

COAHOMA COUNTY, MISSISSIPPI
SUBDIVISION REGULATIONS

A PART OF THE
COMPREHENSIVE PLAN OF 1964
AS AMENDED, 1998

Adopted by Order of the Board of Supervisors on May 27, 1998

Effective June 1, 1998

RE: ADOPTION OF AMENDMENT OF OFFICIAL SUBDIVISION REGULATIONS
OF COAHOMA COUNTY, 1964

WHEREAS, the Board of Supervisors of Coahoma County, Mississippi, by Order dated June 24, 1964, adopted Subdivision Regulations for Coahoma County, Mississippi; and

WHEREAS, in said Subdivision Regulations of Coahoma County, 1964, provision was made for the manner in which subdivision regulations should be amended, supplemented or changed; and

WHEREAS, the Board of Supervisors of Coahoma County does find and declare that there exists a necessity for the amendment of certain procedures and standards to be followed in the development or re-development of land subdivision in Coahoma County, Mississippi, to assure that development of the County is in accordance with the Comprehensive Plan for orderly, helpful and efficient economic growth; and

WHEREAS, the Coahoma County, Mississippi, has, pursuant to §17-1-1 of the Mississippi Code of 1972, as amended, authority to make ordinances affecting regulation, development or re-development of land subdivisions in Coahoma County; and

WHEREAS, the Board of Supervisors caused proposed amendments to the official subdivision regulations of Coahoma County, Mississippi, 1964, to be drafted; and

WHEREAS, the Board of Supervisors of Coahoma County, Mississippi, on the 13th day of August, 1997, and the 7th day of April, 1998, and the 20th day of May after published notice did obtain public comments concerning the proposed amendments to the Official Subdivision Regulations of Coahoma County, 1964 ; and

NOW THEREFORE, upon motion duly made by Supervisor Easley, seconded by Supervisor Burrell, and unanimously adopted by all supervisors present and voting; it is

RESOLVED, that the Board of Supervisors adopts the Amendments presented to the Board as the Official Subdivision Regulations of Coahoma County, Mississippi, 1964, as amended 1998, effective June 1, 1998;

SO ORDERED, this the 27th day of May, 1998.

BOARD OF SUPERVISORS OF
COAHOMA COUNTY, MISSISSIPPI

By Katherine Furr
KATHERINE Y. FURR
VICE-PRESIDENT

ATTEST:

Ed Peacock, III
ED PEACOCK, III
CLERK OF THE BOARD

RE: AMENDMENT OF SUBDIVISION REGULATIONS

WHEREAS, the Board of Supervisors finds for the purposes set forth in the Subdivision Regulations of Coahoma County and to increase the effectiveness of the subdivision regulations now in force, that it is in the best interest of the County to amend the Subdivision Regulations of Coahoma County, Mississippi;

NOW THEREFORE, upon motion duly made by Supervisor Pearson, seconded by Supervisor Overton, and unanimously adopted by all Supervisors present and voting; it is

ORDERED that the Subdivision Regulations of Coahoma County, Mississippi are hereby amended as follows:

1) The following provision shall be added as SECTION II. PROCEDURE (E):

BUILDING PERMITS:

- a. No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.
- b. No building permit shall be granted in a new subdivision until the plat has received final approval from the Board of Supervisors or its designee. Once a developer has provided a proper form of security to guarantee installation of any required public improvements, building permits shall not be denied..”

2) Section I, H is amended to define “SUBDIVISION” as follows:

SUBDIVISION: Any division of any tract or parcel of land into two (2) or more lots or parcels any of which has an area of less than three (3) acres, for the purposes, whether immediate or future, of sale, transfer or building development. It also includes resubdivision or replatting of land, lots, or tracts. Division of land into parcels of three (3) acres or more shall not be included within this definition, unless any such division of three (3) acres or more includes the planning or development of a new street or access easement.*

3) SECTION II(D) (2) PROCEDURE is amended to read:

D. Exceptions to Filing Plats

2. Any attempt by the subdivider to divide any part of the original parcel into additional parcels, any one of which is less than three (3) acres in size, or any one of which involves a new street, within a twelve (12) month period subsequent to this date of the first subdivision, will require that SECTION II of these regulations will be adhered to for the entire parcel.

