

Land Development Standards and Regulations

Panola County, Mississippi

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Land Development Standards and Regulations
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ARTICLE I General Provisions

A. Title

This ordinance shall be known, referred to and cited as the Land Development Standards and Regulations of Panola County, Mississippi.

B. Policy

1. It is the declared policy of the county to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the county pursuant to the official master plan of the county for the orderly, planned, efficient, and economical development of the county.
2. Land to be subdivided shall be of such character that it can be used safely building purposes without danger to health of peril from fire, flood, or other menace, and land shall not be subdivided until adequate public facilities and improvements exist and proper provision has been made for drainage, water, sewer, streets and other required improvements.
3. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in the building and housing codes, the master plan, and other development regulations of the county.

C. Purpose

These regulations are adopted for the following purposes:

1. To protect the public health, safety, and general welfare of the county.
2. To guide the future growth and development of the county in accordance with the General Development Plan.
3. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent the overcrowding of the land and undue congestion of population.
4. To protect and conserve the value of land throughout the county and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
5. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public improvements and facilities.
6. To establish reasonable standards of design and procedures for subdivisions and re-subdivisions in order to further the orderly layout and use of land, and to ensure proper legal descriptions and monumenting of subdivided land.
7. To prevent the pollution of air, streams, ponds, and to assure the adequacy of drainage facilities, to safeguard the water table, and to encourage the wise use and management of natural resources throughout the county and to preserve the integrity, stability, and beauty of the county and the value of the land.
8. To preserve the natural beauty and topography of the county and to ensure appropriate development with regard to these natural features.
9. To remedy the problems associated with inappropriately subdivided lands, including premature subdivision, excess subdivision, partial or incomplete subdivision, scattered and low-grade subdivision.

D. Jurisdiction

1. It shall be unlawful for any individual being the owner, agent, or person having control of any land within the incorporated area of Panola County, Mississippi, to subdivide or layout such land in lots unless by a plat, in accordance with the regulations contained herein. No lots shall be sold nor any plat recorded until such plat has been approved as herein provided.
2. Any area hereafter annexed to a municipality within Panola County, immediately upon annexation, shall no longer be subject to the Panola County Subdivision regulations adopted herein by the Panola County.
3. No building permit, certificate of occupancy, or address shall be issued for any parcel or plat of land created by subdivision after the effective date of, and not in substantial conformity with, the provisions of these subdivision regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with these regulations.

ARTICLE II Definitions

For this purpose, certain words and terms are herewith defined, words used in present tense include the future, the singular includes the plural and the plural includes the singular, the word “shall” is mandatory and not directory.

A. General Definitions

For the purpose of this Ordinance, words used in the present tense include the future, the singular number includes the plural, and the term “this Ordinance” shall be deemed to include all subsequent amendments.

1. Alley: A private or public way not more than twenty-five feet wide, providing a secondary means to access to property.
2. Applicant: Any person as defined herein who makes application to the Board of Supervisors or its designate for approval of a subdivision, building permit, or partition plan.
3. Block: The properties abutting on one side of a street between either:
 - A. Two cross streets; or
 - B. Between the County limits and the nearest cross streets; or
 - C. When there is only one cross street:
 - (1) Between a cross street and the dead end of a street;
 - (2) Between a cross street and a line projected from the centerline of an intersecting stress, such as a “T” intersection;
 - (3) Between a cross street and a point 600 feet from the particular property under consideration when there is no other cross street or intersecting street within 600 feet; or
 - (4) When there are no cross streets, then the block shall be between the points 600 feet from each side of the property under consideration and along the street.
4. Board: Means the Panola County Board of Supervisors
5. Building Lines: The lines indicated on the subdivision plat, or otherwise described, limiting the area upon which structures may be placed.
6. Centerline: The legally described survey lines on which the street or road was initially established or to which the street or road was subsequently relocated.
7. Chancery Clerk: Means the duly elected Chancery Clerk of Panola County
8. Commission: Means the Panola County Land Development Commission
9. County: Means Panola County, Mississippi
10. County Engineer: Means the licensed engineer for Panola County, Mississippi
11. Curb Line: The line indicating the edge of the vehicular roadway with the overall right-of-way.
12. Easement: The right to use or cross a parcel of land.
13. Governing Authority: Means the Panola County Board of Supervisors

14. Hearing Officer: A person designated by the Panola County Board of Supervisors to hear and decide certain land use cases.
15. Manufactured Owners Association: A Home Owners Association is an organization formed for the maintenance and operation of the common areas of the development. The membership in the Association must be automatic with the purchase of a dwelling unit or other property in the development. The Association shall have the ability to legally assess each dwelling unit or other property which assessment shall be enforceable as a lien against the property.
16. Land Development: The grading, alteration, or configuration of land for the purpose of accommodating buildings, roads, and facilities associated with human occupancy, commerce, and industry, but excluding agricultural activities.
17. Land Development Commission: Means the duly appointed Land Development Commission of Panola County, Mississippi
18. Local Government Engineer: Means the licensed engineer for Panola County, Mississippi
19. Lot: A unit of land that is created by a subdivision or partitioning of land.
20. Corner Lot: A lot or portion thereof situated at the intersection of two or more streets.
21. Major Partitioning: A partition which includes the creation of a public or private road or street or the creation of a lot with less than 20 feet of frontage on a public road.
22. Map: A final diagram, drawing or other writing concerning a major or minor partition.
23. Manufactured Home: A structure defined by, and constructed in accordance with, the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, and manufactured after June 14, 1976.
24. Mobile Home: Means a structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended. It is a structure that is transportable in one of more sections, that, in traveling mode, is eight(8) body feet or more in width and thirty-two(32) body feet or more in length, or when erected on site, is two hundred fifty-six(256) or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes any plumbing, heating, and air conditioning and electrical systems contained therein.
25. Open Space: An area within a planned development designed and intended for the use of enjoyment of all residents or for the use and enjoyment of the public in general. No thoroughfares or parking will be permitted in open space areas.

26. Owner: The fee owner of real property as shown by the deed records of Panola County or a person who is purchasing real property under a recorded contract.
27. Parcel: See Lot
28. Partition: Either an act of portioning land or an area or tract of land partitioned as defined in this section.
29. Partition Land: To divide an area or tract of land into two or more parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year, or to adjust a lot line by relocation of a common boundary. Partition land does not include division of land resulting from the creation of cemetery lots or lien foreclosures.
30. Person: A natural person, his heirs, executors, administrators, or assigns and also includes a firm, partnership or corporation, its or their successors, or assigns, or the agent of any of the aforesaid, and the State or any political subdivision, agency, board of bureau of the State.
31. Planned Development: A subdivision of land incorporating common open space with each dwelling being placed on its own lot.
32. Plat: Includes a final map, diagram, drawing, replat, or other writing containing all descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.
33. Shall: The term "shall" means mandatory.
34. Street or Road: A public way that is or has been created to provide ingress or egress for persons to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining, or agricultural purposes. The term "street" shall include thoroughfare as defined herein.
 - A. Arterial- A highway primarily for through traffic, usually on a continuous route
 - B. Collector- A road or street that accumulates traffic from minor roads or streets and routes it to an arterial road or street.
 - C. Cul-de-sac- A dead-end road or street with vehicular turnaround at or near the dead end
 - D. Dead-end Street- The same as a cul-de-sac with no turnaround at the dead end.
 - E. Half Street- A portion of the ultimate width of a road or street where the remaining portion of the road or street shall be provided at a future date.
 - F. Minor Street- A road or street used primarily for access to abutting property.
35. Subdivider: Any person who undertakes the subdivision of land.
36. Subdivide land: Means to divide an area or tract of land into two or more lots of 10 acres or less in size within a calendar year when such area of tract or land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

