

SUBDIVISION REGULATIONS  
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## ARTICLE I. TITLE AND PURPOSE

This ordinance shall be known, referred to and cited as the land Subdivision Ordinance of Hernando, Mississippi .

The purpose of this ordinance is to provide for the coordination of streets within subdivisions with other existing or planned streets or with other features or lots or tracts, for requirements of the Preliminary and Final Plats: for minimum standards of physical improvements in new subdivisions; for adequate open spaces for traffic, utilities, fire fighting apparatus, recreation, light and air, and for distribution of population and traffic all of which are to improve the health, safety, and general welfare of the community.

## 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 of 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 street, 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 DESOTO 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. COMMISSION Means the DESOTO COUNTY Planning Commission.
7. 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.

8. CURB LINE The line indicating the edge of the vehicular roadway within the overall right-of-way.
9. EASEMENT The right to use or cross a parcel of land.
10. HEARINGS OFFICER A person designated by the DESOTO COUNTY Board of Supervisors to hear and decide certain land use cases.
11. HOME 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.
12. LAND DEVELOPMENT
13. LOT A unit of land that is created by a subdivision or partitioning of land.
14. CORNER LOT A lot or portion thereof situated at the intersection of two or more streets.
15. 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.
16. MAP A final diagram, drawing or other writing concerning a major or minor partition.
17. 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.
18. 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 or more sections, that, in traveling mode, is eight (8) body feet or more in width and thirty two (32) body feet of 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 chasis 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.
19. 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.

20. OWNER The fee owner of real property as shown by the deed records of DESOTO COUNTY or a person who is purchasing real property under a recorded contract.
21. PARCEL See LOT.
22. PARTITION Either an act of partitioning land or an area or tract of land partitioned as defined in this section.
23. PARTITION LAND To divide an area or tract of land into two or three 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.
24. 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 or bureau of the State.
25. PLANNED DEVELOPMENT A subdivision of land incorporating common open space with each dwelling being placed on its own lot.
26. PLAT Includes a final map, diagram, drawing, replat, or other writing containing all descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.
27. SHALL The term "shall" means mandatory.
28. STREET OR ROAD A public or private 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 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.
29. **SUBDIVIDER** Any person who undertakes the subdivision of land.
30. **SUBDIVIDE LAND** Means to divide an area of tract of land into four or more lots within a calendar year when such area of tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.
31. **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.
32. **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.
33. **URBAN GROWTH BOUNDARY** A mutually agreed upon boundary around an incorporated County in DESOTO COUNTY which is included in the Comprehensive Plan or other adopted Plans by the incorporated municipalities within DESOTO COUNTY.
34. **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.
35. **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.

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. JURISDICTION

- A. It shall be unlawful for any individual being the owner, agent, or person having control of any land within the incorporated area of Hernando, 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.
  
- B. Any area hereafter annexed to the City of Hernando, immediately upon annexation, shall no longer be subject to the DESOTO County Subdivision regulations adopted herein by the City of Hernando.

## ARTICLE IV. LAND SUBDIVISION PROCEDURE

### A. GENERAL PROCEDURE

1. Whenever any subdivision of land is proposed, before any recording of deeds, and before any permit for the erection of a structure in such proposed subdivision shall be granted, 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. Prior to final approval of any lot in City of Hernando which does not have central collection and treatment for sewage, an application, must be submitted to the DeSoto County Health Department for notation that septic tanks will be approved and any conditions or limitations for such approval.

- a. No plat or replat subdividing land into lots shall be filed or recorded in the Office of the City Clerk of the City of Hernando, Mississippi, unless and until reviewed by the Planning 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 City Clerk of City of Hernando, Mississippi.

3. 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 Planning 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 Planning Commission in accordance with this Article.

4. MINOR SUBDIVISION PROCEDURE

Any subdivider of a Minor Subdivision shall submit to the Planning Commission one print of a Final Plat, drawn to scale by an Engineer or Land

Surveyor licensed in the State of Mississippi (except where waived by the Director of the Planning Commission ) on 8~" X 11" paper, containing the applicable information as shown in Article IV, Paragraph H. 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 City of Hernando Planning Commission. The recommendation will then be presented to the Governing Authority for final determination. In the event the Planning Commission Director disapproves the proposed Minor Subdivision Final Plat, the subdivider can appeal to the full Planning Commission. Minor subdivision plats are not required to be recorded in the plat books of the City of Hernando City 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 City of Hernando by Right-of-Way deed. Said Right-of-way shall be counted in the computation of minimum lot size.