4) SECTION III (I) IS OMITTED IN ITS ENTIRETY.

These amendments are to be in effect upon passage.

SO ORDERED, this the 17th day of August, 2011.

BOARD OF SUPERVISORS
OF COAHOMA COUNTY, MISSISSIPPI

By: 
JOHNNY NEWSON, PRESIDENT

ATTEST:


ED PEACOCK, III
CLERK OF THE BOARD

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AN ORDINANCE ADOPTING THE OFFICIAL
SUBDIVISION REGULATIONS OF COAHOMA COUNTY, MISSISSIPPI

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF COAHOMA COUNTY,
MISSISSIPPI

SECTION I. NECESSITY FOR REGULATIONS, AUTHORITY FOR
CODE, TITLE, PURPOSE, SCOPE, ADMINISTRATION,
PLAT REQUIRED, AND DEFINITIONS

A. Necessity for Regulations

It is hereby found and declared that there exists a necessity for setting forth certain procedures and standards to be followed in the development or redevelopment of land subdivisions in Coahoma County to assure that development of the County is in accordance with a Comprehensive Plan for orderly, healthful, efficient and economic growth.

B. Authority for Code

The provisions of this code are adopted pursuant to authority set forth in Mississippi Code of 1972, as amended, Section 17-1-1, et seq., as well as all other laws of the State of Mississippi authorizing this action.

C. Title

This code shall be known as the "Official Subdivision Regulations of Coahoma County, Mississippi, 1964, as amended 1998" and may be cited.

D. Purpose

This purpose of the following subdivision regulations is to provide for future harmonious land development within Coahoma County. Specifically, the intent of this code is:

1. To insure the proper coordination of future roads and streets with existing or planned roads and streets.
2. To insure that future subdivisions comply with the comprehensive planning program.
3. To require adequate open space for traffic, recreation, drainage, light and air.

4. To insure a distribution of population and traffic which will be favorable to health, safety, convenience, prosperity, or general community welfare.
5. To insure that adequate water supply, sewage disposal, and drainage facilities are provided to safeguard the public welfare.

E. Scope and Applicability

All land Subdivisions developed or constructed hereafter within Coahoma County shall comply with the provisions of these regulations.

The developer for any Subdivision where all or any portion of the Subdivision lies within one mile of the corporate limits of any incorporated municipality within the County, shall be required to comply with the development standards, including zoning and subdivision regulations, duly adopted by the affected municipality. Where the subject property lies in an area within one mile of the corporate limits of more than one municipality, the developer must comply with the subdivision regulations of that municipality as may be recommended by the Planning Commission and approved by the Board of Supervisors.

F. Administration

The Clarksdale-Coahoma County Planning Commission, hereinafter referred to as the Planning Commission is hereby authorized and directed to administer and coordinate the provisions of this ordinance. However, approval of plats and other documents and plans by the Planning Commission as hereinafter provided shall be construed as tentative approval only. Final approval of said plats and documents shall be the responsibility of the Board of Supervisors of Coahoma County as prescribed by law. The County Zoning Administrator or other County official as may be designated from time to time by the Board of Supervisors, is hereby authorized and directed to enforce all the provisions of this ordinance and for such purpose he shall have the powers of a police officer, except that by arrangement with the City of Clarksdale, the Board of Supervisors may elect to delegate this authority to an appropriate official designated by the City of Clarksdale.

G. Plat Required

Where so required by these regulations, it shall be unlawful for any person, firm or corporation to lay out for the purpose of transferring, selling or offering for sale a tract or parcel of land, within Coahoma County, into two or more building sites without first having the tract or parcel surveyed and platted, as hereinafter set forth, by a Registered Professional Engineer or Licensed Land Surveyor.