37. Subdivision: Means either an act of subdividing land or an area of tract of land subdivided as defined in this section. The term subdivision shall include planned developments as defined herein.
38. Subdivision, Major: All subdivisions of land in which a public or private road is created, contains more than 3 lots, or proposes lots less than 1 acres in size, or on which more than one dwelling unit may be placed. Further, all land divisions which are proposed to accommodate commercial, industrial, or institutional development shall be considered major subdivisions.
39. Subdivision, Minor: A subdivision in which existing direct public road frontage access of sufficient width to comply with the requirements of these regulations is available lots are at least 1.5 acres in size, and conformance to all Subdivision Design Standards listed herein is met. No more than four minor subdivision lots may be created from a single parcel in one calendar year.
40. Thoroughfare: Any vehicular way through the planned development or any vehicular way within the planned development.
 - A. Minor thoroughfares are to serve specific property only, not the general traffic circulation in the area, and need to be constructed only wide enough to adequately perform this function. Minor thoroughfares include “T” turnarounds, cul-de-sacs, circles, loops, and those “L” shaped streets not functioning as a through thoroughfare.
 - B. Major thoroughfares are publicly owned streets permitting traffic to move in one side of the planned development and out of another.
41. Urban Growth Boundary: A mutually agreed upon boundary around an incorporated municipality in Panola County which is included in the Comprehensive Plan or other adopted Plans by the incorporated municipalities within Panola County.
42. Utilities: Any water, gas, sanitary or storm sewer, electrical, telephone, drainage way, wire, or television communication service and all persons, companies, or governmental agencies supplying the same.
43. Utility Facilities Overhead: All utility poles, overhead wires, and associated overhead facilities with the exception of:
 - A. Antennae, associated equipment, and supporting structures used by a utility for furnishing communication services.
 - B. Equipment appurtenant to underground facilities such as surface-mounted transformers and switchgear, pedestal-mounted terminal boxes, meter cabinets, concealed ducts, and municipal fire alarms, street lights, traffic control signals and poles used exclusively for such services as are served from an underground source of supply.
 - C. Temporary poles, overhead wires, and associated overhead facilities used in conjunction with construction projects.
 - D. High-capacity electric and communication feeder lines and utility transmission lines operating at 50,000 volts or more.
44. Wastewater Specialist: The practice of soil principles, flow rates, system design for Individual Onsite Wastewater Disposal Systems. (appointed by B.O.S.)

B. Interpretation

For the purpose of this ordinance certain terms and words are hereby defined:

1. Words used in the present tense shall include the future tense.
2. Words in the singular number include the plural number, and words in the plural number include the singular number.
3. The word "building" shall include the words "structure" and "premises".
4. The word "shall" is mandatory.
5. The word "may" is permissive.
6. The word "person" includes a firm, organization, association, partnership, trust, company, or corporation as well as an individual.
7. The words "used" or "occupied" include the words "intended", "designed", or "arranged" to be used or "occupied".
8. The word "lot" includes the words "plot", "tract", or "parcel".

Article III. Land Subdivision Procedure

A. General Procedure

1. Whenever any subdivision of land is proposed before the recording of deeds, before any permit for the erection of a structure in such proposed subdivision shall be granted, and before any granting of an E-911 address, the owner or his authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the following procedure, which includes three steps for a major subdivision and two steps for a minor subdivision:
 - (1) Major Subdivision
 - A. Sketch Plat
 - B. Preliminary Plat
 - C. Final Plat
 - (2) Minor Subdivision
 - A. Sketch Plat
 - B. Final Plat
2. No plat or replat subdividing land into lots shall be filed or recorded in the Office of the Chancery Clerk of the Panola County, Mississippi, unless and until reviewed by the Land Development Commission and approved by the Governing Authority and no lot shall be sold from such plat or replat until the plat is filed for record in the Office of the Chancery Clerk of Panola County, Mississippi.
3. Prior to final approval of any lot in Panola County which does not have central collection and treatment for sewage, an application must be submitted to the Panola County Wastewater Specialist for notation by said department that septic tanks will be approved and any conditions or limitations for such approval.

B. Major Subdivision Procedure

The subdivider of a Major Subdivision shall submit a Sketch Plat and a Preliminary Plat, except where waived by the Director of the Land Development Commission, in accordance with the specifications of this Article. Upon approval of the sketch and preliminary plats, in accordance with this Ordinance, the subdivider shall proceed with installation of the minimum improvements as required herein or may submit a final plat for approval by the Land Development Commission in accordance with this Article.

1. Sketch Plat Procedure

A. the purpose of the Sketch Plat is to provide the Subdivider an opportunity to consult early and informally with the Land Development Commission Staff before preparation of Preliminary and/or Final Plat and submission of a formal application the Land Development Commission. The intent of this procedure is to assist the Subdivider in preparing a plan which will meet the objectives of the Comprehensive Plan, the requirements of the Land Development Commission

and of other public agencies, the improvements and uses of the subdivision and any other potential problems involved in the proposed subdivision.

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B. The Subdivider shall submit to the Land Development Commission Staff a Sketch Plat showing the boundaries of the proposed subdivision, its relationship to surrounding properties, natural features and the proposed street and lot pattern. This step does not require a formal application or filing fee. Upon receipt of the Sketch Plat the Land Development Commission Staff shall review the Sketch Plat, and notify the Subdivider through consultation and/or writing that the Sketch Plat as submitted, or modified, meets the objectives of these regulations, or does not meet the objectives of these regulations and the reason therefore.

2. Preliminary Plat Application Procedure

- A. Five copies of the preliminary plat, drawn to a scale of 100 feet to the inch, except where waived by the Director of the Land Development Commission, conforming to the requirements of Article VI, shall be submitted to the Land Development Commission. The plat shall be accompanied by an application form supplied by the Land Development Commission and a file fee to be fixed by the Governing Authority by separate ordinance. Application must be made no later than the two weeks prior to the date of the next regularly scheduled meeting of the Land Development Commission.
- B. If the Land Development Commission after the recommendation of the County Engineer finds the preliminary plat satisfies the requirements of this Ordinance, it shall approve said plat. The Subdivider or his agent must be present at the Land Development Commission meeting scheduled to hear the submitted application unless otherwise advised by the Director of the Land Development Commission.
- C. If the Land Development Commission finds otherwise, it shall specify the objections found to such plat and may either disapprove or approve the plat conditional upon specific changes being made to the plat prior to its submission to the Governing Authority.
- D. Within 90 days after submission of the preliminary plat and other required materials submitted in conformity to these regulations, the Land Development Commission shall specify to the subdivider its approval and state the conditions of such approval, or in the event of a disapproval, shall state its disapproval and reasons therefore. However, the subdivider may waive the time limitation requirements and consent to an extension of such period.
- E. The Land Development Commission may attach additional conditions not specified in this ordinance and reject a subdivision if it has been determined that the proposed subdivision is not in keeping with the general character of the development in the area; and that in the best interest of the public, the site is not suitable for the proposed development purposes.
- F. When requested, one copy of the proposed plat and findings of the Land Development Commission shall be given the person offering the proposed plat, together with a certificate of approval or disapproval of the Land Development Commission. Approval of the Preliminary Plat by the Land Development Commission does not constitute a final acceptance or approval of the proposed subdivision.