## 5. SKETCH PLAT PROCEDURE

- a. The purpose of the Sketch Plat is to provide the Subdivider an opportunity to consult early and informally with the Planning Commission Staff before preparation of a Preliminary and/or Final Plat and submission of a formal application to the Planning 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 Planning Commission and of other public agencies, the improvements and uses of the subdivision and any other potential problems involved in the proposed subdivision.
- b. The Subdivider shall submit to the Planning 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 Planning 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.
- c. If the proposed subdivision is to contain two or more lots whose dwelling structures will be exempt from obtaining a Residential Construction--Framing Permit from the Hernando Building Inspector, a note shall be affixed on the face of the plat stating, this plat contains two or more lots whose dwelling structures may be exempt from obtaining a Residential Construction--Framing Permit from the Hernando Building Inspector."

B. PRELIMINARY PLAT APPLICATION PROCEDURE

1. Five copies of the preliminary plat, drawn to a scale of 100 feet to the inch, except where waived by the Director of the Planning Commission, conforming to the requirements of Article IV-F, shall be submitted to the Planning Commission. The plat shall be accompanied by an application form supplied by the Planning 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 Planning Commission
2. If the Planning Commission after the recommendation of the City Engineer finds that the preliminary plat satisfies the requirements of this Ordinance, it shall approve said plat. The Subdivider or his agent must be present at the Planning Commission meeting scheduled to hear the submitted application unless otherwise advised by the Director of the Planning Commission.
3. If the Planning 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.
4. Within 90 days after submission of the preliminary plat and other required materials submitted in conformity to these regulations, the Planning Commission shall specify to the subdivider its approval and state the conditions of such approval, or in the event of 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.
5. The Planning 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 of the public, the site is not suitable for the proposed development purposes.
6. When requested, one copy of the proposed plat and findings of the Planning Commission shall be given the person offering the proposed plat, together with a certificate of approval or disapproval of the Planning Commission. Approval of the Preliminary Plat by the Planning Commission does not constitute a final acceptance or approval of the proposed subdivision.
7. 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 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 Planning Commission may require re-submission of preliminary plans if no final approval has been given.

8. If the proposed subdivision is to contain two or more lots whose dwelling structures will be exempt from obtaining a Residential Construction--Framing Permit from the Hernando Building Inspector, a note shall be affixed on the face of the plat stating, "his plat contains two or more lots whose dwelling structures may be exempt from obtaining a Residential Construction--Framing Permit from the Hernando Building Inspector."

#### C. DATA FOR PRELIMINARY PLAT

1. 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 Planning Commission Staff. The Preliminary Plat and accompanying documents shall show the following:
  - a. The proposed lot lines, lot numbers and the lot layout for the subdivision.
  - b. Minimum building set-back lines.
  - c. The location of all existing and proposed streets alleys or access easements in the subdivision including dimensions of right-of-way widths, street names.
  - d. Easements, their location, width and purpose.
  - e. The proposed use of all land in the subdivision including any reserved areas and the acreage.
  - f. The location of existing property lines, streets, buildings, water courses, zoning classifications, and other existing features within the area to be subdivided and similar information regarding existing conditions of land immediately adjacent thereto.
  - g. The acreage of the land to be subdivided.
  - h. Areas which are subject to periodic inundation (100-Year Flood Elevation).
  - i. The proposals for sewer and water service shown as a note on plat and any accompanying documentation from appropriate agencies.
  - j. 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

- k. Location sketch map showing relationship of subdivision site to area including township, range, section, and parts of sections.
- l. The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land.
- m. Contours at vertical intervals of not more than two feet will be shown for property to be platted as school or park sites.
- n. North point, graphic scale, and date.
- o. The subdivider's proposal to the Governing Authority for accomplishing the installation of improvements in accordance with ARTICLE VI of the Ordinance.

D. FINAL PLAT APPLICATION PROCEDURE

1. 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 Planning 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 lengthy to be shown on the plat, shall be submitted to the Planning Commission. Application must be made no later than two weeks prior to the next regularly scheduled meeting of the Planning Commission to be heard at that meeting.
2. 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 Planning 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 Planning 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 Planning Commission meeting scheduled to hear the submitted application unless otherwise advised by the Director of the Planning Commission.
3. If the subdivision improvements required in Article VI have not already been installed as explained in Article IV, E-6, the subdivider may either;
  - a. Proceed to install the required improvements before subdivision may be recorded and lots sold: or
  - b. 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 re-

- c. After approval of the Final Plat by the Governing Authority and required improvements are installed or appropriate arrangements have been made therefor, a cloth-backed original plat 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 Planning Commission. A cloth-backed copy of the recorded plat shall be provided to the Planning Commission for its official records.
- d. Any land dedicated to Hernando for park purposes in a subdivision shall be conveyed to Hernando 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.