H. Definitions

For the purpose of clarification certain words are used herein are defined as follows:

CUL-DE-SAC: A dead-end street designed to be permanently closed to through traffic.

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

IMPROVEMENTS: Street pavements, curbs, gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, gas lines, electric and telephone lines, and any other such items as may be specifically designated by the County Zoning Administrator or the Chairman of the Planning Commission.

LOT: A portion of a Subdivision, or other parcel of land, intended as a unit, for transfer of ownership or of development.

PLAT: A plan for developing an undeveloped parcel of property.

ROADS, STREETS AND ALLEYS: Rights-of-way dedicated to public use, which provide vehicular and/or pedestrian access to adjacent properties.

1. Collector roads or streets are those which carry traffic from minor roads or streets to the major system of arterial streets and highways, including the principal entrance streets or a residential development and streets for circulation within such a development.
2. Alleys are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

SUBDIVISION: Any division of any tract or parcel of land into two (2) or more lots or parcels any of which has an area of less than five (5) acres, for the purposes, whether immediate or future, of sale, transfer or building development. It also includes resubdivision or replatting of land, lots, or tracts. Division of land into parcels of five (5) acres or more shall not be included within this definition, unless any such division of five (5) acres or more includes the planning or development of a new street or access easement.*

*NOTE: Exception to requirement to filing plats, see Section II (D).

SECTION II. PROCEDURE

A. Pre-application Procedure

1. Previous to the filing of an application for conditional approval of the preliminary plat (general subdivision plan) the developer shall consult with the Zoning Administrator regarding plans and data as specified in SECTION V. The developer, after initial consultation with the Zoning Administrator, shall submit to the Planning Commission plans and data as specified in SECTION V. This step does not require formal application, fee or filing or plat with the Planning Commission.
2. Within thirty days the Planning Commission shall inform the developer that the plans and data as submitted or as modified do or do not meet the objectives of these regulations it shall express its reasons therefor.

B. Procedure for Conditional Approval of Preliminary Plat

1. On reaching conclusions , informally as recommended in "A" above, regarding his general program and objectives, the developer shall cause to be prepared a preliminary plat together with improvement plans and other supplementary material as specified in SECTION V.
2. One copy of the preliminary plat and supplementary material specified shall be submitted to the County Zoning Administrator at least ten days prior to the Planning Commission meeting at which it is to be considered. Three copies of the preliminary plat and supplementary material specified along with written application for conditional approval shall be submitted to the Planning Commission at least five days prior to the Planning Commission meeting at which it is to be considered.
3. Following, (a) review of the preliminary plat and other material submitted by the developer for approval by the Planning Commission, and (b) negotiations with the developer on changes deemed advisable and the kind and extent of improvements to be made by him, the Planning Commission shall, within thirty days, act thereon as submitted, or modified, and if approved, the Planning Commission shall express its approval as Conditional Approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval; and its reasons therefor.
4. The action of the Planning Commission shall be noted on four (4) copies of the preliminary plat and these shall be referenced and attached to any conditions determined. One copy shall be delivered

to the Board of Supervisors for preliminary plat approval, one copy shall be delivered to the County Zoning Administrator, one copy shall be returned to the developer and the other retained by the Planning Commission.

5. Conditional approval of a preliminary plat does not constitute approval of the final Subdivision plat. Rather it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat which will be submitted for approval of the Planning Commission and for recording upon fulfillment of the requirements of Section II (C) of these regulations and the conditions of the conditional approval, if any.

C. Procedure for Approval of Final Plat

1. The final plat shall conform substantially to the preliminary plat as approved, and, if desired by the developer, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations.
2. Application for approval of the final plat shall be submitted in writing to the Zoning Administrator at least fifteen days prior to the meeting at which it is to be considered by the Planning Commission. Application for approval of the final plat shall be submitted in writing to the Planning Commission at least five days prior to the meeting at which it is to be considered.
3. Three copies of the final plat and other exhibits required for approval shall be prepared as specified in SECTION V., and shall be submitted to the Planning Commission within twelve months after preliminary approval. If the final plat and other exhibits required for approval are not submitted to the Planning Commission within twelve months after preliminary approval, said preliminary approval shall become null and void unless an extension of time is applied for and granted by the Planning Commission.
4. After the final plat has been approved by the Planning Commission, the same shall be submitted to the Board of Supervisors and, if finally approved by said Board, shall bear certificates thereof, signed by the Chancery Clerk. The original of said plat shall be recorded in the Office of the Chancery Clerk as provided by law.