- G. On the basis of approval of the Preliminary Plat, the subdivider may proceed with the installation of minimum improvements with reasonable assurance that no major changes will be required or made at a later stage of the approval process, provided Final Plat approval is obtained within two (2) years from the date of preliminary approval or

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the subdivider may proceed toward filing a Final Plat, as described in Article IV-G. However after two years from the date of preliminary approval, the Land Development Commission may require re-submission of preliminary plans if no final approval has been given.

3. Final Plat Application Procedure

A. Five prints at a scale of one inch equals 100 feet and three prints at a scale of one inch equals 200 feet of the final plat, accompanied by an application form supplied by the Land Development Commission a filing fee to be fixed by the Governing Authority by separate ordinance, together with copies of any deed restrictions where such restrictions are too lengthy to be shown on the plat, shall be submitted to the Land Development Commission. Application must be made no later than two weeks prior to the next regularly scheduled meeting of the Land Commission to be heard at that meeting.

B. When the Final Plat conforms to the approved Preliminary Plat, and the requirements of this Article have been accomplished, the Final Plat shall be approved by the Chairman of the Land Development Commission and the plat thereupon submitted to the Governing Authority for its review and final determination. When the Final Plat does not conform to the approved Preliminary Plat, the Land Development Commission shall submit its recommendations to the Governing Authority for approval or disapproval of the Final Plat. The Subdivider or his agent must be present at the Land Development Commission meeting scheduled to hear the submitted application unless otherwise advised by the Director of the Land Development Commission.

C. If the subdivision improvements required in Article VI have not already been installed, the subdivider may either;

- (1) Proceed to install the required improvements before subdivision may be recorded and lots sold: or
- (2) A performance bond must be provided to cover the costs of the required improvements and the subdivision may be recorded immediately and lots sold. Once the improvements have been installed, a maintenance bond must be provided as described in Article VI, Paragraph B-4 after which the performance bond is released.
- (3) After approval of the Final Plat by the Governing Authority and required improvements are installed or appropriate arrangements have been made therefore, a mylar original plat with india ink shall be recorded in the Office of the Chancery Clerk within one (1) year and if not filed, such plat shall have no validity and shall not be recorded without concurrence of the Land Development Commission. A mylar original plat with india ink copy of the recorded plat shall be provided to the Land Development Commission for its official records.
- (4) Any land dedicated to Panola County for park purposes in a subdivision shall be conveyed to Panola County by general

warranty deed free and clear of all encumbrances at the same time the plat of subdivision is filed, said deeds to be without restrictions or covenants except requirement that the land be used for park purposes, without reversion and with references to the subdivision, if any on which the land is shown.

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C. Minor Subdivision Procedure

Any subdivider of a Minor subdivision shall submit to the Land Development Commission one print of a Final Plat, drawn to scale by a Professional Land Surveyor licensed in the State of Mississippi on 8 ½" by 11" paper, containing the applicable information as shown in Article VI. If the proposed minor subdivision is not in violation of any existing applicable statutes or regulations approval may be given by the Director of the Panola County Land Development Commission. The recommendation will then be presented to the Governing Authority for final determination. In the event the Land Development Commission Director disapproves the proposed Minor Subdivision Final Plat, the subdivider can appeal to the full Land Development Commission. Minor subdivision plats are not required to be recorded in the plat books of the Panola County Chancery Clerk's Office; however, approval of such subdivision must be recorded in the minute books of the Governing Authority, and the required Right-of-Way, as indicated in the Subdivision Design Standards contained in Article V, Letter "A" Number 5, Page 13 must be conveyed to Panola County by General Warranty Deed. Said Right-of-way shall be counted in the computation of minimum lot size.

D. After final approval is obtained from the Governing Authority and all conditions have been satisfied, two mylar copies and two half-size prints shall be submitted for recording which shall contain the necessary signatures, certificates, and seals as specified in Article VII along with any agreements, and bonds if necessary, a recording fee as established by the Office of the Chancery Clerk, and the attorney's certificate of title certifying title to the land subdivided valid as of the hour and day of recording.

Article IV. Subdivision Design Standards and Required Minimum Improvements

A. **Road Layout and Design Standards**

1. *General Requirements*

- A. No subdivision shall be approved unless the area to be subdivided shall have frontage on and access from an existing street or road on the Official Panola County Road Map.
- B. All existing and new roads, regardless of lot size must comply with these regulations before dedication is accepted and before the roads will be maintained by Panola County.

2. *Topography and Arrangement*

- A. The arrangement of streets in all new subdivisions shall make provisions for the continuation of the principal existing streets in the adjoining areas or their proper projection and for any streets or roads shown on the Transportation Plan for Panola County.
- B. Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many building sites as possible at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards of these regulations.
- C. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established on the Official Map and/or Master Plan.
- D. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses.
- E. Minor or local streets shall be laid out to conform as much as possible to the topography to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
- F. The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.
- G. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Land Development Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
- H. In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize the conflict of movement between the various types of traffic, including pedestrian.

3. *Road Names.* All proposed street names shall avoid duplication of other street names in Panola County unless the proposed street is obviously intended as an extension of another existing or proposed street, in which case the streets shall bear the same name. The applicant shall consult the appropriate post master and the E-911 Administrator prior to planning the prevent duplication.

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4. *Reserve Strips.* The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to the street.

5. *Construction of Roads and Dead-End Roads.*

- A. *Construction of Roads.* The arrangement of streets shall provide for the configuration of principal streets between adjacent properties when the continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities, and where the continuation is in accordance with the Local Government traffic plan. If the adjacent property is undeveloped and the street must temporarily be a dead-end street, the right-of-way shall be extended to the property line. A temporary T- or L- shaped turnabout shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Land Development Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

- B. *Dead-End Road (Permanent).* Where a road does not extend beyond the boundary of the subdivision and its continuation is not required by the Land Development Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Land Development Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turn around shall be provided at the end of a permanent dead-end street in accordance with Local Government construction standards and specifications. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

6. *Rights of Way*

- A. The right-of-way widths and location of major and collector streets shall conform to the right-of-way widths and locations of such streets designated on the Transportation Plan. However the Land Development Commission may consider any other proposed street a major or collector street and require comparable right-of-way widths.

- B. The minimum widths of street and road right-of-way, measured from lot line to lot line, shall be as shown on the Transportation Plan for Panola County, or if not shown on such plan, shall not be less than 50 feet.

- C. The minimum right-of-way width for minor streets shall be 50 feet, except that in cases where the topography or special conditions make right-of-way of less width more suitable, the Land Development Commission may waive the above requirement.

7. *Widening and Realignment of Existing Roads.* Where a subdivision borders and existing narrow road or when the Master Plan or Official Map indicates a plan for realignment or widening a road that would require use of some of the land in the subdivision, the applicant shall be required to improve and dedicate at its expense those areas for widening or realignment of those roads. Frontage roads and streets as described above shall be improved and dedicated by the applicant at its own expense to the full width as required by these subdivision regulations

when the applicant's development activities contribute to the need for the road expansion. Land reserved for any road purposes may not be counted in satisfying yard or area requirements whether the land is to be dedicated to the municipality in fee simple or an easement is granted to the Local Government.