#### E. DATA FOR FINAL PLAT

1. 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. The Final Plat and the accompanying documentation shall show the following:
  - a. The boundary lines of the area being subdivided with accurate distances and angles, showing all relationship of the subdivision to section, township and range.
  - b. The lines of all proposed streets their widths and the names of all streets.
  - c. The accurate outline of any portions of the property intended to be dedicated or granted for public use with a statement of dedication thereon.
  - d. 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.
  - e. All lot lines together with an identification of all lots which shall be numbered consecutively.
  - f. The location of all building lines and easements

- g. 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 to be given to the nearest 1/ 100th of a foot.
- h. The radii, arcs or chords, points of tangency and central angles for curvilinear streets and radii for rounded corners.
- i. The location of all survey descriptions as provided in

2. General Information - The Final Plat shall show the following:

- a. 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.
- b. Location sketch map showing relationship of subdivision site to area including township, range, section, and parts of sections.
- c. The certificate, Mississippi registration number and legal seal of a registered engineer or land surveyor attesting the accuracy of the survey and the correct location of all monuments shown.
- d. Private restrictions and trusts and their periods of existence. Should these restrictions or trusts 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.
- e. 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.
- f. Proper certificates for owner, notary public, registered engineer or land surveyor, Planning Commission, Board of Supervisors, and Chancery Clerk, shown in that order.

F. PROCEDURE FOR RECORDING FINAL PLAT

After final approval is obtained from the Governing Authority and all conditions have been satisfied, two cloth-backed copies and two half-size prints shall be submitted for recording which shall contain the necessary signatures, certificates, and seals as specified in Article IV-H2 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.

G. RELATION TO PLANNED UNIT DEVELOPMENT (PUD)

Any portion of a tract zoned as a PUD District may be submitted for approval as a major subdivision, provided that the PUD District zoning regulations governing the approval of a Preliminary Site Plan are met. In submitting any PUD subdivision for approval, the prior action of the Planning Commission and the appropriate legislative body in granting the zoning application shall be sufficient preliminary plat approval within the meaning of Article IV. No preliminary plat specified in Article IV shall be required.

The basic purpose of PUD is to allow flexibility in the development of planned communities. PUD is intended to facilitate total density control of an alternative to regulation of individual lot size, harmonious development standards for minimum improvements, and development of attractive and functional common areas for recreational and other purposes. Within the general limitations of the Comprehensive Plan, the intent of these regulation and the public interest, convenience, safety and welfare, the Planning Commission my consider this purpose and may waive or modify any requirements of Article V and VI of these regulations.

## ARTICLE V. SUBDIVISION DESIGN STANDARDS

### A. STREETS

1. 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 DeSoto County
2. All proposed street names shall avoid duplication of other street names in DeSoto 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.
3. The arrangement of streets and lots shall give due regard to topography and other physical features of the property.
4. 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 Planning Commission may consider any other proposed street a major or collector street and require comparable right of-way widths.
5. 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 Hernando, or if not shown on such plan, shall not be less than the following:
6. 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 Planning Commission may waive the above requirement.
7. The angle of intersection between streets should not vary by more than ten degrees from a right angle.
8. The minimum corner radii at street intersections shall be 20 feet.
9. 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-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 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. A minimum sight distance of 200 feet will be required in all curves.

12. Alleys shall not be provided in a residential block. In industrial or commercial subdivisions, paved alleys or driveway easements assuring permanent rear access may be required with a minimum width of 200 feet.
13. To assure a continuous circulation system in an area when all the land is developed the Planning 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 Planning Commission.

#### B. EASEMENTS

1. 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 10 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. No side, rear or front yard easements will be required where the Hernando Zoning Ordinance indicates no yard requirements.
3. 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.

#### C. BLOCKS

All new blocks created by any major subdivision of land shall take into consideration the following:

1. All blocks shall be sufficiently wide to allow two tiers of lots of appropriate depth under the applicable zoning regulations, unless another length or width is approved by the Planning Commission because of special topographical or traffic considerations.
2. No block shall be less than 250 feet nor more than 1500 feet in length except as the Planning Commission considers necessary to secure efficient use of land or desired features of street patterns.
3. 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, playgrounds or other community facilities.