D. Exceptions to Filing Plats

1. When a parcel of land is subdivided into no more than two (2) parcels in any continuous twelve (12) month period and no new street is involved, the subdivider shall be exempt from the requirement to file

a plat, provided, however, that no building permit shall be issued until either proof can be shown of the ability to connect to an existing sanitary sewer collection system, or submission of an approved septic tank permit from the Coahoma County Health Department to the County Zoning Administrator.

2. Any attempt by the subdivider to divide any part of the original parcel into additional parcels, any one of which is less than five (5) acres in size, or any one of which involves a new street, within a twelve (12) month period subsequent to this date of the first subdivision, will require that SECTION II of these regulations will be adhered to for the entire parcel.
3. The exceptions to filing plats referenced in this Subsection D shall not be applicable to any Subdivision where all or any portion of the Subdivision lies within one mile of the corporate limits of any incorporated municipality within the County, unless a similar provision is found in the municipality's subdivision regulations.

SECTION III. DESIGN STANDARDS

A. Streets

1. The arrangement, character, extent, width, grade and location of all streets shall conform to standards set by the County Engineer as approved by the Board of Supervisors and will be considered in their relation to existing and planned streets, to public convenience and safety, and their appropriate relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. The arrangement of streets in a Subdivision shall either:
 - a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas, or
 - b. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
3. Streets that are obviously in alignment with others that are already existing and named shall bear the names of the existing streets. No new street names shall be used that will duplicate or be confused with the names of existing streets in the County or in the City of

Clarksdale. All street names must be approved by the Planning Commission.

4. Access acceptable to the Planning Commission shall be provided to all lots from a dedicated street.
5. Streets shall be laid out so as to intersect a nearly as possible at right angles and no street shall intersect any other street at less than sixty degrees.
6. Where a Subdivision borders on or contains a railroad right-of-way or limited access right-a-way, the Planning Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the purposes in residential zones, or for commercial or industrial purposes in appropriate zones. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
7. Where a Subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the real property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
8. Half streets shall be prohibited, except where essential to the reasonable development of the Subdivision in conformity with the other requirements of these regulations; and where the Planning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
9. Minor streets shall be so laid out that their use by through traffic will be discouraged.
10. The street and alley arrangement shall be such as to cause no hardship to owners of adjoining property.
11. Street grades, wherever feasible, shall not exceed the following, with due allowance for reasonable vertical curves:

<u>Street Type</u>	<u>Percent Grade</u>
All	6%

12. Street right-a-way widths shall be as shown in the Comprehensive Plan and where not shown therein shall be not less than as follows:

<u>Street Type</u>	<u>ROW in feet</u>
All	80'

13. The developer shall surface all streets with a paving material meeting standards established by the County Engineer's specifications, the total costs of which shall be borne by the developer.

Where the Subdivision contains five (5) lots or less, or where the public road adjoining the proposed Subdivision is not paved, the Board of Supervisors may, if recommended by the Planning Commission, approve gravel roads meeting standards established by the County Engineer's specifications. Where gravel roads are approved, the developer shall be required to include on the final plat notice of the type roads to be constructed and dedicated, and clearly indicating that the roads are not finished with a paving material.