8. *Intersections*
 - A. Minimum curb radius at the intersection of two (2) local streets shall be at least twenty (20) feet; and minimum curb radius at an intersection involving a collector street shall be at least twenty-five (25) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.
 - B. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of one hundred (100) feet, measured from the nearest right-of-way line of the intersecting street.
 - C. Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.
 - D. The angle of intersection between streets should not vary by more than ten degrees from a right angle.
9. *Street "Jogs"*. Street "jogs" resulting from failure to align streets on either side of an intersection are prohibited, with a minimum offset of 150 feet between center lines of parallel streets being required.
10. *Cul-de-Sacs*. Cul-de-sac streets may be provided if proper access is given to all lots from a dedicated street or court. All cul-de-sac streets shall terminate in a dedicated right-of-way space having a minimum radius of 50 feet, or other satisfactory arrangement for turning of vehicles. Cul-de-sac streets shall not exceed 500 feet in length.
11. *Minimum Street Grades*. Minimum street grades of 0.5 percent will be required for adequate drainage, maximum street grades will be 7 percent for all streets. Intersections will be a minimum feasible grade with sight distance of at least 100 feet in all directions.
12. *Alleys*. In industrial or commercial subdivisions, paved alleys or driveway easements assuring permanent rear access may be required with a minimum width of 20 feet.
13. *Continuous Circulation*. To assure a continuous circulation system in an area when all the land is developed the Land Development Commission may require extension of a street within a subdivision to the adjoining property, which street would be continued at the time the adjoining property would be developed. Temporary turnaround with a forty (40) foot radius shall be provided at the termination of such streets unless waived by the Land Development Commission.
14. *Construction Plans*. The owner shall submit to the Engineer two complete sets of plans and profiles of road work to be constructed in the subdivision. The Engineer may require that the owner lay grades and designate size of drains to be used before considering the same and may make any changes he deems necessary to conform to good engineering practice.
15. *Topographical Maps*. The owner will furnish the Engineer a topographical map of the area to be subdivided when required by him, so that he may be able to

study drainage requirements. Contours on the map shall be on two foot intervals from actual elevation.

16. *Width of Right of Way Pavement*
 - A. Rural Local-50 feet of right of way/30 feet of pavement or 20 feet when there is no curb or gutter
 - B. Collector Roads- 50 feet of right of way/24 feet of pavement

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- C. Industrial Roads-60 feet of right of way/ 36 feet of pavement
- D. Arterial Roads- 60 feet of right of way/36 of pavement
- E. All new roads must be paved by the Developer before being accepted by the Governing Authority for maintenance. Two inches of Double Bituminous Surface for Treatment, using the latest Mississippi Standards for State Aid Road Construction is required on all new roads in subdivisions. Any changes from these specifications must be approved by the Engineer and tests may be required on all materials. The latest edition of Mississippi Department of Transportation Specifications will govern construction.
- F. All bridges shall be constructed according to the Mississippi Standards for State Aid Road Construction in effect at the time the subdivision is approved.
17. *Depth of Compacted Gravel:* Residential subdivisions shall have a minimum of 8 inches of compacted gravel or if measured before compaction, 12 inches of load measurement. Commercial and industrial subdivisions shall have a minimum of 12 inches of compacted gravel over the entire width of the proposed gravel area or shall use a black base treatment in accordance with Mississippi State Aid Road Specifications.
18. *Width of Compacted Gravel.*
 - A. 50' R.O.W. roads shall have 30 feet of compacted gravel.
 - B. 60' R.O.W. roads shall have 40 feet of compacted gravel
 - C. All 68' and 80' R.O.W. roads shall have 48' feet of compacted gravel. Where needed as an arterial road, the gravel thickness and width may be increased by the County Engineer.
19. *One-half of Proposed Street.* The Subdivider shall dedicate and construct all minor and collector streets for full width of right-of-way as defined in Article V,18. Where the developer is developing a subdivision that runs to the center of a major or arterial street, he will be required to dedicate and develop only ½ of said road. However, in no case shall less than twenty (20) feet of wearing surface be required when ½ of the right-of-way is dedicated.
20. *Curb and Gutter Required.* Curb and gutter will be installed in all residential with minimum lot sizes less than 1 acre.
21. *Inspection.* The developer's engineer must notify the Engineer in writing when the sub-grade is ready for gravel providing independent laboratory testing stating all culverts, sub-grade width and firmness of sub-grade are up to approved engineering standards, before gravel is placed on the road. The owner shall notify the Engineer when he plans to place gravel on the road. The Engineer may have a representative present if load measurement is to be used. After the gravel is placed, the Engineer will again certify that the gravel is of proper material thickness and width. When the road is to be paved, the Engineer again will certify as to road bed being in proper condition for surfacing and the materials used meet standards. The Engineer or his representative will inspect the road one time after being notified at completion of each phase of this work. There will be a per hour charge for time involved on all trips.

B. Easements

1. *Utility Easements.* Utility Easements of at least ten feet in width shall be dedicated on each side of all rear lot lines and at least five feet on each side lot line and at least 15 feet on all lot lines adjoining a street, for poles, wires, conduits, storm and sanitary sewers, gas, water, or other utilities. The developer

shall confer with all utility companies serving the property. Easements of greater width than normally required may be required as necessary.

2. *Drainage Easements.* Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving, or protecting the stream or drainage course. The adequacy of the easement shall be determined by the Engineer.

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3. *Ingress-Egress Easements.* Ingress-egress easements shall be limited to 600 feet in length and may access no more than four lots or parcels. Such easements shall be a minimum of 50 feet in width.

C. **Blocks**

1. *Width.* All blocks shall be sufficiently wide to allow two tiers of lots of appropriate depth, unless another length or width is approved by the Land Development Commission because of special topographical or traffic considerations.
2. *Size.* No block shall be less than 250 feet nor more than 1500 feet in length except as the Land Development Commission considers necessary to secure efficient use of land or desired features of street patterns.
3. *Crosswalks.* Mid-block walkways, or crosswalks, not less than 10 feet wide may be required where deemed essential to improve pedestrian circulations, or access to schools, shopping centers, parks, playground or other community facilities.

D. **Lots**

1. *Arrangement.* The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development.
2. *Front of Lot.* The lot line common to the street right-of-way shall be the front line. All lots shall face the front line and a similar line across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the side line of an adjacent lot.
3. *Minimum Lot Size.* The minimum lot area shall be one (1) acre where public water is available. Where no public water is available the minimum lot size shall be 1.5 acres or of a sufficient size to contain all sewage disposal on the lot, as certified by the Panola County Wastewater specialist. The minimum lot width shall be 125 feet at the road frontage except that in cul-de-sacs the lot may be 125 feet in width at the front building setback rather than at the road frontage. Where public sewer is available and accessed, the minimum lot size shall be 12,000 square feet and the minimum lot width shall be 80 feet at the road frontage except that in cul-de-sacs the lot may be 80 feet in width at the front building setback rather than at the road frontage.
4. *Minimum Yard Setbacks.* Minimum yard setbacks for principal structures shall be 50 feet from the front property line, 15 feet from side property lines and 20 feet from rear property lines for lots not accessed by public sewer. For lots with public sewer access, the Minimum yard setbacks for principal structures shall be 30 feet from the front property line, 10 feet from side property lines, and 20 feet from rear property lines.
5. *Shape.* No lot shall have a depth in excess of four times its width, however this requirement may be waived by the Land Development Commission if the Subdivider can demonstrate this requirement is not appropriate for the type of development and use contemplated.
6. *Side Lot Lines.* All side lots lines shall be at right angles to straight street lines and radial to curved street lines unless a variation of this rule will provide a better street and lot layout as approved by the Land Development Commission.
7. *Corner Lots.* Corner lots shall have a width sufficient to permit the establishment of front building lines on both the adjoining streets without

reducing the buildable width below that of the average sized lot in the subdivision.

