

SUBDIVISION REGULATIONS
A PART OF THE COMPREHENSIVE
PLAN

FOR

HOLLY SPRINGS, MISSISSIPPI

APRIL 28, 2005

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HOLLY SPRINGS, MISSISSIPPI

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ARTICLE I - PURPOSE, AUTHORITY AND JURISDICTION

A. PURPOSE

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivisions of land sooner or later comes a public responsibility, in that roads and streets must maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and the future owners that subdivision be conceived, designed and developed in accordance with sound rules and proper minimum standards. The following subdivision regulations guiding the Holly Springs Planning Commission are designed to provide for the harmonious development of the city and surrounding region; to secure a coordinated layout and adequate provision for traffic and also to secure adequate provision for light, air recreation, transportation, water, drainage, sewer and other sanitary facilities.

B. AUTHORITY

These Subdivision Regulations of the City of Holly Springs, Mississippi are adopted under authority granted by Miss. Code Ann. 17-1-23 (1972) and Section 17-1-1 through 17-1-37 (1972 addition Supp.1984).

C. JURISDICTION

1. It shall be unlawful for any individual being the owner, agent, or person having control of any land within the incorporated area of Holly Springs, Mississippi, to sub-divide or layout such land in lots unless by a plat, in accordance with the regulations contained herein. No lots shall be sold, nor any plat recorded until such plat has been approved as herein provided.
2. Any area hereafter annexed to the City of Holly Springs, immediately upon annexation, shall no longer be subject to the Marshall County Subdivision Regulations, but shall conform to the subdivision regulations adopted herein by the City of Holly Springs
3. Approved Lot: No building permit, certificate of occupancy, or business license shall be issued for the construction upon or use of any lot or parcel unless it shall be on an approved lot created in conformance with the requirements of these regulations.

D. ENFORCEMENT

As is provided by Section 17-1-23 of the Miss. Code Ann. (1972) no map or plat of any subdivision of land into two (2) or more lots with any part thereof being situated within the said corporate limits of the said City of Holly Springs, Mississippi, shall be recorded by the Chancery Clerk of Marshall County, Mississippi, unless and until same has received final approval in writing and in the manner herein provided by the Mayor and Board of Aldermen of the said City of Holly Springs, Mississippi.

No Board, public officer or authority shall light any road, lay or authorize the laying of water mains or sewers or permit the construction of other facilities or utilities in any road located within the area of planning jurisdiction unless such road shall have been accepted, opened or otherwise received the legal status of a public road prior to the adoption of these regulations, or unless such road corresponds in its location and lines to a road shown on a subdivision plat approved by the Holly Springs Planning Commission, or on the official Major Thoroughfare Plan adopted by the Commission.

The City Clerk shall not issue building permits for any structure on any lot in a subdivision or development for which the plat has not been approved and recorded in the manner provided herein and prescribed by law.

ARTICLE II – INTERPRETATION, TENSE AND NUMBER, AND DEFINITIONS

A. WORDS

1. The word “shall” is mandatory
2. The word “may” is permissive
3. The word “prerogative” as used is a right to choose to exercise an assigned or implied power.

B. TENSE AND NUMBER

1. The present tense includes the future tense and the future tense includes the present tense.
2. The singular number includes the plural number and the plural number includes the singular number.

C. DEFINITIONS

1. **Alleys** – are a secondary means of access which are used primarily for vehicle service access to the back of or side of properties otherwise abutting on a street.
2. **Building Setback Line** – a line parallel to the property line in front of which no structure shall be erected.
3. **Board of Aldermen** – shall mean the governing body of the City of Holly Springs, Mississippi.
4. **City** – shall mean the boundaries of the City of Holly Springs, Mississippi.
5. **City Official** – shall mean the duly designated official as approved by the Mayor and Board of Aldermen.
6. **Comprehensive Plan** – The Comprehensive plan made and adopted by the Governing Authority indicating the general locations recommended for the streets, parks, public buildings, land uses, zoning districts, and other public improvements.
7. **Easement** – a grant by the property owner for use by the public, a corporation or person(s), of strip of land for specified purpose of any designated part of his property.