14. Street pavement widths and shoulders shall conform with the Comprehensive Plan and where not indicated therein shall not be less than standards established by the County Engineer's specifications and approved by the board of Supervisors.
15. Street jogs with centerline offsets of less than 125 feet shall be avoided.
16. Dead-end streets designed to be so permanently, shall not provide frontage to more than twenty (20) lots and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least 80 feet, and a street property line diameter of at least 100 feet.
17. When connecting street lines deflect from each other at an one point by more than ten degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than 300 feet for minor and collector streets, and such greater radial as the Planning Commission shall determine for special cases.
18. Property lines at street intersections shall be rounded with a radius of ten feet, or of a greater radius where the Planning Commission may deem it necessary. The Planning Commission may permit comparable cut-offs or chords in place of rounded corners.
19. A tangent at least 100 feet long shall be introduced between reverse curves on arteria and collector streets.

20. If the Subdivision plat requires curb and gutter to be constructed, the curb and gutter will be built according to specifications approved by the County Engineer.
21. When a Subdivision is being platted and part of the Subdivision boundary abuts any existing state highway or county road, the Board of Supervisors may require the dedication of additional right-of-way to meet minimum standards if that road is being considered as a part of the state aid road system.
22. The County Zoning Administrator may, at his discretion, require that the owner or developer of the Subdivision submit tests reports covering the materials incorporated in the road work. Any laboratory tests required to establish the specified quality of material used, or densities of base course construction, shall be performed by a reputable commercial testing laboratory, at the subdivider's expense.

B. Alleys

1. Alleys shall be provided in all commercial, industrial and residential areas, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and the location of utilities.
2. The width of any alley shall be not less than twenty feet.
3. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.
4. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn around facilities as the dead-end as determined by the Planning Commission.

C. Utility Rights-of-Way

1. All sanitary sewer, water and gas facilities shall be constructed under the street rights-of-way or easements; the exact location in the street or right-of-way to be determined by the County engineer in consultation with utility providers which may be affected by the location of said rights-of-way or easements.
2. All electric and telephone poles shall be located along the dedicated utility easements.

D. Easements

1. Whenever any stream or important surface drainage course is located in an area that is being subdivided, the developer shall dedicate an adequate easement along each side of the stream, for the purpose of widening, deepening, sloping, improving, or protecting the stream for drainage purposes. Parallel streets may be required in connection therewith.

E. Lots

1. Lot dimensions shall conform to the requirements of the zoning ordinance.
2. The shape and orientation of the lots shall be appropriate for the type of development and use contemplated.
3. Corner lots shall have extra width to permit appropriate building setback and orientation to both streets. The amount of such extra width required shall depend on the zone in which the property is located.
4. Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of a least ten feet, and across which there shall be or no right of access, shall be provided along the line of lots abutting such a traffic artery or other use.
5. Side lot lines shall be substantially at right angles or radical to street lines.
6. Lots at intersections of major streets and at all acute angle intersections shall have a radius of twenty feet at the street corner.

F. Building Setback Lines

1. Building setback lines shall be shown on the plat for all lots and shall not be less than the requirements of the official zoning ordinance.
2. In the absence of zoning regulations, building setback lines shall not be less than thirty feet from the right-a-way of the street or highway upon which the lot fronts.
3. Restrictions requiring buildings to be set back to such building lines shall either be shown on the plat or shall be contained in a separate recorded document and referred to on the plat.

G. Public Sites and Open Spaces

1. Where a proposed park, playground, school or other public use is located in whole or in part in a proposed Subdivision, the Planning Commission may require the developer to offer the County an option to purchase such areas on reasonable terms.
2. In the case of large scale neighborhood unit developments, the Planning Commission may require that the County be granted an option to buy such additional areas or sites of a character, extent and location suitable to the needs created by such development for schools, parks and other neighborhood purposes.

H. Substandard Land

Land subject to flooding and land deemed to be uninhabitable because of poor drainage or other reasons shall not be platted for any use which may increase danger to health, life, or property, or aggravate flood or other hazards, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory conditions. However, this shall not be construed as precluding Subdivisions of a given plot or ground providing the owner agrees to install storm sewers or other drainage structures adequate to remedy the situation, based on a drainage study by a qualified engineer. Minimum floor elevations shall be established in flood plains. In planning any Subdivision, reference should be made by the developer to the Coahoma County Flood Plain Ordinance.