#### D. LOTS

1. 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. The minimum lot area and lot width, measured at the building lines, shall conform to the requirements of the zoning ordinance for the applicable zoning district.
3. No lot shall have a depth in excess of four times its width, however this requirement may be waived by the Planning Commission if the Subdivider can demonstrate this requirement is not appropriate for the type of development and use contemplated.
4. All side lot lines shall be at right angles to straight street lines and radial to curved street lines a variation of this rule will provide a better street and lot layout as approved by the Planning Commission.
5. 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.
6. Reverse frontage lots shall be prohibited except where essential as determined by the Planning Commission to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography. In such cases, additional depth including a planting screen reservation of a minimum of ten feet in width, and across which there shall be no right of access, shall be provided along the line of lots abutting such uses. A statement dissolving the right of access of lots to the major street shall be included on the Final Plat.
7. Property line radii at street intersections shall not be less than 20 feet.

#### E. PUBLIC SITES, FACILITIES AND OPEN SPACES

1. Adequate park, school, recreational space shall be provided at convenient locations throughout the subdivision and conform to the Hernando 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 presented in Volume II of the Hernando Comprehensive Plan.
2. Where park, playground, or areas for other public recreational uses should be provided in the subdivision in accordance with the Comprehensive Plan, the

Planning 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 Planning 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 Planning 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. All land to be reserved for dedication to the local government or acquisition for public use purposes 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. 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. GENERAL SUITABILITY

1. The Planning Commission may 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.
2. Where deed restrictions or covenants are proposed, they shall be included with the plat and made a part of such plat; provided however, that such deed restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants.
3. Land which is shown as within the "Flood Control District" on the official Zoning District Map shall not be platted for residential or any other use which may result in danger to health, life or property or increased flood heights; unless the subdivider submits to the Planning Commission that the area can be protected from inundation, by fill, levee, or other means, without undue interference either with the flow of any water course or with any necessary impounding basin, which evidence shall be verified by the City Engineer. The elevation and extent of flooding in each drainage area shall be established by the City Engineer and shall be indicated on both the Preliminary and Final Plats.

#### G. SUBDIVISION AND STREET NAMES

1. The proposed name of the subdivision and street names shall not duplicate, or too closely approximate phonetically, the name of any other subdivision or streets in Hernando.

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H. RESIDENTIAL DEVELOPMENT PATTERN BOOK REQUIRED

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1. Any proposed subdivision containing more than 19 lots shall provide a pattern book illustrating in detail the character of proposed architecture, fences, accessory buildings, and any other graphic element including, but not limited to, street signs, light facilities, identification signs, etc.

## ARTICLE VI. REQUIRED MINIMUM IMPROVEMENTS

### A. AUTHORITY TO PROCEED WITH INSTALLATION OF IMPROVEMENTS

1. Receipt by the subdivider of the approval of the Preliminary Plat by the Planning Commission shall constitute authority for the subdivider to begin preparation 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 Planning Commission.
2. If the 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 Engineer. The 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 city of Hernando 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 Engineer.

3. The bond amount for streets shall be determined by the 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 City of Hernando subject to normal wear and tear. A maintenance bond in an amount set by the Engineer will be required in order to assure the satisfactory condition 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 Engineer for a final inspection and shall provide certification that the final improvements have been installed according to City specifications. The 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 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 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 V, E-2 have been met, and provided further that the require-

#### 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.

#### E. MINIMUM STANDARDS

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 the owner to 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.

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.

1. Street Improvements

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 City of Hernando.

- a. Depth of Soil Cement: Residential subdivisions shall have a minimum of 6 inches of soil cement, using minimum of 10 percent cement by volume and three inches of asphalt surface coarse. Commercial and industrial subdivisions shall have a minimum of 8 inches of soil cement using minimum of 10 percent cement by volume and three inches of asphalt surface coarse.
- b. Width of Soil Cement:
  - (1) 50' r.o.w. roads shall have 30 feet of soil cement.
  - (2) 60' r.o.w. roads shall have 40 feet of soil cement.
  - (3) All 68' and 80' r.o.w. roads shall have 48' feet of soil cement.
- c. Use of Clay Gravel Base - an alternative road base using compacted clay gravel may be approved. Said base shall have a compacted depth of 8 inches for residential subdivisions and 12 inches for commercial and industrial subdivisions

Where needed as an arterial road, the soil cement thickness and width may be increased by the City Engineer.

