

ARTICLE III - 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 of 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:
 - a. Major Subdivision
 - (1) Sketch Plat
 - (2) Preliminary Plat
 - (3) Final Plat
 - b. Minor Subdivision
 - (1) Sketch Plat
 - (2) Final Plat
2. No plat or re-plat subdividing land into lots shall be filed or recorded in the Office of the Chancery Clerk of Marshall, Mississippi, unless and until reviewed by the Holly Springs Planning Commission and approved by the Governing Authority and no lot shall be sold from such plat or re-plat until the plat is filed for record in the office of the Chancery Clerk of Marshall County, Mississippi.

B. MAJOR SUBDIVISION PROCEDURE

The sub-divider of a Major Subdivision shall submit a sketch Plat and Preliminary Plat, in accordance with the specifications of this Article. Upon approval by the Holly Springs Planning Commission and Mayor and Board of Aldermen of the sketch and preliminary plats, in accordance with this Ordinance, the sub-divider shall proceed with installation of the minimum improvements as required herein or may submit a final plat for approval by the Holly Springs Planning Commission and Mayor and Board of Aldermen in accordance with the Article.

C. MINOR SUBDIVISION PROCEDURE

An application for the approval of a minor subdivision shall be submitted to the Holly Springs Planning Commission, who shall review the application to determine if the proposed subdivision qualifies as a minor subdivision as defined herein. If the Director of Planning determines that the proposed subdivision qualifies as a minor subdivision, the applicant shall not be required to submit a preliminary plat, but may move directly to the submission of a final plat for the review and approval of the Holly Springs Planning Commission and Board of Aldermen. The procedure for the filing and recording of minor subdivisions shall be the same as for any other subdivision and shall comply with all applicable requirements as set forth in these regulations.

D. SKETCH PLAT PROCEDURE (Concept Plan)

1. The purpose of the Sketch Plat is to provide the Sub-divider an opportunity to consult early and informally with the Holly Springs Planning Commission Staff before preparation of a Preliminary and/or Final Plat and submission of a formal application to Holly Springs Planning Commission. The intent of this procedure is to assist the Sub-divider in preparing a plan which will meet the objectives of the Comprehensive Plan, the requirements of the Holly Springs Planning Commission and of other Public agencies, the improvements and uses of the subdivision and any other potential problems involved in the proposed subdivision.
2. The Sub-divider shall submit to the Holly Springs 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 Holly Springs Planning Commission staff shall review the Sketch Plat, and notify the Sub-divider 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.

E. 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 Holly Springs Planning Commission, conforming to the requirements of Article IV, shall be submitted to the Holly Springs Planning Commission. The Plat shall be accompanied by an application form supplied by the Holly Springs Planning Commission, a copy of the proposed restrictive covenants for the subdivision, and a filing fee of \$100.00 plus \$5.00 per lot to be paid to the City Clerk. All fees shall be paid prior to submitting to the Holly Springs

Planning Commission. Application must be made no later than the two week prior to the date of the next regularly scheduled meeting of the Holly Springs Planning Commission to be heard at that meeting.

2. If the Holly Springs Planning Commission finds that the preliminary plat satisfies the requirements of the Ordinance, it shall approve said plat. The Sub-divider or his agent must be present at the Holly Springs Planning Commission meeting scheduled to hear the submitted application unless otherwise advised by the Holly Springs Planning Commission.
3. If the Holly Springs 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 approval from the Mayor and Board of Aldermen.
4. Within 90 days after submission of the preliminary plat and other required materials submitted in conformity to these regulations, the Holly Springs Planning Commission shall specify to the sub-divider its approval and state the conditions of such approval, or in the event of disapproval, shall state its disapproval and reasons therefore. However, the sub-divider may waive the time limitation requirements and consent to an extension of such period.
5. The Holly Springs 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 interest 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 Holly Springs Planning Commission shall be given the person offering the proposed plat, together with a certificate of approval or disapproval of the Holly Springs Planning Commission. Approval of the Preliminary Plat by the Holly Springs Planning Commission does not constitute final acceptance of approval of the proposed subdivision.
7. On the basis of approval of the Preliminary Plat, the sub-divider 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 sub-divider may proceed toward filing a Final Plat, as described in Article III-G. However after two (2) years from the date of preliminary approval, the Holly Springs Planning Commission may require resubmission of preliminary

plans and fees as described in Article III-1, if no final approval has been given.

F. DATA FOR PRELIMINARY PLAT

1. Preliminary Plat and five (5) prints shall be at a scale of (100) feet to one (1) inch (1"=100') unless otherwise specified by the Holly Springs 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. If the subdivision is proposed to be developed in phases or sections during a period extending beyond one construction season, the preliminary plat shall indicate:
 - (1) The boundaries of each phase or section, and the allocation of any common open space and public improvements that will be required for each phase or section
 - (2) The order in which the phases of the subdivisions will be built, and the approximate date when construction of each phase or section can be expected to begin.