I. Municipal Standards

Any Subdivision, any portion of which is situated within one mile of the corporate boundaries of any municipality within the County, shall conform with the infrastructure and other development requirements of such municipality. If the municipality has no development standards set out in its duly adopted zoning ordinance and/or Subdivision regulations, or its standards are less stringent than the County's as set forth herein, these regulations shall apply.

SECTION IV. REQUIRED IMPROVEMENTS

A. Water Mains and Supply

Every Subdivision shall be required to meet standards set by appropriate state and federal officials including but not limited to, State Board of Health minimum design standards, State Rating Bureau requirements, State and Federal

Safe Drinking Water Standards, and requirements of the Yazoo-Mississippi Delta Water Management District, and the North Delta Joint Municipal Water Management District. Proof of compliance with state and federal standards for water mains and supplies will be required prior to acceptance of the final Subdivision plats.

B-1 Sewage Disposal

Every Subdivision shall be required to meet standards set by appropriate state and federal officials. Proof of compliance with state and federal sewage disposal regulations will be required prior to acceptance of the final Subdivision plat.

B-2 Drainage

1. Subdivision developers shall submit to the County Zoning Administrator for approval a proposed drainage plan of the site to be developed. The drainage plan shall show the location of all ditches, with arrows indicating the direction of flow, typical ditch cross section, and flow line inverts at all intersecting ditches and outfalls. The plan shall show the number of acres to be drained and the computed discharge for all outfalls.
2. Where the natural drainage streams are located beyond the limits of the Subdivision, the developer shall submit a drainage plan of the collection ditch to the County Zoning Administrator for approval.

C. Storm Drainage

The developer shall provide the necessary means to assure complete drainage in and adjacent to his property.

Where an area's storm drainage facilities cannot connect to an outfall storm sewer or outfall ditch capable of carrying the additional storm water, such area shall not be subdivided until such outfall facilities are available.

Where deemed necessary by the County Zoning Administrator, other drainage facilities, culverts and bridges will be required. Before any additional facilities are required, the County Zoning Administrator shall take into consideration the particular drainage conditions and drainage needs of the area and of the street or streets involved.

D. Monuments

Monuments shall be placed at all block and lot corners, or at intermediate points as shall be required by the County Zoning Administrator. All lot corners shall be marked by an iron pipe of not less than three-eighths (3/8) of an inch in diameter and not less than eighteen (18) inches long.

E. Municipal Standards

Any Subdivision, any portion of which is situated within one mile of the corporate boundary of any municipality within the County, which has adopted standards for potable water, sewer, storm sewer, drainage and storm drainage, shall be required to meet the more stringent municipal standards. In the event that the affected municipality has no relevant standards, or its standards are less stringent than the County's, these regulations shall apply.

SECTION V. PLATS AND DATA

A. Policy of the Planning Commission

During its examination of any plat, preliminary or final, the Planning Commission and Board of Supervisors will consider the proposed Subdivision in the light of its ultimate use and the relation of that use to the public welfare and neighborhood development of the area in which it is located. All plats will be examined in the light of the existing plans, including the general land use plan; zoning ordinance, major street plan, major utility plans, other public facility plans, and the character of the local community. Attention will be given to the need for parks, play areas, schools, public building sites, major streets, the efficiency of the street pattern, and the suitability of the land development. Due regard will be shown for the preservation of outstanding natural and cultural features such as scenic spots, water-courses, and historic sites.

The Planning Commission and Board of Supervisors may consult with other agencies and confer with the developer from time to time during the course of its examination in order to insure that the developer is carrying out the requirements of the Subdivision regulations for the orderly growth and development of the County.

B. Pre-application Plans and Data

1. General Subdivision information shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawing required hereinafter.

This information may include data on existing covenants, land characteristics, and available community facilities and utilities; and information describing the Subdivision proposal such as number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas, and other public areas, proposed protective covenants and proposed utilities and street improvements.