- d. Width of Pavement:
  - (1) 50' r.o.w. roads (streets, lanes, drives, etc.) shall have 30 feet of pavement or 24feet when there is no curb and gutter
  - (2) All major thoroughfares, as determined by the planning commission and/or illustrated on the major thoroughfare plan, shall provide for five lane road/street cross sections.
  - (3) All other roads (streets, lanes, drives, etc.)shall have pavement widths as specified in the cross sections shown in Figure 1.
- e. Method of Surface Construction
  - (1) A developer shall construct streets in the following manner:
    - (a) After completion of soil cement the developer shall apply one and one-half inches of plant mix surface,

using the most recent Mississippi Department of Transportation Specifications, construction bonding may be reduced in accordance with remaining construction as set forth below.

- (b) After construction of at least 85% of subdivision lots, plant mix surface shall be applied. Plant mix surface shall be applied at one and one-half inches in thickness, using the most recent Mississippi Department of Transportation Specifications. Developer construction of streets shall require certification of compliance with construction standards by an engineer licensed in the State of Mississippi. Certification of construction standards will allow for the reduction of the construction bond to a one year maintenance bond.
  - (c) The issuance of building permits shall cease for failure to fully comply with the standards herein stated.
- 
- f. All new roads must be paved by the Developer before being accepted by the Governing Authority for maintenance. Three inches of plant mix surface, using the latest Mississippi State Highway Specifications 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.
  - g. All bridges shall be constructed according to the Mississippi Standard Specifications for State Aid Road and Bridge Construction in effect at the time the subdivision is approved.
  - h. The Subdivider shall dedicate and construct all minor and collector streets for full width of right-of-way as defined in Article V, A-5. Where the developer is developing a subdivision that runs to or along the center of a major or arterial street, he will be required to dedicate and develop only one-half ( $\frac{1}{2}$ ) of said road. However, in no case shall less than twenty (20) feet of wearing surface be required when one-half ( $\frac{1}{2}$ ) of the right-of-way is dedicated.
  - i. Curb and gutter will be installed in all residential, commercial and industrial zoned subdivisions using the Mississippi State Highway Specifications. The developer shall have material and compression tests of the concrete performed and the results submitted to the Engineer. In residential, industrial, and commercial subdivisions in rural areas, curb and gutter requirements shall be of such character as is suitable for the expected traffic and in harmony with similar improvements in the surrounding area, as determined by the Engineer.
  - j. The developer's engineer must notify the Engineer in writing when the subgrade is ready for soil cement stating all culverts, subgrade width and firmness of subgrade are up to approved engineering standards before gravel is placed on the road. The owner shall notify the Engineer when he plans to place soil cement on the road. The Engineer may have a representative present if load measurement is to be used. After the soil

cement is placed, the Engineer will again certify that the soil cement 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 that 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 at no cost to the owner. If another trip is made, there will be a per hour charge for time involved on all other trips.

- k. If these standards are not carried out, the City of Hernando Board of Aldermen will not accept the roads for maintenance.

## B. DRAINAGE

1. The plat shall be laid out so as to provide proper drainage of the area being subdivided. Drainage improvements shall maintain any natural watercourse and shall prevent the collection of water in any low areas. (Also See 9e of this Article)
2. All drainage pipes may be concrete, asphalt coated metal pipes or plain galvanized metal pipes. The Engineer must approve the gauge thickness of asphalt-coated metal pipes or plain galvanized metal pipes. All plain galvanized pipes approved by the Engineer for the sizes 21 inches through 96 inches in diameter shall be one gauge heavier than the approved gauge for asphalt-coated metal pipe. The developer's Engineer shall provide the Engineer with the shipping tickets showing the gauge of all pipes installed.
3. The Planning Commission upon recommendation of the Engineer may require paving of ditches or appropriate stabilization. Sufficient easements will be provided on subdivision plats for maintenance of large ditches for alignment and cleaning. Ditches shall be constructed on uniform grades sufficient for proper run-off.
4. All underground drainage must be inspected and approved by the Engineer.
5. 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.

## C. SIDEWALKS:

1. Concrete sidewalks not less than five (5) feet wide and four (4) inches in depth shall be constructed along both sides of all major and collector streets with curbs and gutters in accordance with applicable standard specifications of the City. Sidewalks shall be constructed along at least one side of every at least one side of every minor street shown on the plat with the exception of cul-de-sac where sidewalks are not required.
2. The Governing Authority may waive the above requirement for sidewalks provided that street rights-of way are left unobstructed and graded in such manner that sidewalks may be constructed at a later date.