- a) **Utilities:** an easement reserved space for utilities and drainage.
 - b) **Access:** For purpose of this ordinance a private way which is permanently reserved as the principal means of a vehicular access to abutting property, and the terms of use of which are of public record.
- 8. **Final Plat** – shall mean a plat of a tract of land which meets the requirements of these regulations and is in form for recording in the Office of the Chancery Clerk of Marshall County.
- 9. **Group Development** – a development comprising two or more structures built on a single lot, tract or parcel of land and designed for occupancy by separate families, firms, businesses or other enterprises.
- 10. **Health Department** – shall mean the Marshall County Health Department
- 11. **Lot** – shall mean a parcel of land intended for transfer of ownership or for building development.
 - a. **Corner Lot** – a lot abutting upon two (2) or more streets at their intersection
 - b. **Single tier lot** – a lot which backs upon a limited access highway, a railroad, a physical barrier, residential or nonresidential use and to which access from the rear of the lot is usually prohibited.
 - c. **Double front lot** – a continuous lot of the same depth as the width of a block containing two tiers of lots and which is accessible from both the streets upon which it fronts.
- 12. **Monument** – a permanent object serving to indicate a limit or to mark a boundary.
- 13. **Holly Springs Planning Commission** – shall mean the City of Holly Springs Planning Commission of the City of Holly Springs, Mississippi.
- 14. **Preliminary Plan** – shall mean a set of engineering drawings which meet the requirements of these regulations for the proposed subdivision submitted for approval by the Holly Springs Planning Commission.
- 15. **Chancery Clerk** – shall mean the Chancery Clerk of Marshall County.

16. **Streets** – shall mean a way for vehicular traffic whether designated as a street, highway, thoroughfare parkway, through way, road, avenue, boulevard, lane, place or however otherwise designated.
- a. **Arterial or Major Streets** – are those which are used primarily for fast or heavy traffic.
 - b. **Collector Streets**- are those which carry traffic from Minor Streets to the system of Arterial and Major Streets, including the principal entrance streets of a residential development and streets for circulation within such a development.
 - c. **Minor Streets** – are those which are used primarily for access to the abutting properties.
 - d. **Marginal Access Streets** – are minor streets which are parallel to and adjacent to arterial and major streets; and which provide access to abutting properties and protection from through traffic.
 - e. **Cul-de-sacs** – a short street designed to have one end permanently closed; closed end terminated by a vehicular turnaround.

SUBDIVISION

The division of a single parcel of land into or two (2) or more lots, parcels, sites, units, plats, or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions; or the approval of one or more parcels of land for the purposes of commercial, industrial, or multiple-family development, construction, and/or use.

“Subdivision” includes the division or development of land for both residential and non-residential use, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instruments. “Subdivision” includes the act of re-subdivision as defined herein. For the purposes of these regulations, “Subdivision” shall be further defined as follows:

- a. **Major Subdivision**: Any subdivision not classified as a minor subdivision, including but not limited to subdivisions of four (4) or more lots, or any subdivision requiring any new street or extension of local government facilities, or a drainage plan, or the creation of any public improvements.
- b. **Minor Subdivision**: Any subdivision or re-subdivision containing not more than four (4) lots fronting on an existing street, which is an improved right-of-way maintained by the City, not involving any new street or the extension of municipal facilities, or drainage plan or the creation of any public improvements, not adversely affecting the remainder of the parcel

or adjoining properties, and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Ordinance, or these regulations.