8. *Double Frontage Lots and Access to Lots.*

A. Double Frontage Lots. Double frontage and reversed lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation. In such cases, additional depth including a planting screen reservation of a minimum of ten feet in width, and across which there shall be

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No right of access of lots to the major street shall be included on the Final Plat.

B. Access from Major Secondary Arterials. Lots shall not, in general, derive access exclusively from a major or secondary street. Where driveway access from a major or secondary street may be necessary for several adjoining lots, the Land Development Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards on the street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major and secondary roads.

9. *Radii.* Property line radii at street intersections shall not be less than 20 feet.

10. *Construction Debris and Waste.* No cut trees, timber, debris, rocks, stones, soil, junk, rubbish, or other waste materials of any kind produced in development construction shall be buried in any land, or left or deposited on any lot or street at the time of the issuance of a certificate of occupancy, and removal of those items and materials shall be required prior to issuance of any certificate of occupancy on a subdivision. No items and materials as described in the preceding sentence shall be left or deposited in any area of the subdivision at the time of expiration of any subdivision improvement agreement or dedication of public improvements, whichever is sooner.

E. **Public Sites, Facilities, and Open Spaces**

1. *Public Spaces.* Adequate park, school, recreational space shall be provided at convenient locations throughout the subdivision and conform to the Panola County Comprehensive Plan. The amount, type and locations of such areas will depend on the size and type of development and shall be developed in accordance with the location, space and size requirements present in Volume II of the Panola County Comprehensive Plan.
2. *Dedication.* Where park, playground, or areas for other public recreational uses should be provided in the subdivision in accordance with the Comprehensive Plan, the Land Development Commission may require such area to be dedicated to the proper public agency. Where a school should be provided in accordance with the Comprehensive Plan, the Land Development Commission may require such area to be dedicated to the proper public agency or be reserved for acquisition by said agency within one year. Such reservation shall continue in effect for a period of not more than one (1) year from the date of filing of the Preliminary Plat. This reservation period may be extended for a period not to exceed six (6) months upon submission of a letter to the Land Development Commission of intent to purchase by the appropriate governmental agency. This reservation may be discontinued upon written notice from the appropriate governmental agency stating that the property may be released for development.
3. *Approval of Dedication.* All land to be reserved for dedication to the local government or acquisition for public use proposes shall have prior approval of the appropriate governmental agency and shall be shown on the plat "Reserved for Park and/or Recreation and/or Public Use Purposes."
4. *Maintenance.* Where a subdivision contains sewers, sewage treatment plants, water supply systems, park areas, or other physical facilities necessary or desirable for the welfare of the area and of common use or benefit, which the Governing Authority does not desire to or cannot maintain, provision shall be

made for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision.

F. **Drainage**

1. *Nature of Storm Water Facilities.* The applicant may be required by the Land Development Commission to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easement of appropriate width, and shall be constructed in accordance with the construction standards and specifications.

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2. *Drainage Pipes.* All drainage pipes may be concrete, asphalt coated metal pipes, or polypropylene meeting the Mississippi Department of Transportation Standards. The Engineer must approve the gauge thickness of asphalt-coated metal pipes or plain galvanized metal pipes. The developer's Engineer shall provide the Engineer with the shipping tickets showing the gauge of all pipes installed.
3. *Access Culverts.* Driveways crossing side ditches shall be constructed to a minimum width of twelve (12) feet with culvert pipe drains laid to the profile of the ditch invert. No culvert shall be smaller than fifteen (15) inches in diameter.
4. *Provision of Culverts.* All driveway culverts and ramps shall be provided for by the subdivider. The cost of culverts and ramps shall be included within the performance bond for the subdivider, with the number of culverts and cost being approved and estimated by the Engineer. Upon installation of any culverts or ramps by the subdivider, the performance bond may be reduced or a new bond substituted to secure the obligation with respect to culvert and ramp requirements.
5. *Use of Ditches.* The Land Development Commission upon recommendation of the Engineer may require paving of ditches or appropriate stabilization. Sufficient easements will be provided on a subdivision plats for maintenance of large ditches for alignment and cleaning. Ditches shall be constructed on uniform grades sufficient for proper run-off.
6. *Inspection of Drainage.* All underground drainage must be inspected and approved by the Engineer.
7. *Water Bodies and Watercourses.* If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the fees of adjacent lots. The Land Development Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a local government responsibility. No more than twenty-five percent (25%) of the minimum area of a lot required may be satisfied by land that is under water. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure, or design approved by the Local Government Engineer.
8. *Accommodation of Upstream Drainage Areas.* A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage whether inside or outside the subdivision. The local government Engineer shall determine the necessary size of the facility, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development.
9. *Effect on Stream Drainage Area.* The local government Engineer also studies the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Local government drainage studies together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage

facilities, the Land Development Commission may withhold approval of the subdivision until provision has been made for the expansion of the existing down stream drainage facility. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

10. *Areas of Poor Drainage.* Whenever a plat is submitted for an area that is subject to flooding, the Land Development Commission may approve such subdivision provided that the appellant fills the affected area of the subdivision to an elevation sufficient to place the elevation of streets and lots at a minimum of twelve (12) inches above the elevation of the one hundred (100) year flood Plain, as determined by the local government Engineer. The plat of the subdivision shall provide for an overflow zone along the bank of any stream or watercourse, in a width that shall be sufficient in times of high water to contain or move the water, and no fill shall be placed in the overflow zone nor shall any structure be erected or placed in the overflow zone. The boundaries of the overflow zone shall be subject to approval by the local government Engineer. The Land Development Commission may deny subdivision approval for areas of extremely poor drainage.
11. *Flood Plain Areas.* The Land Development Commission, when it deems it necessary for the health, safety, or welfare of the present and Future population of the area and necessary to the conversation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property that lies within the flood plain of any stream or drainage course as designated on the FEMA designated Flood Insurance Rate Maps for Panola County. These flood plain areas shall be protected from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps, except at the discretion of the Land Development Commission.

G. **Water Supply**

1. *Water System Required.* All subdivisions shall have the proposed water system approved by the appropriate state agencies. The water system shall have enough outlets and shall be large enough to furnish an adequate water supply and fire protection to every lot.
2. *Water Mains.* Water mains, where possible, shall be located in utility easement as approved by the Engineer.
3. *Approval Required.* The installation of the water system, including fire hydrants, shall be subject to the approval of the Governing Authority and Engineer.
4. *Fire Hydrants.* Fire hydrants shall be installed in all subdivisions excepts where the water system serving the subdivision is not adequate. The hydrants shall meet applicable water system standards.
5. *Individual Wells and Central Water Systems.*
 - A. On lots of one acre or greater, and where a public water system is not available, in the discretion of the Land Development Commission, individual wells may be used or a central water system provided in a manner so that an adequate supply of potable water will be available to every lot in the subdivision. Water samples shall be submitted to the Health Department for its approval, and individual wells and central water systems shall be approved by the appropriate health authorities. Approval shall be submitted to the Land Development Commission prior to final subdivision plat approval.
 - B. If the Land Development Commission requires that a connection to a public water main be eventually provided as a condition to approval of an individual well or central water system, the applicant shall make arrangements prior to receiving final plat approval for future water service. Performance or cash bonds may be required to ensure compliance.

