____ of _____, a _____, and that for and on behalf of _____, and as its act and deed, he/she executed the above and foregoing certificate for the purposes mentioned on the day and year herein mentioned, after first having been duly authorized to do so.

Notary Public My Commission Expires

NOTARY'S CERTIFICATE (for mortgagee)

Personally appeared before me the undersigned authority in and for the said county and state, on the ____ day of _____, 20____. Within my jurisdiction, the within named _____, who acknowledges the he/she is _____ of _____, and that for and on behalf of said bank, and as its act and deed he/she executed the above and foregoing certificate after first having been duly authorized to do so

Notary Public My Commission Expires

F. Certificate of Recording

CERTIFICATE OF RECORDING

I hereby certify that the subdivision plat shown hereon was filed for record in my office at _____ o'clock _____, on the _____ day of _____, 20____, and was immediately entered upon the proper indexes and duly recorded in Plat Book _____, page _____.

(signed) _____

Name, Clerk

Declaration of Restrictive Covenants recorded in Deed Record Book _____, page _____, on this _____ day of _____, 20____.

(signed) _____

Name, Clerk

G. 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 Subdivision Regulations of the City of Senatobia, Mississippi have been fully complied with.

Date of Execution

(signed) _____

Name, Registered Professional Engineer
No. _____, Mississippi

H. 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 City of Senatobia, Mississippi Subdivision Regulations, this document was given approval by the Senatobia City Planning Commission at a meeting held on the _____ day of _____, 20____. 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 Subdivision Regulations of the City of Senatobia, Mississippi, this document was given approval by the Mayor and Board of Aldermen at a meeting held on the _____ day of _____, 20____. 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 twelve (12) months hereafter.

Date of Execution

Mayor, City of Senatobia, Mississippi

City Clerk

ARTICLE VI. MINIMUM DESIGN STANDARDS

Design and Construction standards for the all subdivision improvements in Senatobia shall be governed by the most current edition of the *Mississippi Standard Specifications for State Aid Road and Bridge Construction* “(the Green Book)” including any supplemental specifications (901s) that have been released by the Office of State Aid Road and Bridge Construction, by the “Minimum Design and Construction Standards for Storm Drainage, Sanitary Sewer Systems, and Water Distribution Systems” for Senatobia, adopted on April 2, 1996, and any other adopted document or practice accepted by the City of Senatobia and the City Engineer. All design, construction, and testing as described in these documents are required unless specifically waived by the Mayor and Board of Aldermen upon comment by the City Engineer.

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. The proposed street system shall also be laid out according to existing topography to reduce the amount of site grading and removing of existing vegetation.

c. Reserve strips or spite strips shall be prohibited.

d. All 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 unless approved by the City Engineer and have received Mississippi Department of Transportation (MDOT) approval where applicable.

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 twenty-five (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 and freeways – As specified by the comprehensive plan, zoning ordinance, or City Engineer.
- (b) Arterial 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 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) Arterial streets – 48 feet measured face of curb to face of curb.
- (c) Collector streets – 40 feet measured face of curb to face of curb.
- (d) Minor streets- 30 feet measured face of curb to face of curb.
- (e) Cul-de-sacs – 30 feet measured face of curb to face of curb.
- (f) Cul-de-sacs turnarounds – 40 feet from center of circle to inner curb (40-foot radius).
- (g) Alleys – 16 feet measured from edge of pavement.

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 Mayor and 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 Planning 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 highways or arterial 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 or building official and further subject to verification of non-duplication with the E911 or US Postal databases.