- c. **Re-subdivision (Replat):** A change in a map of an approved and recorded subdivision plat, or any map or plan legally recorded prior to the effective date of these regulations.
- d. **Exempt Subdivisions:** For the purpose of these regulations, the following divisions of land shall not be considered a “subdivision,” or subject to the requirements of these regulations:
 - (1) Acquisition of property by the City of Holly Springs, Mississippi for public purposes.
- 17. **Subdivider** – shall mean the person(s), firm(s) or corporation(s) owning land in the process of creating a subdivision or having completed a subdivision of said land.
- 18. **Subdivider’s Agent** – shall mean the Civil Engineer, Architect, Registered Surveyor or Planner, who is the agent of the owner(s) of land which is proposed to be subdivided or which is in the process of being subdivided.
- 19. **Subdivision** – shall mean all divisions, development or redivision of a lot, tract or parcel of land, regardless of how it is to be used into two (2) or more lots, building sites or any other such divisions for the purpose, immediate or future, of sale or building development and shall include all divisions of land involving the dedication of a new street or a change in existing streets.
- 20. **Surface Drainage** – a drainage system consisting of culverts and open ditches.
- 21. **Zoning Ordinance** – shall mean the Zoning Ordinance of the City of Holly Springs, Mississippi

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 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:
 - 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.

ARTICLE IV - GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS

A. CONFORMITY TO GENERAL COMMUNITY PLAN

1. All proposed subdivisions shall conform to the City Zoning Ordinance and the Comprehensive Community Plan and all major sections thereof, i.e., the Land Development Plan, Thoroughfare Plan, Community Facilities Plan, etc.

Examples:

- a. Densities shall be established by the Zoning Ordinance and the Land Development Plan
 - b. All thoroughfares as shown crossing or bordering a proposed subdivision on the Thoroughfare Plan shall be required to be provided in the location at the right-of-way width designated thereon.
 - c. All sites for parks, schools, and other public facilities as shown on the Community Facilities Plan as located within a proposed subdivision shall be offered for sale to the City at a price not to exceed fair market value of the land prior to development, except as otherwise provided or required by the Holly Springs Planning Commission as specified in G, 1 and 2 of the article.
2. All off-premise improvements necessary to the development of the subdivision shall be clearly noted in the Final Plan. These improvements shall relate to such items as drainage, extension of water mains, sewers, street access and other such improvements.

B. STREETS

1. General

- a. The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Community Plan and shall be considered in their 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.
- b. Where such is not shown in the Comprehensive Community Plan, the arrangement of streets in a subdivision shall either:

1. Provide for the continuation of appropriate projection of existing principal streets in surrounding areas;
 2. Conform to a plan for the neighborhood approved or adopted by the Holly Springs Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
- c. Minor streets shall be so laid out that their use by through traffic will be discouraged.
 - d. Where a subdivision abuts or contains an existing or proposed arterial street, the Holly Springs Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear 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.
 - e. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Holly Springs Planning Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
 - f. A tangent shall be introduced between reverse curves on arterial and collector streets as approved by the City Official.
 - g. When connecting street lines deflect from each other at any one point by more than (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than 200 feet for minor and collector streets, and of such greater radius as the City Official shall determine for special cases.
 - h. Streets shall intersect as nearly as possible at right angles, and no street shall intersect at less than seventy-five (75) degrees.
 - i. Intersections with an arterial street shall be at least eight hundred (800) feet apart measured from center line to center line, and intersections with an expressway shall be controlled and determined by the Holly Springs Planning Commission.

- j. Proper sight lines shall be maintained at all intersections of streets. Measured along the center line, there shall be a clear sight triangle of seventy-five (75) feet, (One hundred fifty (150) feet for arterial streets), from a point of intersection. This shall be indicated on all plans. No buildings or obstruction shall be permitted in this area.
- k. Property lines at street intersections shall be rounded with a radius of twenty (20) feet, or of greater radius where the Holly Springs Planning Commission may deem it necessary. The Holly Springs Planning Commission may permit comparable cut-offs or chords in place of round corners.

2. Unusable Reserve Strips

Reserve strips controlling access to streets shall be discouraged except where their control is definitely placed with the City under conditions approved by the Holly Springs Planning Commission.