H. **Sanitary Sewer System**

1. *General Requirements.* The applicant shall install sanitary sewer facilities on all lots in all subdivisions except as hereafter provided, and shall conform to all applicable state and local laws and specifications. All plans shall be designed

and approved in accordance with the rules, regulations, and standards of the local government Engineer, Panola County Wastewater specialist, and other appropriate agency. Necessary steps shall be taken by the application to extend or create a sanitary sewer district for the purpose of providing sewage facilities to the subdivision when no district exists for the land to be subdivided.

2. *Central Systems.* Where centralized public sewage collection systems are not reasonably accessible to the subdivider and an individual centralized disposal system is provided by the subdivider, sewer lines shall be laid out so a future connection with the public sewer main shall be made. All plans shall be designed and approved in accordance with the rules, regulations and standards of the Panola County Wastewater specialist. Necessary action shall be taken by the subdivider to extend or create a sanitary sewer district which will maintain the disposal system.
3. *Septic Tanks.* Individual septic tanks may be used in subdivisions where central sewage is not available only if written approval is obtained from the Panola County Wastewater specialist.
4. *Individual On Site Treatment Plants.* May be used in subdivisions where central sewage is not available only if written approval is obtained from the Panola County Wastewater specialist.
5. *Septic Systems.* All subdivisions hereafter filed or record in the Office of the Chancery Clerk shall be approved only for use with central collection and treatment of sewage unless there is affixed to the plat a notation signed on behalf of the Panola County Wastewater specialist.

I. Street Lights and Traffic Signs

1. *General Requirements.* Street lights and traffic signs shall be required in accordance with design and specification standards approved by the Engineer and utility company. Where Street lights are required the Subdivider shall confer with the electric utility company serving the property.
2. *Specifications.* Street Signs shall be installed at all intersections within and bordering the subdivision in accordance with the Manual of Uniform Traffic Devices, Federal Highway Administration.

J. Care of Area during Construction

1. *Responsibility.* Builders and Contractors shall be responsible for cleaning up all loose paper and material subject to be scattered by the wind each day and prevent such material from scattering through a subdivision or adjoining property. The premises will be kept in a reasonably clear unlettered manner. Building permits may be withheld from builders and contractors who permit the accumulation of litter and loose paper after being warned by the Building Department.
2. *Debris in Streets.* Builders and contractors shall not permit waster materials, dirt and debris to be placed or allowed to remain in a public street or road. Surplus dirt shall not be graded or pushed into the street.
3. *Removal.* If a builder or contractor shall not immediately remove such material placed by him or his subcontractors in a street after being warned, no building permit shall be issued to him for a period of six months thereafter, and the violator may be prosecuted for unlawfully placing an obstruction in a public road. At the discretion of the Building official, he may cause such material to be removed and the contractor shall be required to pay the cost of such removal.

K. Erosion and Sediment Control

1. *Erosion and Sediment Control Plan.* Installation of the above improvements shall be done in such a manner as to provide for the most effective control of erosion and sediment. The construction plan shall be accompanied by an erosion and sediment control plan, which shall first be submitted and approved by the State of Mississippi, Department of Environmental Quality for a National Pollutant Discharge Eminent Standard Permit under the Clean Water Act. Practical combination of the following technical principles shall be used:
 - A. The smallest practical area of land shall be exposed at any one time during development. When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
 - B. Temporary vegetation or mulching shall be used to protect critical areas exposed during development.
 - C. Sediment basins (debris basins, de-silting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters of land undergoing development.
 - D. Provisions shall be made to effectively accommodate the runoff caused by changed soil conditions during and after development.
 - F. The development plan shall be fitted to the topography and soils so as to create the least possible erosion.
 - G. Whenever feasible, natural vegetation shall be retained and protected.

L. **Manufactured Home Parks**

Any subdivision created for the purposed of allowing more than one dwelling unit or a single lot shall conform to the following standards. Conformity shall be illustrated by the submission of a detailed site development plan along with the required subdivision application. The site plan shall illustrate clearly the information below:

1. Each lot provided for the occupancy of a single Manufactured Home shall have an area of not less than 6,000 square feet and a width of not less than 60 feet. No Manufactured Home, structure, addition, or appurtenance thereto shall be located less than 10 feet from the nearest adjacent lot boundary.
2. All sewage disposal facilities must be approved by the Panola County Wastewater specialist and water supply facilities must be approved by the State Board of Health. Regular garbage and refuse pickup service must be provided at each Manufactured Home Park. Permanent facilities for washing and laundering may be required to meet the Panola County Wastewater specialist requirements. Adequate storm water drainage must be provided before occupancy and in a manner not to be objectionable to adjacent property owners. No site subject to flooding shall be approved.
3. All vehicular road entrances must be approved by the County Engineer for safety access. Each Manufactured Home site shall abut a hard surfaced driveway, roadway, or street of not less than 30 feet in width, and which shall have unobstructed access to a public highway or street. Space between Manufacture Home may be used for parking of motor vehicles if the space is hard surfaced and clearly designated at least 5 feet from the nearest adjacent lot boundary. When such off-street parking spaces are provided, the driveway, roadway, or street serving the lot shall not be less than 24 feet in width. A street plan satisfactory to the Land Development Commission must be approved prior to construction with streets paved and culverts in place before occupancy.
4. Electrical facilities provided to each lot must meet the National Electrical Code requirements. Manufactured Home Parks having 10 or more Manufactured lots must provide an overhead street or night light operating at night. One street light must be provided for each 10 Manufactured Home spaces, or portion thereof within the court.

5. Each Manufactured Home court providing more than four Manufactured Home spaces must provide suitable, fenced playground area of not less than 300 square feet for each Manufactured Home space.
6. In approving a Manufactured Home Park site, there maybe imposed such reasonable requirements as to screening and other features of the development as are deemed necessary to protect adjacent property and prevent objectionable conditions. A twenty five foot landscaped area shall be provided around the entire perimeter of a Manufactured Home Park.
7. After completion of improvements and prior to opening the Manufactured Home Park, final plat shall be submitted in accordance with these regulations. Such plat shall be recorded in the Chancery Clerk's office after approval by the Land Development Commission and Board of Supervisors.
8. Each Manufactured Home shall be provided with anchors and tie downs such as cast in place concrete "deadman" eyelets imbedded in concrete slabs, screw augers, arrowhead anchors or other devices to be used to stabilize the mobile home.
9. Skirting shall be provided around the perimeter of each mobile home.
10. Units not meeting the definition of Manufactured Home set forth in this ordinance shall be permitted in any Manufactured Home Park.