Section 2. Street grades

a. Street grades of minor streets shall comply with good engineering practice and shall not exceed ten (10) percent or less than one-half of one (0.5) percent. Street grades of arterial streets shall not exceed five (5) percent. Street profile shall not change more than three (3) percent per 100 feet.

b. Grades approaching intersections shall not exceed five (5) 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 Excavation and Embankment, Base, and Pavement Construction

a. Excavation and embankment construction for streets and/or alleys in the subdivision shall be governed by the following Sections of the most current edition of the “*the Green Book*” including any supplemental specifications (901s) that have been released by the Office of State Aid Road and Bridge Construction:

1. Section 201 – Clearing and Grubbing
2. Section 202 – Removal of Structures and Obstructions
3. Section 203 – Excavation and Embankment
4. Section 205 – Subgrade Preparation

b. Pavement design and construction for the subdivision shall be governed by the most current edition of the *Mississippi Standard Specifications for State Aid Road and Bridge Construction* “(*the Green Book*)” including any supplemental specifications (901s) that have been released by the Office of State Aid Road and Bridge Construction 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. The material shall conform to the appropriate subsection of the “Green Book” unless otherwise approved by the City Engineer. Supplemental specifications may also be released by the Office of State Aid Road and Bridge Construction that are not listed in “*the Green Book*”; these shall also be considered part of the standard specs. 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 upon completion of at least 60% of the homes and/or other buildings located within a residential subdivision and upon completion of at least 75% of a commercial/industrial subdivision and with approval by the City Engineer, the Developer, Owner, or Subdivider may install the final lift of asphalt. Prior to the installation of the final surface course of asphalt, the initial surface course of asphalt shall be inspected by the City Engineer and any defects in the surface course, base, and/or subgrade shall be corrected by the Developer, Owner, or 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 in "*the Green Book*", Section S-304. The materials required, and the mixing, shaping and compacting of the materials shall conform to all applicable sections, subsections and supplementals of "*the Green Book*" for granular material, Class 4 Group B. A minimum of 97% compaction of standard proctor is required, especially around manholes and drainage inlets. A proof roll with heavy construction equipment (a loaded dump truck, a loaded water truck, etc.) shall be performed in the presence of the City Engineer to check for base and sub-base stability. Any soft or yielding areas shall be removed and repaired by the Subdivider until the area is able to support heavy construction equipment.
3. In place of Class 4 Group B material as noted above, the Subdivider has the option to use either crushed stone or cement-treated granular material as their base material. If crushed stone is preferred, the minimum thickness required shall be eight inches (8"). The crushed limestone material shall meet all the requirements and be installed, constructed, and tested as per the most current edition of "*The Green Book*". If cement-treated granular material is preferred, the minimum thickness required shall be eight inches (8") of granular material with the top six inches (6") being treated and mixed with cement. The granular material required for cement treating shall meet the requirements for Class 9 Group D material of the "*The Green Book*". Placement of the granular material and all construction methods and testing for cement treating shall also be per the "*The Green Book*". The Subdivider 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.
4. The Developer, Owner, or Subdivider shall employ an independent laboratory to test all aspects of the street paving process described above as required by all applicable sections, subsections, and supplements of the most current edition of "*the Green Book*", or as additionally required by the City Engineer due to the particular circumstances of the proposed subdivision. The frequency of these tests shall be per the requirements of the "*the Green Book*" or as deemed necessary by the City Engineer.
5. All test results, reports, "load tickets" or other information related to the street building process shall be provided to the City Engineer for review prior to the approval/inspection for each item of construction (earthwork, base material, and pavement). The construction shall not be deemed approved by the City Engineer until and unless test results and other information described herein has been provided to him or her.
6. The City of Senatobia reserves the right to inspect the material in place for compliance with these specifications.

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 Mayor and Board of Aldermen that conditions necessitate the provisions of alleys in the particular district.

c. All easements shall be shown on all subdivision plats.

d. 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.

d. Where a stormwater ditch, creek, or any other such watercourse exists, the easements 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.

e. 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.

f. Where sewer, water, gas, electrical, or other utility lines exist or are built underground the easements shall be sufficiently wide, depending on the depth of the installed utilities, to allow for proper and safe maintenance and may necessitate modification of building setbacks.

g. A ten (10) foot utility easement shall be provided in the public right-of-way, measured from the face of curb and the edge of right-of-way. When feasible, all utilities, fire hydrants, water mains, etc. shall be located here as opposed to outside of the right-of-way on private property.

h. A two and one-half (2½) foot grassy strip shall be installed between the back of curb and the sidewalk unless otherwise approved by the City Engineer. This dimension may be greater along arterial streets.

i. Trees shall be prohibited within any easements. Proposed trees shall be located at least (7) feet from the edge of a sidewalk or utility easement.