3. Material and compression tests of the concrete shall be performed and submitted to the Engineer.

D. WATER SUPPLY:

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.

1. Water mains, where possible, shall be located in street rights-of-way as approved by the Engineer.
2. The installation of the water system, including fire hydrants, shall be subject to the approval of the Governing Authority and Engineer.
3. Fire hydrants shall be installed in all sub division except where the water system serving that subdivision is not adequate. The hydrants shall be located not more than 500 feet as measured along a dedicated street from all lots within the subdivision. All fire hydrants will be served by a six (6) or larger

E. SANITARY SEWER SYSTEM:

1. Centralized sewage collection and treatment facilities shall be provided on all lots in all subdivisions except as hereafter provided, and shall conform to all applicable state and local laws.
2. 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 Mississippi State Board of Health, the DeSoto County Health Department. Necessary action shall be taken by the subdivider to extend or create a sanitary sewer district which will maintain the disposal system.
3. Individual septic tanks may be used in subdivisions where central sewage is not available only if written approval is obtained from the Mississippi State Board of Health acting through the DeSoto County Health Department.
4. All subdivisions hereafter filed for 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 Health Department that septic tanks may be used on the lots. Developers contemplating use of central collection and treatment need not submit such plats to the Health Department but all approvals by the City will only authorize centralized collection and treatment and no building permit will be issued authorizing use of septic tanks on such lots. Notations authorizing use of septic tanks by the Health Department may be in substantially this form:

"SEPTIC TANKS MAY BE USED ON THE LOTS SHOWN ON THIS PLAT OF SUBDIVISION"

DESOTO COUNTY HEALTH DEPARTMENT

By /s/ HEALTH OFFICER

F. STREET LIGHTS AND TRAFFIC SIGNS

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.

G. STREET SIGNS:

Street signs shall be installed at all intersections within and bordering the subdivision in accordance with City of Hernando specifications.

H. CARE OF AREA DURING CONSTRUCTION:

1. 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 to adjoining property. The premises will be kept in a reasonably clear uncluttered manner. Building permits may be withheld from builders and contractors who fail to maintain premises free of litter and loose paper after being warned by the Building Department.
2. Builders and contractors shall not permit waste 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 a street. 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.
3. Every construction site shall have access to an onsite waste receptacle and a portable latrine. Said facilities shall be placed and maintained on the site of construction and shall not pose any nuisance to adjoining properties.

I. EROSION AND SEDIMENT CONTROL:

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 be submitted to the DeSoto County Soil and Water Conservation District for review and recommendations. Practical combination of the following technical principles shall be used:

1. The smallest practical area of land shall be exposed at any one time during development.
2. When land is exposed during development, the exposure shall be kept to the

shortest practical period of time.

3. Temporary vegetation or mulching shall be used to protect critical areas exposed during development.
4. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters of land undergoing development.
5. Provisions shall be made to effectively accommodate the runoff caused by changed soil conditions during and after development.
6. Permanent final vegetation and structures shall be installed as soon as practical in the development
7. The development plan shall be fitted to the topography and soils so as to create the least possible erosion.
8. Whenever feasible, natural vegetation shall be retained and protected.

## ARTICLE V. 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. The Governing Authority on such terms and conditions as it imposes, may authorize revision of recorded plat combining lots, changing lot lines or calls, correcting errors and other revisions on application by the owners of the lots being changed. The corrected plat shall be filed as a separate revision of the subdivision to include a notation attached to the originally recorded plat showing revisions made and location of corrected plat; and a title certificate may be required on the corrected plat.
2. On commercial and industrial subdivisions, lot lines are recognized for reference purposes only. Any redivision of a lot previously shown on a recorded plat must be submitted to the Planning 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

- a. 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 Planning Commission with a copy of such plat attached. Such written request shall be approved by the Planning 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 grounds and all dedications provided in such plat.
- b. When lots have been sold, the recorded plat may be vacated in the manner described in Paragraph 1, provided all the 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 Planning Commission, along with a copy of the recorded plat.

## ARTICLE VI. EXCEPTIONS

- A. Whenever the tract to be subdivided is of such unusual size or shape, or in the interest of the preservation of existing trees and other natural beauty, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this Ordinance would result in real difficulties or substantial hardship or injustice, the Governing Authority, after report by the Planning Commission, may vary or modify such requirements so that the subdivider may develop his property in a reasonable manner, but so that at the same time the public welfare and interests of the county are protected and the general intent and spirit of this Ordinance
  
- B. If a major subdivision lies within one (1) mile of a municipality, the application shall be referred to the Governing Authority thereof for a recommendation prior to final approval.