Article V. **Assurance of Completion and Maintenance**

A. Authority to Proceed with Installation of Improvements

1. Receipt by the subdivider of the approval of the Preliminary Plat by the Land Development Commission shall constitute authority for the subdivider to proceed with the construction of the following minimum improvements and preparation of the Final Plat. The Subdivider shall:
 - A. Submit final construction plans and specifications to the Engineer prior to construction of any of the required improvements, or the submission of a performance bond.
 - B. Submit engineering maps showing approximate grades and profiles of streets and plans regarding facilities for storm water drainage; and other proposed improvements such as sidewalks, plantings, parks and any grading of individual lots except when specifically not required by the Land Development Commission.
2. If the County Engineer shall find such plans and specifications to be in accordance with applicable policies and standards of the Governing Authority, he shall authorize construction and determine the amount of bond, if required. Following the approval of the plans and specifications, construction may be started or the bond may be filed.
3. All improvements must be inspected during the course of construction of the improvements. A schedule of inspections must be coordinated with the County Engineer. The County Engineer will make written inspection reports during the period of construction.

B. Procedures for Posting or Release of Bonds

1. No Final Plat of any subdivision shall be recorded unless all improvements specified in the approval have been completed or a performance bond has been filed with the Governing Authority securing the construction of improvements specified in this Article.
2. The subdivider shall sign an agreement with the Governing Authority agreeing to install or provide the required improvements and shall file with the Governing Authority a bond. 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 by the Governing Authority, such period not to exceed two years. No such bond shall be accepted unless it is enforceable by or payable to the Panola County 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 Governing Authority, where costs of improvements are not specified, this amount shall be estimated by the County Engineer.
3. The bond amount for streets shall be determined by the County Engineer and shall be a sum at least equal to the amount estimated to construct the required improvements to the required specifications two (2) years from the date of the agreement.
4. All road construction will be guaranteed after acceptance by the Panola County subject to normal wear and tear. A maintenance bond in an amount set by the County Engineer will be required in order to assure the satisfactory conditions of the required improvements. The maintenance bond shall continue to be in effect until 25 of the lots in that section of the subdivision are built on or one (1) year whichever time is greater.
5. When all of the required improvements have been constructed, the subdivider shall contact the County Engineer for a final inspection and shall provide certification that the final improvements have been installed according to

county specifications. The County Engineer shall inspect the subdivision and make a written report, a copy of which is to be provided to the subdivider and the Governing Authority.

6. The bond will be released by order of the Governing Authority when the subdivision receives an approved final inspection report from the County Engineer. The Governing Authority on recommendation of the Engineer may reduce liability on the bond as work progresses and after acceptance may reduce the bond to such amount as the County Engineer deems sufficient to guarantee performance of the warranty.

C. Installation of Part of Improvements

The owner of a tract may prepare and secure approval of a Preliminary Plat for the entire tract and the required improvements in only a portion of such tract, but the improvements must be installed or provision made for their installation in any portion of the area for which a Final Plat is approved for recording. This is provided, however, that any gas mains, storm sewers, trunk sewers, and any sewage treatment plants shall be designed and built to serve all the area owned by the subdivider or designed and built in such a manner that they can easily be expanded or extended to serve the entire area, and provided further that the requirements of Article IV have been met.

D. Survey Monuments

All subdivision boundary corners shall be marked with permanent monuments. A permanent monument shall be deemed to be a four (4) inch by four (4) inch concrete post at least thirty (30) inches long with a one-half inch steel rod center. Should conditions prohibit the placing of monuments on the 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.

Article VI.

Specifications for Documents to be Submitted

A.

Preliminary Plat

1. *General.* The preliminary plat shall be platted by a licensed land surveyor at a convenient scale not more than one (1) inch equals one hundred (100) feet, may be prepared in pencil or pen, and the sheets shall be numbered in sequence in more than one (1) sheet is used and shall be of such size as is acceptable for filing in the Office of the Chancery Clerk, but shall not be thirty-four (34 by 44) inches or larger. The map prepared for the preliminary Plat may also be used for the final subdivision plat and, therefore, should be drawn on tracing cloth or reproducible mylar. Preparation in pencil will make required changes and additions easier. The Preliminary Plat and five (5) prints shall be at a scale of One-hundred (100) feet to one (1) inch (1"=100') unless otherwise specified by the Land Development Commission Staff. The Preliminary Plat and accompanying documents shall show the following:
2. *Features.* The preliminary plat shall show the following:
 - A. The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.
 - B. The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.
 - C. The location of existing streets, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, and bridges, as determined by the Land Development Commission.
 - D. The location and width of all existing and proposed streets and easements, alleys, and other public ways, and easement and proposed street right-of-ways and building set-back lines.
 - E. The locations, dimensions and areas of all proposed or existing lots and minimum building setbacks.
 - F. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designated of the purpose of those set asides, and conditions, if any, of the dedication or reservation.
 - G. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider if other than the owner, and the name of the land surveyor.
 - H. The date of the map, true north point, graphic scale, and title of the subdivision.
 - I. Sufficient data to the local government Engineer to determine readily the location bearing, and length of all lines, and to reproduce such lines upon the ground; the locations of all proposed monuments.
 - J. Name of the subdivision and all new streets as approved by the Land Development Commission.
 - K. Indication of the use of any lot (single family, two-family, multi-family, town house) and all uses other than residential proposed by the subdivider.
 - L. Blocks shall be consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered consecutively throughout the several additions.
 - M. Areas which are subject to periodic inundation (100-Year Flood Elevation).
 - N. The proposals for sewer and water service shown as a note on plat and any accompanying documentation from appropriate agencies.

- O. The title under which the proposed subdivision is to be recorded, and the name and Mississippi registration number of the engineer, registered land surveyor, planner and the subdivider platting.
- P. Vicinity map showing relationship of subdivision site to area including township, range, section, and parts of sections at a scale of 1 inch to 1000 feet.
- Q. The names and adjoining boundaries of all adjoining subdivisions and the name of recorded owners of adjoining parcels of unsubdivided land.
- R. Contours at vertical intervals of not more than two feet will be shown for property to be platted as school or park sites.
- S. North point, graphic scale, date and datum.
- T. The subdivider's proposal to the Governing Authority for accomplishing the installation of improvements in accordance with ARTICLE VI of the Ordinance.
- U. All lots in each block shall be consecutively numbered. Outlots shall be lettered in alphabetical order. If blocks are numbered or lettered, outlots shall be lettered in alphabetical order within each block. Drainage and utility easements shall be illustrated.
- V. All information required on sketch plat should also be shown on the Preliminary Plat, and the following notation shall also be shown:
 - (1) Explanation of drainage easements, if any.
 - (2) Explanation of site easements, if any.
 - (3) Explanation of reservations, if any.
 - (4) Endorsement of owner by signature and date.
- W. Form for endorsements by Commission Chairman as follows:
Approved by Resolution of the Land Development Commission,
Signature of Chairman and Date.
- X. The lack of information under any item specified herein, or improper information supplied by the applicant, shall be cause for disapproval of a preliminary plat.

B. Construction Plans

- 1. *General.* Construction plans shall be prepared for all required improvements. Plans shall be drawn to a scale of no more than one (1) inch equals fifty (50) feet, and map sheet shall be of the same size as the preliminary Plat.
- 2. *Features.* The following shall be shown:
 - A. Profiles showing existing and proposed elevations along center line of fall roads. Where a proposed road intersects an existing road or roads; the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection, shall be shown. Approximate radii of all curves, lengths of tangents, and central angles on all sheets shall be shown.
 - B. The Land Development Commission may require, where steep slopes exist, that of all proposed streets at one-hundred-foot (100-foot) stations be shown at five (5) points as follows: ON a line at right angles to the centerline of the street, and said elevation points shall be at the center line of the street, each property line, and points twenty-five (25) feet inside each property line.
 - C. Plans and profiles showing the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, servitude, rights-of-way, man holes, and catch basins; the locations of street trees, street lighting, street signs; the locations, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants showing connections to any existing or proposed utility system and exact location and size of all water, gas, or other underground utilities or structures.