Section 5. Curb and gutters

a. 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.

b. Each property line / lot line extension location shall be marked in the curb with a “crow’s foot” imprint.

c. The location of each water and/or sewer “tap” shall be imprinted in the curb by a “W” or “S” respectively.

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 except coves. Sidewalks are required along both sides of all arterial 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) and MDOT standards, including all curb cuts and ramps where sidewalks meet driveways and street intersections.

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. The width of block shall be from 250 to 400 feet.
- d. 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.

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 be discouraged.
- 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 designed so that the property corners along the rear lot lines 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, with Health Department approval and supervision, 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.
- h. 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.

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 districts, adequate space for off-street parking facilities and loading docks shall be provided as required by the zoning ordinance, and recommended by the Planning Commission.

Section 10. Public Areas

In all subdivisions, it is recommended that a suitable amount of open space / parkland be provided and dedicated for public use, unless there are such facilities already available nearby that are of adequate size and in close proximity so as to comply with acceptable city or state standards. Dedication of all such areas shall be subject to approval and acceptance by the Mayor and 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 and shall be used specifically for park system maintenance and improvement.

Section 11. Existing and Proposed Landscaping

a. All subdivisions shall preserve existing major tree growth where practical and incorporate significant areas of existing vegetation into the subdivision plan for open space and parkland. Residential subdivisions shall also preserve existing major tree growth outside of the proposed right-of-way where feasible to allow for naturally vegetated lots.

b. Clear cutting of all vegetation onsite shall not be allowed. This will require all roads and proposed facilities to be sited accorded to existing topography so proposed grading does not significantly impact existing vegetation.

c. Existing vegetation along property lines shall also be preserved and incorporated with the buffer requirements per the zoning ordinance.

d. Subdividers shall specifically survey and locate all major trees and classify them as preserved or removed according to the proposed layout.

e. Major trees determined to be preserved on site shall be protected during construction by a temporary barrier around the drip line of the existing tree. This barrier shall be maintained throughout the period of construction to protect the life of the tree and shall not be breached by construction traffic or used for storage or dumping.

f. All trees removed within a subdivision shall be mitigated according to a ratio equal to the diameter size of the removed tree. For example, if a twelve (12) inch diameter tree was removed, five (5) trees with a diameter of two and one-half (2.5) inches measured four (4) feet above the ground shall be provided on site. Mitigated/replaced trees shall be of similar species with a similar mature size. When all trees cannot be mitigated on site, the City may approve trees to be located within public parkland in the City or developers to pay a fee to the City equal to the cost of the mitigated trees. However, this should not be used as a reason for not mitigating any onsite trees.

g. All proposed large trees shall be a minimum of two and one-half (2.5) inches in diameter. Proposed small, medium, or multi-trunk trees shall be a minimum of one (1) inches in diameter.

h. Subdividers shall plant at least one (1) large tree per lot in all residential subdivisions.

i. Commercial and industrial subdivisions shall reserve a minimum of a ten (10) foot landscape strip adjacent to the ten (10) foot utility easement. Subdividers shall plant medium trees at a recommended spacing of thirty (30) feet on center in this landscape strip.

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 3.

(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 have been 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. All piping material, valves, etc. must be approved by the City. The developer shall supply the "Tracer wire", water meter yoke, and meter box per City specifications.

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. If a public water supply system is available, then an individual water supply system---i.e. a well---is not allowed.