2. Location map shall show the relations of the proposed Subdivision to existing community facilities which serve or influence it. It include development name and location; main traffic arteries; public transportation lines; shopping centers; elementary and high schools; parks and playgrounds; principal places of employment; other community features such as railroad stations, airports; hospitals, churches, title; scale; north arrow and date.
3. Sketch plan on topographic survey shall show in simple sketch form the proposed layout of streets, lots, and other features in relation to existing conditions. The sketch plan may be a free hand pencil sketch made directly on a print of topographic survey. In any event the sketch plan listed in C-1 or such of these data as the Planning Commission determines is necessary for its consideration of the proposed sketch.

C. Plats and Data for Conditional Approval

1. Topographic data required as a basis for the preliminary plat, in C-2 below, shall show existing conditions as follows except when otherwise specified by the Planning Commission.
 - a. Boundary lines - Bearings and distances.
 - b. Easements - Location, width and purpose.
 - c. Streets on and adjacent to the tract - Location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles and street lights. If water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to, and size of nearest ones, showing invert elevation of sewers.
 - e. Ground elevations on the tract - Based on a datum plane approved by the County Engineer, ground elevations shall be shown by the contours with an interval of not more than one-half (1/2) foot. Each plat shall show at least two contour lines which in some cases may necessitate a smaller contour interval.
 - f. Subsurface conditions on the tract - (If required by the Planning Commission) Location and results of tests made to ascertain subsurface soil, rock and ground water conditions; depth to ground water unless test pits are dry at a depth of five feet; location and results of soil percolation tests if individual sewage disposal systems are proposed.

- g. Other conditions on the tract - Water courses, marshes wooded acres, isolated preservable trees one foot or more in diameter, houses, barns, shacks, and other significant features.
 - h. Other conditions on adjacent land - Approximate direction and gradient or ground slope, including any embankments or retaining walls; character and location of buildings, railroads, power lines, towers, and other nearby nonresidential land uses or adverse influences, owners of adjacent unplatted land, for adjacent platted land refer to subdivision plat by name, recordation date, and number, and show approximate percent built-up, typical lot size, and dwelling type.
 - i. Photographs - (If required by the Planning Commission Camera locations, directions of views and key numbers.
 - j. Zoning - On and adjacent to the tract.
 - k. Proposed public improvements - Highways or other major improvements planned by public authorities for future construction on or near the tract.
 - l. Key plan - Showing location of the tract.
 - m. Title and certificates - Present tract designation according to official records in office of appropriate recorder, title under which proposed Subdivision is to be recorded, with names and addresses of owners, notation stating acreage, scale, north arrow, datum, benchmarks, certification of registered professional land surveyor, date of survey.
2. Preliminary plat (general Subdivision plan) shall be at a scale of 200 feet to one inch or larger (preferred scale of 100 feet to one inch). It shall show all existing conditions required above in C-1, topographical data, and shall show all proposals including the following:
- a. Streets - Names, right-of-way and pavement widths, approximate grades and gradients, and similar data for alleys.
 - b. Other rights-of-way or easements - Location, width and purpose.
 - c. Location of utilities - If not shown on other exhibits.
 - d. Lot lines, lot numbers and block numbers.

- e. Sites - If any, for multi-family dwellings, shopping centers, churches, industry or other non-public uses exclusive of single family dwellings.
 - g. Minimum building setback lines.
 - h. Site data - Including number of residential lots, typical lot size, and acres in parks, etc.
 - i. Title, scale, north arrow and date.
3. Other preliminary plans - When required by the Planning Commission, the preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed Subdivision,; typical cross sections of the proposed grading, roadway and sidewalks and preliminary plan of proposed sanitary and storm water sewers with grades and sizes indicated.

All elevations shall be based on a generally accepted datum system, said system being noted on the plat.

4. Draft of protective covenants whereby the developer proposes to regulate land use in the Subdivision and otherwise protect the proposed development.