Note: The number of phases or sections and the boundaries of those phases or sections shall be subject to review and approval by the Board of Aldermen. Within any residential subdivision, each individual phase or section shall include more than a single lot.
 - b. Minimum building setback lines.
 - c. The location of all existing and proposed streets, alleys, or access easements in the subdivision including dimensions of right-of-way widths, streets names.
 - d. Easements, their location, width and purpose.
 - e. Sites reserved for parks, public spaces, and drainage areas.
 - f. The proposed use of all land in the subdivision including any reserve areas and the acreage.

2. GENERAL INFORMATION – The Preliminary Plat shall show.

- a. 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.
- b. The acreage of the land to be subdivided.
- c. Areas which are subject to periodic inundation (100-Year Flood Elevation).
- d. The proposals for sewer and water service shown as a note on the plat and any accompanying documentation from appropriate agencies.
- e. 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 sub-divider platting the tract.
- f. Location sketch map showing relationship of subdivision site to area including township, range, section, and parts of sections.
- g. The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners adjoining parcels of un-subdivided land.
- h. Contours at vertical intervals of not more than two feet will be shown for property to be platted as school or park sites.
- i. North Point, graphic scale and date.
- j. The subdivider's proposal to the Mayor and Board of Aldermen for accomplishing the installation of improvements in accordance with Article III of this Ordinance.

G. FINAL PLAT APPLICATION PROCEDURE

1. Five prints at a scale of one inch equals 100 feet of the final plat, accompanied by an application form supplied by the Holly Springs Planning Commission, a filing fee, in accordance with Article III-E-1, together with copies of any deed restrictions where such restrictions are too lengthy to be shown on the plat, shall be submitted to the Holly Springs Planning Commission. Application must be made no later than two weeks prior to the next regularly scheduled meeting of the Holly Springs 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 Holly Springs Planning Commission, and the plat thereupon submitted to the Board of Aldermen for its review and final determination. When the Final Plat does not conform to the approved Preliminary Plat, the Holly Springs Planning Commission shall submit its recommendations to the Board of Aldermen for approval or disapproval of the Final Plat. The Sub-divider or his agent must be present at the Holly Springs Planning Commission meeting scheduled to hear the submitted application unless otherwise advised by the Holly Springs Planning Commission.
3. If the subdivision improvements required in Article V have not already been installed, the subdivider may either:
 - a. Proceed to install the required improvements before the 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-B-2 after which the performance bond is released.
4. After approval of the Final Plat by the Board of Aldermen and required improvements are installed or appropriate arrangements have been made therefore, a cloth-backed original plat or mylar 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 the concurrence of the Holly Springs Planning Commission. A Mylar copy of the recorded plat shall be provided to the Holly Springs Planning Commission for its official records. In addition to the required Mylar plan, the final plat must be submitted to the Holly Springs Planning Commission on electronic media in a DWG format, DXF format, or Zip tape compressed format, as necessary. All survey data for the final plat must be tied to Mississippi State Plane Coordinates, and the City of Holly Springs monumented survey control.
5. Any land dedicated to Holly Springs for park purposes in a subdivision shall be conveyed to Holly Springs 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 for the requirement that the land be used for park purposes without reversion and with references to the subdivision, in any, on which the land is shown.

H. 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 and alleys with 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 100 feet of 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 provided for public use, services, or utilities.
 - 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 all curvilinear streets and radii for rounded corners.
- i. The location of all survey monuments and their descriptions as provided in Article VI-D.

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 the relationship of the subdivision site to the area including township, range, sections, 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 trusteeships and their periods of existence. Should these restrictions or trusteeships be of such a 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. Acknowledgement 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, Holly Springs Planning Commission, Board of Aldermen, and Chancery Clerk, shown in that order.

I. PROCEDURE FOR RECORDING FINAL PLAT

After final approval is obtained from the Board of Aldermen and all conditions have been satisfied, two mylar copies shall be submitted for recording which shall contain the necessary signatures, certificates, and seals as specified in Article VI-B along with any agreements, and bonds, if necessary, a recording fee as established by the Office of the Chancery

Clerk, and an attorney's certificate of the title certifying title to the land subdivided valid as to the hour and day of recording.

J. RELATION TO PLANNED UNIT DEVELOPMENT

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 Holly Springs Planning Commission and the Mayor and Board of Aldermen in granting the zoning application shall be sufficient preliminary plat approval within the meaning of Article III.

The basic purpose of PUD is to allow flexibility in the development of planned communities. PUD is intended to facilitate total density control as an alternative to regulation of individual lot size, harmonious development of mixed land uses, creative alternatives to traditional 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 regulations and the public interest, convenience, safety and welfare, the Holly Springs Planning Commission may consider this purpose and may waive or modify any requirements of Article III and Article IV of these regulations.