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 under the streets prior to installation of the street pavement and in conformance with or to all City specifications with regard to piping and other materials, practices, procedures, inspections, etc.
3. Prior to final inspection and acceptance of the sanitary sewage system by the City, the Developer, Owner or Subdivider shall, at his own expense, have a video inspection conducted of the sewer lines and provide a copy of the video inspection to the City Engineer.
4. Where a public sanitary sewer is not accessible, an alternate method of sewage disposal for each lot or, an individual sewage treatment system may be used as defined above. This is subject to inspection and approval by the Health Department and shall comply with all standards of the health department and these regulations such as a minimum lot size similar to that required by Tate County and one that may be larger than that allowed by the zoning ordinance.
5. 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 located in the street, including drains, sewers, catch basins, culverts, and other facilities that are in conformance with or to all City specifications with regard to piping and other materials, practices, procedures, inspections, etc.
2. All subdivisions shall be designed and built to conform with the storm water drainage requirements of the Mississippi Department of Environmental Quality (DEQ) and shall be required to provide design details and permits to the City as a part of the process of subdivision development. The City Engineer and/or the Planning Commission staff shall acknowledge receipt of proper documentation before the Final Plat made be recorded.
3. All drainage facilities shall be designed to serve the entire drainage area. The drainage area may include areas outside the proposed subdivision. The drainage area shall be noted in areas on the plat at the upstream drainage point for the subdivision.
4. Post-development drainage flows shall not exceed pre-development drainage flows. Further, no development shall impede existing drainage flow so that it "backs up" onto upstream property or that allows larger flows onto downstream properties.
5. All surface water drainage shall be transported to existing storm sewers, or

to drainage facilities and piping material approved by the City Engineer.

6. The City Engineer shall approve all proposed drainage facilities.

7. 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 and accepted by the Mayor and Board of Aldermen before approval is granted for the final plat.

8. Areas subject to periodic flooding caused by poor drainage facilities will not be accepted by the Mayor and Board of Aldermen unless the subdivider takes all the necessary steps specified by the City Engineer to eliminate all such flooding.

9. The developer is responsible for constructing and maintaining all stormwater drainage facilities, either temporary or permanent, until they are accepted for dedication by the Mayor and Board of Aldermen.

f. Natural Gas:

1. New subdivisions shall be served by natural gas.

2. The Developer/Subdivider shall use a certified contractor for installation.

3. The proposed design and location of all natural gas lines shall be subject to design approval by the City Engineer.

3. The gas main shall be installed with tracer wire, warning tape, road crossings, and taps to individual lots marked with scrap pipe prior to sidewalk installation subject to inspection by the City or City Engineer.

g. Other utilities:

1. All other utilities (i.e. electrical, cable, telephone, etc.) shall be installed underground. Overhead lines shall not be permitted.

2. All utilities not specifically mentioned in other sub-sections shall be installed in the grass plot back of the curb lines within the required utility easement. 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.

h. Survey Monuments:

1. Survey monuments shall be placed at all corners or changes of alignment along the boundary of the subdivision and at all block corners, angle points, or points of curves in street right-of-way boundary lines and at all lot corners in alignment in lot boundaries. These monuments shall consist of iron pipe of not less than 1/2" in diameter and not less than 24" in length or steel rod of not less than 3/8" diameter and not less than 24" in length.

2. All monuments shall be set with the top thereof flush with finish grade. Where farming operations or other land uses might destroy or disturb the monument, the monument shall be sunk underground a sufficient depth to preserve it and referenced to a permanent landmark.

3. Should conditions prohibit the placing of monuments on the property line; offset marking will be permitted; provided, however, that exact offset courses and distances are shown on the subdivision plat. Iron pipes or steel rods shall be set at all lot corners. If survey monuments are removed during construction, they shall be replaced.
4. Each property line / lot line extension location shall be marked in the curb with a “crow’s foot” imprint.

i. Fire protection:

1. 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. The Fire Chief shall review and approve all subdivision designs. Fire hydrants shall not be placed in coves along the curve; rather, they shall be placed at the beginning of the turnaround. The Fire Chief and/or Mayor and Board of Aldermen may require other spacing requirements in residential, commercial and/or industrial subdivisions if special circumstances warrant, such as “blow-off” outlets in coves as needed.
2. All materials and hydrants, including brand and supplier shall be approved, before installation, by the City Building Official or Engineer.

j. Traffic control:

1. All subdividers will be required to install or pay for required signs, including signs such as “Stop” signs, Yield” signs, “Speed Limit” signs, “Street (name)” signs, and any other signs, at points designated by the City Engineer and conforming to MDOT standards.
2. Street name signs shall be placed on diagonally opposite corners of each street intersection in conformance with specifications adopted by the City.
3. Stop “lines” shall be marked on all streets where stop signs are located.
4. Crosswalks shall be located at and marked on all streets where sidewalks “cross” an intersection creating a continuous pedestrian pathway.
5. All traffic control devices and temporary markings shall be in place before the Final plat is recorded and lots may be sold. This includes markings before the final “lift” of asphalt is applied. Sign and striping layouts shall be required and submitted with the preliminary plat application. Final striping shall be in place after the final lift of asphalt.

k. 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 years (60 months), with this payment to be received by the City prior to final plat approval.

l. 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 on the preliminary/final plat or other conditions and are subject to inspection and approval by the staff or City Engineer.

m. Erosion and Sediment Control:

1. The Developer/Subdivider shall submit to the City or the City Engineer the name and contact information of the Subdivider's/Contractor's Erosion Control Inspector. The Erosion Control Inspector shall be certified by MDEQ for erosion control inspection and shall submit a copy of their certification to the City or the City Engineer.

2. Installation of the required improvements shall be done in such a manner as to provide for the most effective control of erosion and sediment. Each plat shall be accompanied by an erosion and sediment control plan that shall be submitted to the City for review and recommendations. At minimum, the controls shall be in accordance with the standards set forth in the most current edition of the Mississippi Department of Environmental Quality (MDEQ) Planning and Design Manual for the Control of Erosion, Sediment and Stormwater, or equivalent MDEQ publication that is in effect at the time that the subdivision is approved. The erosion and sediment control plan, at minimum, shall include the following:

- (a) A list and brief description of each control measure that will be used.
- (b) A scaled site map clearly showing the existing and proposed contour lines, drainage ways, north arrow and location and type of each erosion and sediment control measure.
- (c) An implementation sequence indicating the order in which the erosion and sediment control activities will take place.
- (d) An inspection and maintenance schedule for all disturbed areas, material storage areas and erosion and sediment controls that were identified in the plan.
- (e) The plan should designate areas for equipment maintenance and repair, provide waste receptacles at convenient locations, provide regular collection of waste, provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials and provide adequately maintained sanitary facilities.
- (f) Examples of acceptable vegetative controls include, but are not limited to, the following: vegetative buffer zones, sod stabilization, protection of trees, tillage with lime and fertilizer, temporary seeding, permanent seeding, mulching, erosion & sediment control blankets and surface roughening.

- (g) Examples of acceptable temporary structural controls include, but are not limited to, the following: diversion, silt fences, straw bale barriers, storm drain inlet protection, sediment basins, riprap outlet protection, check dams, level spreaders and construction entrances and exits.
3. The erosion and sediment control plan shall be developed using the following technical principles:
- (a) The development plan shall be fitted to the topography and soils so as to create the least erosion potential.
 - (b) Whenever feasible, natural vegetation shall be retained and protected. Temporary barriers shall be placed around drip line of existing trees that are going to be preserved according to the preliminary plat.
 - (c) The smallest practical area of land shall be exposed at any one time during development.
 - (d) When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
 - (e) Divert upslope water around disturbed areas.
 - (f) Slow rainfall runoff velocities to prevent erosive flows.
 - (g) Remove sediment from storm water before it leaves the site by allowing runoff to pond in controlled areas or by using natural vegetation, brush barriers, silt fences or hay bales.
 - (h) Transport runoff down deep slopes through lined channels or piping.
 - (i) Minimize the amount of cut and fill.
 - (j) Provisions shall be made to effectively accommodate the runoff caused by the changed soil conditions during and after development.
 - (k) Permanent final vegetation and structures shall be installed as soon as practical in the development.
4. If work is discontinued for thirty (30) days or more in a disturbed area before the project is completed, appropriate interim controls shall be initiated within seven (7) calendar days from the day that work was discontinued.
5. Non-functioning control measures shall be repaired, replaced or supplemented within twenty-four (24) hours of discovery or as soon as field conditions allow.
6. Erosion and sediment controls shall remain in place and in functioning condition for the duration of construction activity and until the areas that they protect are completely stabilized.
7. Project sites with areas of five (5) acres or more will be subject to the Mississippi Department of Environmental Quality (MDEQ) Office of Pollution Control (OPC) requirements for a Storm Water Construction General Permit if the project includes any clearing, grading, excavation and/or other land disturbance.