## APPLICATION FOR SUBDIVISION APPROVAL CITY OF HERNANDO PLANNING COMMISSION

A Subdivision is the division of a tract or parcel of land into two or more parcels or lots, any of which has an area of ten ( 10) acres or less or into tracts or parcels of any size, where one or more of the parcels or lots does not border on a public road. However, the division of land into lots or parcels of more than ten ( 10) acres each so that all parcels border on a public road does not require approval by the governing authority. The governing authority must approve use of private driveways as access for lots or tracts which do not border a public road before a subdivision of any size lots or parcels is approved or recorded. The term "subdivision" is further defined as follows:

a. Major Subdivision: 1. All subdivisions of land zoned residential, commercial, or industrial. 2. All subdivisions of land zoned agricultural or agricultural-residential if construction of a new street is involved. b. Minor Subdivision: A subdivision located on property zoned agricultural or agricultural-residential involving the creation of a street and conforming to all Subdivision Design Standards listed herein, and having frontage on an existing public street of a width sufficient to comply with the requirements of the City of Hernando Zoning Ordinance.

Prior to final approval of any lot in the City of Hernando which does not have central collection and treatment for sewage, an application must be submitted to the DeSoto County Health Department for notation that septic tanks will be approved and any conditions or limitations for such approval.

No plat or replat subdividing land into lots having 10 acres or less shall be filed or recorded in the Office of the City Clerk and the Office of the Chancery Clerk of DeSoto County, Mississippi, unless and until approved by the Planning Commission and Governing Authority and no lot shall be sold from such plat or replat until the plat is filed for recording with the City Clerk and the Office of the Chancery Clerk of DeSoto County, Mississippi.

Only those applications that complete the requirements for specific information requested shall be accepted for placement on the Planning Commission agenda. See Preliminary or Final Plat Checklist for specific information and items needed to complete a subdivision application.

As owner, developer, agent, or engineer (indicate which) it is requested that the proposed subdivision as described on the reverse side of this application be given approval by the City of Hernando Planning Commission and the respective governing body in accordance with the City of Hernando Subdivision Regulations.

APPLICATION FOR SUBDIVISION APPROVAL

Preliminary

Located on the \_\_\_\_\_ side of \_\_\_\_\_

of Road and of \_

SECTION TOWNSHIP AND RANGE

List all existing structures on this property

Property Owner

Address/zip

Developer Address/zip

Tel. No.

Engineer Address/zip

Number of lots

Public Sanitary Sewers yes no; Provide by

Public Water Supply yes \_ no; Provided by

Signature of owner, developer, agent or  
Engineer

THE FOLLOWING SHALL BE PROVIDED TO COMPLETE THIS APPLICATION:

Minor Subdivisions:

1. Accurate legal description and plat drawn to scale or survey
2. Application fee - \$ 7.50 per lot

Major Subdivision:

1. At least 5 copies of the plats drawn in accordance with the Subdivision Regulations.
2. Application fee - \$25.00 plus \$2.00 per lot

## PRELIMINARY PLAT CHECKLIST

Each copy of the application shall be accompanied by:

### 1. THE OFFICIAL FORM:

( ) Five copies submitted with appropriate fee 14 days prior to Planning Commission meeting signed by the applicant or his agent.

### 2. PRELIMINARY PLAT:

( ) a. Proposed lot lines, lot numbers

( ) b. Minimum building setback lines.

( ) c. Existing and proposed streets named or numbered for reference, including dimensions of right-of-way.

( ) d. Location of easements, width and purpose.

( ) e. Identification of Dross

, including any

( ) f. Subdivision title.

( ) g. North point and graphic scale.

( ) h. Topographic survey.

( ) i. Location or vicinity map showing relationship of subdivision ~ area, including township, range, section and parts of section.

( ) j. Ownership of all adjacent parcels and names, adjoining boundaries of all adjacent subdivisions.

( ) k. Proposals for sewer and water service shown as a note on the plat and accompanying documentation from appropriate agencies as necessary to conform to state and local laws.

( ) l. Acreage of the land to be subdivided.

( ) m. Identification of any areas subject to periodic flooding (100 Year Flood Elevation).

( ) n. Existing zoning classification.

( ) o. Engineer's name, developer's name.

( ) p. Title certificate showing the owner or owners of the land to be subdivided.