3. Street Jogs

Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet should be avoided.

4. Minimum Street Right-of-Way Widths

In developed or vacant areas, the Holly Springs Planning Commission shall have the discretion of identifying or classifying a street to be "Collector Street".

Street right-of-way widths shall be as shown on the Thoroughfare Plan and where not shown thereon shall not be less than as follows:

Street Type	Right-of-Way
*Freeways	210 feet
*Arterial Streets	120 feet
*Major Street	80 feet
Collector Streets	60 feet
Minor Streets	50 feet
Marginal Access Street	50 feet
Cul-de-sac	40 feet
Alleys	20 feet

*The amount of right-of-way deemed reasonable to be required by dedication shall not exceed eighty (80) feet in width. It is also deemed reasonable that an additional twenty (20) foot setback to be required along proposed freeways, arterial streets, and major streets, in addition to that setback required in the Zoning Ordinance.

5. Minimum Roadway Width**

Street Type	Pavement Width (Measured from Curb Faces)
Freeways	64 feet (total)
Arterial Streets	64 feet (total)
Major Streets	48 feet
Collector Streets	44 feet
Minor Streets	32 feet
Cul-de-sacs	30 feet
Marginal Access Streets	28 feet
Alleys (curb not required)	16 feet

6. Additional Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the minimum street requirements specified above in B, 4 and 5.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one (1) side of the existing street, one-half (1/2) of the required right-of-way, measured from the centerline of the roadway, shall be provided.

7. Streets Grades

Streets grades shall not exceed the following unless otherwise recommended, and subject to the approval of the City Official.

Street Type	Percent Grade
Freeways	3.0%
Arterial Streets	5.0%
Major Streets	7.0%
Collector Streets	8.0%
Minor Streets	12.0%
Marginal Access Streets	12.0%

Minimum grade of any gutter shall not be less than 0.5% unless otherwise approved by the City Official.

Cross drains are not permitted on freeways, arterial streets, major streets, or collector streets unless recommended by the City Official. Vertical curves shall be such as to prevent abrupt change and shall be as approved by the City Official.

8. Horizontal Curves

Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets sixty (60) feet or more in width, the centerline radius of curvature shall be not less than three hundred (300) feet; on the other streets, not less than one hundred (100) feet.

9. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 ½) feet above the pavement surface, to an object four (4) inches high on the pavement. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal, and one (1) inch equals twenty (20) feet vertical, may be required by the Holly Springs Planning Commission.

10. Cul-de-sacs (Dead-end Streets)

- a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than five hundred (500) feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eight (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the Holly Springs Planning Commission may approve an alternate design.
- b. Where, in the opinion of the Holly Springs Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such streets shall have a right-of-way of at least fifty (50) feet and be provided with a temporary turnaround having

a roadway diameter of at least eighty (80) feet, unless such street is only one (1) lot in depth.

C. Alleys

1. Alleys shall be provided in commercial and in industrial districts, except that the Holly Springs Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.
2. Provisions for alleys along the rear of residential lots are optional except where, in the opinion of the Holly Springs Planning Commission, such alleys are advisable.
3. Alley intersections and changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicle movement.
4. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end as determined by the City Official.

D. Easements

1. Easements across lots or centered on rear or side liens shall be provided or utilities where necessary and their width shall be as required by the appropriate departments.
2. Where a subdivision is traversed by a water course, drainage way, channel, or stream or if such a proposed drainage way is reflected in an adopted Drainage Plan, there shall be provided a storm-water drainage easement or right-of-way conforming substantially with the lines of such existing or planned drainage ways. The width of such drainage easement or right-of-way shall be sufficient to contain the ultimate channel and maintenance way for the tributary area upstream.
3. Lots and easements shall be arranged in such a manner as to eliminate unnecessary easement jogs or offsets and to facilitate the use of easements for power distribution, telephone service, drainage, water and sewer services.