D. Plats and Data for Final Approval

1. The final plat shall be in an appropriate size with appropriate materials as approved by the Chancery Clerk of Coahoma County, Mississippi, and shall comply with the minimum standards of the Mississippi State Board of Registry for professional engineers and land surveyors and will also show the following:
- a. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radial, arcs, and central angles of all curves.
 - b. Name and right-of-way width of each street or other right-of-way.
 - c. Location, dimensions and purpose of any easements.
 - d. Number to identify each lot or site.

- e. Purpose for which sites, other than residential lots, are dedicated or reserved.
 - f. Minimum building setback line on all lots and other sites.
 - g. Location and description of monuments.
 - h. Names of record owners of adjoining unplatted land.
 - i. Reference to recorded Subdivision plats or adjoining platted land by record name, date and number.
 - j. Certification of title showing that applicant is the owner.
 - k. Statement by owner dedicating streets, rights-of-way and any sites for public uses.
 - l. Title, scale, north arrow, and date.
2. Cross sections and profiles of streets showing grades approved by the County Zoning Administrator. The profiles shall be drawn to County standard scales and elevations and shall be based on a datum plane approved by the County Zoning Administrator.
 3. A certificate by a certified engineer licensed in the State of Mississippi certifying that the developer has complied with one of the following alternatives:
 - a. All improvements have been installed in accord with the requirements of these regulations and with the action of the Planning Commission giving conditional approval of the preliminary plat, or
 - b. A bond or certified check has been posted, which is available to the County, and in sufficient amount to assure the completion of all required improvements.
 4. Protective covenants in form for recording. The Subdivision plat shall provide appropriate space to reference the book and page in which the protective covenants have been recorded in the Office of the Chancery Clerk. Where possible these should be included on the Subdivision plat.
 5. Other data such as certificates, affidavits, endorsements, or deductions as may be required by the Planning Commission in the enforcement of these regulations.

6. Plats should be submitted on electronic disk in Auto-CAD or other electronic format if the plat has been prepared using said system.

SECTION VI. VARIANCES AND EXCEPTIONS

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustices, upon the recommendation of the Planning Commission, the Board of Supervisors by resolution may vary or modify such requirements so that the developer is allowed to develop his property in a reasonable manner, but so, at the same time, the public welfare and interests of the County are protected and the general intent and spirit of those restrictions are preserved.

The Board of Supervisors in granting any variance or modification shall make findings as follows:

1. That a literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the county in which property is located, and that literal interpretation of these ordinances would work an unnecessary hardship upon the applicant;
2. That the requested variance or modification will be in harmony with the purpose and intent of these subdivision regulations and would not be injurious to the neighborhood or the general welfare or create an undue burden on the taxpayers of the county; and
3. That the special circumstances requiring the waiver are not the result of actions of the applicant.

The Board of Supervisors shall retain the authority to review and/or rescind existing variances or modifications whenever,

1. A special variance or modification has not been acted on within six (6) months of its approval;
2. Just cause is shown for the needed review.

In recommending variances and modifications, the Planning Commission and/or Board of Supervisors may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

SECTION VII. PENALTIES

Any person within the jurisdiction of these regulations, firm or corporation using an unapproved and unrecorded plat in the sale of subdivided land or violating any of the terms or provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100.00) or imprisonment for not more than 30 days or by both such fines and imprisonment. Each violation and each day's failure to comply with the provisions of these regulation shall constitute a separate violation.

SECTION VIII. CONFLICT OF ORDINANCES - EFFECT
OF PARTIAL INVALIDITY-AMENDMENT

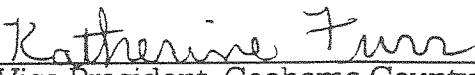
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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


The Board of Supervisors may from time to time adopt amendments that will tend to increase the effectiveness of these subdivision regulations. These subdivision regulations may be revised or amended by the Board of Supervisors as required by law.

This Ordinance shall be in full force and effect from and after the 1st day of June, 1998.

SO ORDERED, this the 27th day of May, 1998.


Vice President, Coahoma County
Board of Supervisors

ATTEST:


Chancery Clerk
Coahoma County, Mississippi