- D. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including, but not limited to, existing streets, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features such as swamps, railroad buildings, features noted on the Official Map or Master Plan, at the point of connection to proposed facilities and utilities within subdivision, and each tree with a diameter of eight (8) inches or more, measure twelve (12) inches above ground level. The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low-water elevations of such lakes or streams. All elevations shall be referred to the U.S.G.S. datum plane. If the subdivision borders a lake, river, or stream, distances and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.
- E. Topography at the same scale as the sketch plat with a contour interval of two (2) feet, referred to sea-level datum. The datum provided shall be latest applicable U.S. Coast and Geodetic Survey datum and should be so noted on the plat.
- F. All specifications and references required by the local government's construction standards and specifications, including a site grading plan for the entire subdivision.
- G. Notation of approval as follows: Signature of Owner, Date; Signature of Land Development Commission, and date
- H. Title, name, address, and signature of surveyor, and date, revision dates.

C. **Final Subdivision Plat**

- 1. *General.* The final subdivision plat shall be presented in india ink on tracing cloth or reproducible mylar at the same scale and contain the same information, except for any changes or additions required by resolution of the Land Development Commission. As shown on the preliminary plat. The preliminary Plat may be used as the final subdivision plat if it meets these requirements and is revised in accordance with the Land Development Commission's resolution. All revision dates must be shown as well as the following The Final Plat and five prints shall be at a scale of not more than 100 feet to the inch (1'-100') from an accurate survey and on one or more sheets whose dimensions shall be 18 inches by 24 inches. If more than two sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one sheet and the component areas shown on other sheets.
- 2. *Features.* The Final Plat and the accompanying documentation shall show the following:
 - A. Notation of any self-imposed restrictions, and locations of any building lines proposed to be established in this manner. If required by the Land Development Commission in accordance with these regulations.
 - B. Endorsement of the Panola County Wastewater specialist.
 - C. Endorsement of the plat by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitude, and easements imposed on the property.
 - D. Lots numbered as approved by the Panola County Tax Assessor.
 - E. All monuments, erected corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation them of or by legend, except that lot corners need not be shown. The legend for metal measurements shall indicate the kind of metal, the diameter, length, and weight per lineal foot of the monuments.

- F. The boundary lines of the area being subdivided with accurate distances and bearing angles, showing all relationship of the subdivision to section, township and range.
- G. The lines of all proposed streets their widths and the names of all streets.
- H. The accurate outline of any portions of the property intended to be dedicated or granted for public use with a statement of dedication thereon.
- I. The lines of all adjoining property and the line of adjoining streets and alleys with their widths and the names of all streets within the proposed subdivision.
- J. All lot lines together with an identification of all lots which shall be numbered consecutively.
- K. The location of all building lines and easements.
- L. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are given to the nearest 1/100th of a foot.
- M. the radii, arcs or chords, points of tangency and central angles for curvilinear streets and radii for rounded corners.
- N. The location of all survey descriptions.
- O. The name of the subdivision, a graphic scale of the plat, a north arrow oriented toward the top of the page, the date and the name of the owner or owners or subdividers.
- P. Vicinity map showing relationship of subdivision site to area including township, range, section and parts of sections.
- Q. The certificate, Mississippi registration number and legal seal of a register profession land surveyor attesting the accuracy of the survey and the correct location of all monuments shown.
- R. Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.
- S. Acknowledgment of the owner or owners of the plat, and restrictions including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements required.
- T. Proper certificates for owner, notary public, registered land surveyor, Land Development Commission, Board of Supervisors, and Chancery Clerk, shown in that order.

3. *Preparation.* The final subdivision plat shall be prepared by a professional land surveyor licensed by the State of Mississippi.

Article VII **Revision of Recorded Plats**

A. Errors

Errors on recorded subdivision plats may be corrected by the subdivider by making a written request to the Governing Authority to have such correction made. The Governing Authority may direct that the correction be made directly on the existing recorded plat, or they may direct that a complete new plat be filed as in Paragraph B below.

B. Revision of Plats

1. Revisions of recorded plats shall be subject to the procedures set forth in state law.
2. On commercial and industrial subdivisions, lot lines are recognized for reference purposes only. Any re-division of a lot previously shown on a recorded plat must be submitted to the Land Development Commission and Governing Authority so as to determine if the changes in lot lines conform to these regulations. Any vacation or relocation of utilities must have the concurrence of the utility company serving the property.

C. Vacation of Plats

1. Any recorded plat or portion thereof may be vacated by the subdivider at any time before the sale of any lot therein, by a written request to the Land Development Commission with a copy of such plat attached. Such written request shall be approved by the Land Development Commission and Governing Authority and recorded in the Office of the Chancery Clerk. The Governing Authority may reject such request which destroys any public rights in any of its public uses, improvements or streets. The recorded vacation of plat shall destroy the effect of the recorded plat and shall divest all public rights in streets, public ground and all dedications provided in such plat.
2. When lots have been sold, the recorded plat may be vacated in the manner described in Paragraph 1, provided all owners of lots in such plat join in the execution of such written request. A title certificate shall be included with the written request to the Land Development Commission, along with a copy of the recorded plat.

Article VIII.

Administration

A. Land Development Commission Established

1. *Appointment and Terms*- There shall be a Land Development Commission consisting of 10 members. All members shall be appointed by the Panola County Board of Supervisors and shall reside within Panola County. Members shall be appointed for five year terms, but members may continue to serve until their successors have been appointed. Members may be appointed to successive terms without limitation. Members may be removed by the Board of Supervisors at any time for failure to attend three consecutive meetings or failure to attend 30 percent or more of the meetings within any 12- month period or for any other good cause related to performance of duties. If a member moves outside Panola County, Mississippi, that shall constitute a resignation.
2. *Meetings*- The Land Development Commission shall establish a regular meeting schedule and shall meet at least quarterly. It shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas. Minutes shall be kept of all board proceedings. All board meetings shall be open to the public, and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting.
3. *Quorum and Voting*- A quorum for the Land Development Commission shall consist of a majority of the board membership (excluding vacant seats). A quorum is necessary for the board to take official action. All actions of the Land Development Commission shall be taken by majority vote, a quorum being present. A roll call vote shall be taken upon the request of any member.
4. *Officers*- At its first meeting in January of each year, the Land Development Commission shall, by majority vote of its membership (excluding vacant seats) elect one member to serve as vice-chairman, and a secretary. The people so designated shall serve in these capacities for terms of one year. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership (excluding vacant seats). All officers, chairman and vice-chairman may take part in all deliberations and vote on all issues.
5. *Powers and Duties*- The Land Development Commission shall:
 - A. Make studies and recommend to the Board of Supervisors plans, goals, and objectives relating to the growth, development, and redevelopment of the county.
 - B. Develop and recommend to the council policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
 - C. Make recommendations to the Board of Supervisors concerning proposed development ordinance and regulations.
 - D. Perform any other duties assigned by the council.

B. **Land Development Coordinator**

Except as otherwise specifically provided, primary responsibility for administering and enforcing this ordinance may be assigned by the Panola County Board of Supervisors to one or more individuals. The person or persons to whom these functions are assigned shall be referred to in this ordinance as the Land Development Coordinator.