E. Blocks

1. The length, width and shapes of blocks shall be determined with due regard to:
 - a. Provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 - b. Zoning Ordinance and Health Department requirements as to lot size and dimensions.
 - c. Needs for convenient access, circulation, control, and safety of street traffic.
 - d. Limitation and opportunities of topography.
2. Blocks shall not be less than four hundred (400) feet more than twelve hundred (1200) feet in length, except as the Holly Springs Planning Commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length, the Holly Springs Planning Commission may require one (1) or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary,
3. Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on a major street is provided or where prevented by topographical conditions or side of the property; in which case the Holly Springs Planning Commission may approve a single row of lots of minimum depth.

F. Lots

1. The lot size, width, depth, shape and orientation, and the minimum building setback line shall be appropriate with the location of the subdivision and for the type of development and use contemplated.
2. Minimum lot dimensions must meet the requirements of the Zoning Ordinance or the requirements of the Health Department. In such cases where requirements may conflict, the larger requirement shall govern.
3. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate for off-street parking and loading for the uses contemplated.
4. Corner lots for residential use shall have sufficient width to permit appropriate building setback from the orientation to both streets.

5. Except in the case of lots on a cul-de-sac as specified in Article IV-B-4, each lot must front upon a street whose right-of-way is not less than fifty (50) feet in width and which is connected with the public street system.
6. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or so as to overcome specific disadvantages of topography and orientation. The subdivider shall put in a planting screen easement of not less than ten (10) feet in width, and across which there shall be no right of access, along the line of lots abutting such a traffic artery or other disadvantageous feature.
7. Side lot lines shall be substantially at right angles to streets except on curves where they shall be radial.

G. Public Sites and Open Spaces

1. Where a proposed park, playground, school or other public use shown in the Comprehensive Community Plan is located in whole or in part in a subdivision, the Holly Springs Planning Commission may request the dedication or reservation of such areas within the subdivision in those cases in which the Holly Springs Planning Commission deems such requirements to be reasonable.
2. Where deem essential by the Holly Springs Planning Commission, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood unit developments not anticipated in the Comprehensive Community Plan, the Holly Springs Planning Commission may request the dedication or reservation of such other 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. Names

1. No. street name shall be used which will duplicate by spelling or sound to otherwise be confused with the names of existing streets, except where a proposed street is an extension of any existing street in which case the proposed street shall bear the name of the existing street. Street names are subject to the approval of the Holly Springs Planning Commission.
2. Subdivision names and apartment project names shall not duplicate or be confused with existing names. Subdivision and apartment

project names are subject to approval by the Holly Springs Planning Commission.

I. Drainage and Inundation

1. A drainage plan shall be made for each subdivision by the subdivider or his agent which shall take into account the ultimate or saturated development of the tributary area in which the proposed subdivision is located. Adequate provisions shall be made within each subdivision to provide drainage facilities needed within the subdivision taking into account saturated development of the tributary area. The storm and sanitary sewer plan shall be made prior to other utility plans. Engineering considerations in subdivisions and other development shall give preferential treatment to these gravity-flow improvements as opposed to other utilities and improvements.
2. Off-premise drainage easements and improvements shall be required to handle the run-off of subdivisions into a natural drainage channel as determined by the City Official.
3. Areas subject to flooding, i.e., those areas identified as being within the 100 year flood plain, will not be approved for development unless the developer takes all the steps necessary as specified by the City Official or low area subject to periodic inundation shall not be developed or subdivided unless and until the City Official may establish that:
 - a. The nature of the land use (i.e. recreational areas) will not lend itself to damage by water to an appreciable extent.
 - b. The area may be filled or improved through such a manner to prevent such periodic inundation.
 - c. Minimum floor elevations may be established to prevent damage to building and structures.
4. The City Official and/or the Holly Springs Planning Commission may require whatever additional engineering information he deems necessary to make a decision on subdivision and other developments in an area of questionable drainage.
5. Lakes, ponds and similar areas will be accepted for maintenance only if sufficient land is dedicated as a public recreational area or

park or if such area constitutes a necessary part of a surface drainage control system as determined by the City Official.