8. In accordance with State law, any subdivision that is five (5) acres or greater in size shall be required to have the following statement on the final subdivision plat or in the restrictive covenants prior to recording:

After the general contractor has completed the construction of the improvements necessary for a subdivision development on this property, the developer will be required to carry forward all erosion control measures set forth in the plan to ensure builders and/or new owners within the proposed subdivision will take measures to prevent or mitigate sediment from leaving individual lots. The developer will be required to present to the new lot owner of builder in writing the parts of the Storm Water Pollution Prevention Plan (SWPPP) that will be appropriate for their lot. The developer will be required to set the following condition on the builder or new lot owner:

The Purchaser shall be required to maintain property in such a condition as to minimize off-site damage from erosion, sediment deposits and storm water. This requirement will be in effect from the beginning of site preparation and continued through the establishment of permanent vegetative cover. Purchaser acknowledges and agrees that Seller is not responsible for damages which may be suffered by Purchaser or other property owners or parties as a result of site preparation work carried out by Purchaser and his/her subcontractors and Purchaser agrees to hold Seller harmless from any such damages sustained in connection therewith.

9. Care of Area During Construction

(a) Contractors and builders shall be responsible on a daily basis for cleaning up all loose paper and/or other material that may be scattered by the wind and for preventing such material from scattering through a subdivision or to adjoining property. The project site shall be kept in a clean and uncluttered manner. Contractors and builders who fail to comply with this requirement shall be subject to the penalties outlined in Article VIII, Section 4, of these regulations.

(b) Contractors and builders shall not allow waste materials, glass, dirt and debris to be placed or to remain in a public street or road. Surplus dirt shall not be graded or pushed into a street or road. Contractors and builders who fail to comply with this requirement and/or fail to remove any of the above items from the street or road when instructed by the City Engineer shall be subject to the penalties outlined in Article VIII, Section 4, of these regulations.

(c) All job sites shall have access to portable toilet facilities provided by the contractor. The facilities shall be located within three hundred (300) feet of the job site and must be maintained until the job has been through final inspection or toilet facilities within the job site are usable and accessible.

Section 2. Confirmation of Proper Improvements

The City of Senatobia reserves the right to require additional inspection of roads, curbs, gutters, sidewalks, storm drainage structures, retention ponds, detention ponds, lift stations, water lines, water valves, fire hydrants, sewer lines, sewer valves, natural gas lines, natural gas valves, and anything else constructed on the property if the City deems that this is required to adequately determine the condition of any improvements prior to the City of Senatobia accepting same. This inspection would be performed at the subdivision owner or developer's sole expense.

In the case of subdivisions that have been partially constructed, but not accepted or platted, and where the improvements have been allowed to deteriorate, additional work or re-work shall be required to bring the subdivision's infrastructure to the level of current City standards. Additional review and inspections by the City Engineer beyond those normally involved in the development of a new subdivision will specifically be borne by the developer of the subdivision. The City Engineer will determine what sort of tests and inspections will be required and convey this information to the developer and his engineer as part of the initial review and approval process for the subdivision.

Section 3. 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 commercial or industrial subdivisions, as when 75% of the approved space is completed. No such bond shall be accepted unless it is enforceable by or payable to the City of 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 four (4) years from the date of the agreement. All subdivision road improvements shall be completed with the final one and a half (1 ½) inch layer of asphalt for a total of three inches when 60% of the residential subdivision has developed or 75% of the commercial/industrial subdivision has been developed. If final improvements have not been made within four years from recording said subdivision plat, the City shall use the bond to finish the improvements.

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 the City of 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 City 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 procedures 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 and 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 Mayor and 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 and Final Plat approval with the Senatobia 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 and 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 minor design requirements, but it does not have the 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 Board of Adjustments (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 BOA, 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 BOA on or before the first work day of the month 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. Approval of such modification shall require a two-thirds (2/3) vote of the Board of Adjustments.