( ) q. Five (5) copies of the preliminary plat at a scale of 1" = 100' .

The following application fee shall be submitted:

Major Subdivisions - \$25.00 plus \$2.00 per lot Minor Subdivisions - \$7.50 per lot

## CITY OF HERNANDO FINAL SUBDIVISION PLAT CHECKLIST

Application Form

Each copy of the application shall be accompanied by:

One copy submitted with appropriate fee 30 days prior to the Planning Commission meeting signed by the applicant or his/her representative

Seven full-size copies at a scale of 1" = 200', one TIFF electronic image, and one 8.5" X 11" transparency.

Name of subdivision.

North point and graphic scale

Name of owner, subdivider

Boundary lines of area subdivided with accurate distances and angles.

Existing and proposed streets, widths and names.

Location of existing streets, widths, names within 100 feet of the subdivision.

Accurate outline of any property intended for public use with a statement of dedication.

Location of all adjacent property lines.

Proposed lot lines and identification of all lots numbered consecutively.

Location of all building setback lines, easements.

All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and areas for public or private use. Linear dimensions are to be given to the nearest 1/100th of a foot.

Radii, arcs or chords, points of tangency and central angle for curvilinear streets and radii for rounded corners.

Location of all survey monuments and their descriptions.

Location or vicinity map showing relationship of subdivision site to the area including township, range, and parts of sections.

Certificate, Mississippi registration number and legal seal of a registered engineer or land surveyor.

Private restrictions and trusts and their period of existence.

Acknowledgment of the owner(s) of the plat, and restrictions including dedication to public use of all streets,

Proper certificates for owner, notary public, registered engineer or land surveyor, Planning Commission, Board of Aldermen, City Clerk, and Chancery Clerk shown in that order.

Covenants.

Homeowners Association by-laws and Certificate of Incorporation

Evidence of compliance with erosion control procedures.

Any other requirement of the preliminary approval (see notes below).

The following application fee shall be submitted:

Subdivision - \$200.00 plus \$8.00 per lot

In lieu of dedicated park land funds where required - \$300 per lot.

Notes:

SAMPLE RESOLUTIONS AND CERTIFICATIONS FOR FINAL PLAT

OWNERS CERTIFICATE

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

NOTARY'S CERTIFICATE

County of \_\_\_\_\_

Signature of Owner \_\_\_\_\_

This day personally appeared before me the undersigned authority in and for said County and State, \_\_\_\_\_, who acknowledged that he signed and delivered the foregoing plat for the purpose therein mentioned. Given under my hand and official seal of office this the \_\_\_\_\_ day of \_\_\_\_\_.

CERTIFICATE OF SURVEY

Notary Public \_\_\_\_\_

This is to certify that I have drawn the plat from a survey by and from deeds of record and that the plat represents the information and that it is true and correct.

APPROVED BY THE CITY OF HERNANDO PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

APPROVED BY THE CITY OF HERNANDO MAYOR AND BOARD OF ALDERMEN ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Clerk, City of Hernando

\_\_\_\_\_  
Mayor, City of Hernando

STATE OF MISSISSIPPI. COUNTY OF DESOTO

I hereby certify that the subdivision plat shown hereon was filed for record in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and was immediately entered upon the proper index and duly recorded in plat book number \_\_\_\_\_, page \_\_\_\_\_.

Chancery Court Clerk

If any part of this Ordinance, section or provision are found to be unconstitutionally invalid, the remaining part of these sections and provisions shall be valid, it being hereby declared that all constitutional and valid provisions hereof shall be enacted after the exclusion of any section or provision which might be found unconstitutional or invalid.

This ordinance shall take effect from and after February 17, 1983.

Any and all ordinances or parts of ordinances in conflict herewith, or any part hereof, are hereby expressly repealed.

The foregoing Ordinance, having been reduced to writing, read and considered, section by section, provision by provision, and as a whole, the same was duly introduced and a motion was made for the adoption thereof and a vote was taken thereon with the following results:

Those present and voting in

ne adoption of each and all of the sections and provisions of the foregoing Ordinance, and for the Ordinance as a whole are:

Present and voting AYE: Frank Canada, Sam Lauderdale,  
Howard Jackson, W. E. Manning, Jr.

Present and voting NAY: None.

Absent: Donald E. Swanson.

The foregoing Ordinance is passed, adopted and approved this the 4th day of January, 1983.

/s/ Laney Funderburk Laney Funderburk, Mayor ATTEST:

/s/ Hughleen Tippitt  
City Clerk