6. Sewer shall be designed in accordance with good, accepted engineering practice.

J. Building Restrictions

1. If a subdivision does not lie within the force and effect of an existing Zoning Ordinance, the Holly Springs Planning Commission may require provisions for minimum front, side, rear yard, and use requirements based upon the standards of the Zoning Ordinance and Health Department regulations.

K. Miscellaneous Subdivision or Tract Development

Other types of subdivision or tract development may be allowed by the Holly Springs Planning Commission when such subdivisions or developments come under the provisions of these regulations and are in keeping with their purpose and intent, and meet the general requirements specified in "A" of the Article.

1. Large Tracts or Parcels

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further resubdivisions.

2. Group Housing Developments

A comprehensive housing development, including the large scale construction of housing units together with necessary drives and ways of access, may be approved although the design of the project does not include standard streets, lot and subdivision arrangements, if departure from the foregoing standards of the Article can be made without destroying their intent.

3. Commercial and Industrial Subdivisions

Subdivision of land for commercial or industrial purposes shall conform to the provisions of these regulations and street development shall conform to the Thoroughfare Plan. Lot sizes shall be large enough to provide for necessary off-street and loading requirements.

4. One Lot Sell-off Provision

When a residential lot is being subdivided out of a large tract of land, the Zoning Administrator may approve such division of land if the following conditions are met:

- a. Only one lot is being subdivided and no other lots have previously been sold from the tract.
- b. No conflict exists with the proposed subdivision and the Thoroughfare Plan.

5. Mobile Home Subdivisions (see the Holly Springs Zoning Ordinance for Mobile Home Subdivision)

The subdivision of a parcel of land into lots for a mobile home subdivision which are intended for sale or transfer shall be subject to the provisions and intent of these regulations, Zoning Ordinance and other regulatory policies or plans.

ARTICLE V – DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A properly proposed and recorded subdivision plat means little to a prospective buyer until he can see actual physical transformation of raw land into lots suitable for building purposes. Improvements made by the subdivider spare the community of a potential tax liability. The following tangible improvements or security or guarantee provision for their estimated costs shall be required before final plat approval can be made. This is done in order to assure the physical reality of the subdivision which approval of the Holly Springs Planning Commission and recordation with the Clerk of Chancery will establish legally.

A. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install curbs, monuments, sewers, storm water inlets and water mains, in accordance with minimum specifications established by the City of Holly Springs or as set forth herein in Article V and preceding Article IV.

1. Monuments

- a. Concrete monuments four (4) inches in diameter or four (4) inches square, three (3) feet long, with a flat top shall be set at all major corners in the exterior boundaries of the subdivision or sections thereof and at all points where the street right-of-way lines intersect the exterior boundaries of the subdivision or sections thereof. The top of the monument shall have an indented cross to identify property the location and shall be set flush with the finished grade
- b. All other lot corners and points of curve in street right-of-way shall be marked with iron pipe or rod not less than one-half (1/2) inches in diameter and twenty-two (22) inches long driven so as to be flush with the finished grade.

2. Grading

All streets, roads, curbs and alleys shall be graded by the subdividers so that pavements and sidewalks can be constructed to the required cross section. Deviation from the above due to special topographical conditions will be allowed only with special approval of the Mayor and Board of Aldermen. Where streets are constructed under or adjacent to existing electric transmission lines or over gas transmission lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission line structure, except with approval by the utility concerned, and all

grading from the street shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric transmission lines the clearance from the pavement to the nearest conductor shall meet the requirements of the Electric Safety Code adopted by the Mayor and Board of Aldermen.

a. Preparation

Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.

b. Cuts

All tree stumps, boulders and other obstructions shall be removed to a depth of one (1) foot below the sub grade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the sub grade.

c. Fill

All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a sheep's foot roller. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, but where water is used to assist compaction, the water content shall not exceed the optimum of moisture.

3. Storm Drainage

An adequate drainage system including necessary open ditches, pipes, culvert, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water.

Cross drains shall be provided to accommodate all natural water flow, and shall be sufficient length to permit full width roadway and the required slopes. The size opening to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than fifteen (15) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock.

4. Pavement Base

After preparation of the sub grade, the roadbed shall be surfaced with an approved base. The quality and quantity of selected base material will be upon the approval of the City Official. All traveled ways and parking areas shall have a minimum thickness of six (6) inches uniformly spread for a width of not less than six inches on each side of the prime line. The base shall be prepared in accordance with the current Standard Specifications for the Mississippi State Highway Department.

5. Prime Coat

After a thoroughly compacted based has been established, a prime coat of emulsified or cutback asphalt shall be heated or otherwise prepared to insure uniform distribution. The prime coat material shall be sprayed on the prepared pavement base in amounts of not less than 0.005 gallon nor more than 0.3 gallon per square yard as designated by the City Official; shall be consistently uniform over the entire area treated; and shall be allowed to cure until it is not sticky.

6. Wearing Surface

The wearing surface shall consist of two layers of wearing course; one layer being of #5 crushed stone and the top layer of a minimum of one hundred (100) pounds of bituminous plant mix per square yard. All preparations, applications, and methods shall be in accordance to Current Standard Specifications of the Mississippi State Highway Department.

6. Curbs or Curbs and Gutters

The subdivider shall provide permanent cement concrete curbs or cement concrete curbs and gutters on all traveled ways or as specified by the City Official. The cement concrete curbs must be placed to the correct line and grade by a machine operation acceptable to the City Official. The cement-concrete mix shall consist of 564 pounds of gravel so as to create a mixture of one cubic yard. The cement concrete curb and gutter shall be six (6) inches concrete curbs with concrete curb and gutter shall be six (6) inches concrete curbs with twelve (12) inch (minimum) integral concrete gutters; standard rolled curb and gutter, or other construction approved by the Holly Springs Planning Commission.

8. Sidewalks

Sidewalks shall be required by the Holly Springs Planning Commission. Sidewalks shall be located not less than one (1) foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. In single family residential areas concrete sidewalks shall be four (4) feet wide and four (4) inches thick. In multi-family or group housing developments, sidewalks shall be five (5) feet wide and four (4) inches thick. In commercial areas sidewalks shall be ten (10) feet wide and four (4) inches thick.

9. Water Supply System

The subdivider shall install or have installed a system of water mains, services and all other appurtenances as required to provide domestic water and fire protection service to the development. Water facilities shall be constructed in accordance with plans submitted for approval and in accordance with the specifications approved by the City Officer and in force at the time construction is actually begun on the water.

Prior to final approval of the plat, the subdivider shall present to the Holly Springs Planning Commission and the City Official two (2) sets of the plans and specifications for the proposed water system that will serve the area to be developed. In addition, the subdivider shall furnish the City with:

- a. Certified approval of the plans and specifications by the Mississippi State Board of Health.
- b. All required easements, permits, right-of-way agreements as necessary at the developer's expense.
- c. The subdivider agrees that the water facilities will, after final acceptance by the City of Holly Springs exclusively in exchange for the City's agreement to own, maintain and operate the water facilities. The subdivider shall also guarantee proper operation of the water facilities within the development for a period of one (1) year after final acceptance by the City. The subdivider shall also agree that all work shall be inspected and approved by the City Official prior to final acceptance by the City and that at least one (1) set of "as built" drawings shall be prepared at

the subdivider's expense and furnished to the City Official within thirty days after completion on construction.

REQUIRED IMPROVEMENTS

- 9.1 The subdivider shall be required to provide an adequate supply of potable water to all lots in the subdivision. The water supply shall be sufficient to satisfy the needs of both domestic use and fire protection. The distribution system shall be so designed and constructed as to form an integral part of the City's distribution system and shall be in accordance with standards of the Mississippi State Board of Health and the City adopted fire code.
- 9.2 All water distribution mains shall be ductile iron pipe or approved equal. No distribution main shall be less than 3" I.D.
- 9.3 The size of water mains, the locations and type of valves and hydrants and other features of installation shall conform to the Standards and Policies of the City of Holly Springs Utility Department.
- 9.4 Separation of water mains and sewers. Water mains shall be laid at least 10 feet horizontally from any parallel sanitary or storm sewer; the distance shall be measured edge-to-edge. When local conditions prevent a horizontal separation of 10 feet, the bottom of the water main shall be laid at least 18 inches above the top of the sewer.
- 9.5 State Board of Health Regulations. On any water facility construction, the subdivider shall, at his expense, upon completion of any part or all of the work is placed in service, flush out and disinfect with chlorine, and re-disinfect the completed parts as may be necessary until two (2) consecutive chlorine – free samples are found by the SBH to be free from the Coli-Aerogenes group of bacteria. Samples for test shall be taken from remote parts of the system.
- 9.6 Flushing. After completion of the service assembly installation, flush each service thoroughly. During sterilization of the mains, open the meter stop to allow chlorinated water to pass through each service. Samples for MSBH bacteria test may be taken from services, in which case flush the service thoroughly with fresh water after permitting the chlorine solution to stand as required for disinfection.

10. Sanitary Sewers

The subdivider shall install or have installed a system of sewer mains, services, lift stations and all other appurtenances as required to provide sanitary sewer service to the development.

Sewer facilities shall be constructed in accordance with plans and specifications approved by the City Official and in force at the time construction is actually begun on the sewer system.

When the subdivision is located within the sewer service area of a public sewer system, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system.

Prior to final approval of the plat, the subdivider shall present to the City Official two (2) sets of the plans and specifications for the proposed sewer facilities that will serve the area to be developed.

In addition, the subdivider shall furnish the City Official with:

- a. Certified approval of the plans and specifications by the Department of Natural Resources.
- b. All required easements, permits, right-of-way agreements as necessary at the subdivider's expense.
- c. The subdivider agrees that the sewer facilities will, after final acceptance by the City, become the property of the City of Holly Springs, exclusively in exchange for the City's agreement to own, maintain and operate the sewer facilities. The subdivider shall also guarantee proper operation of the water and sewer facilities within the development for a period of one (1) year after final acceptance by the City. The subdivider shall also agree that all work shall be inspected and approved by the City Official's office to final acceptance by the City and one (1) set of "as built" drawings shall be prepared at the subdivider's expense and furnished to the City within thirty (30) days after completion of construction.

10.2 Required Improvements

- 10.21 The minimum diameter pipe for sanitary sewer mains shall be eight (8) inches. Minimum diameter service pipe for house connection shall be four (4) inches for single family

dwelling and six (6) inches for multi-family dwellings. House connections shall be stubbed out to each lot's property line before street construction, and plugged with extended sewer stub marker tape from pipe to surface. A wye chart shall be made and given to the City Official at the completion of the sewer system.

- 10.22 There shall be a minimum of ten (10) feet separation between all parallel sanitary sewer and water mains. Sewer pipe installed with trench depth up to and including ten (10) feet shall be standard strength, and for trench depth greater than ten (10) feet, extra strength pipe shall be used.
- 10.23 The minimum slope allowable for 8" sewer line shall be 0.40 feet per 100 feet.
- 10.24 The type of material and other features of installation shall conform to the Standards and Policies of the City of Holly Springs Utility Department.

All sewer pipe shall receive Exfiltration tests. These tests shall be performed by the subdivider and observed by the City Official. Exfiltration will be measured by stopping a section of pipe between manholes and filling with water in the upstream manhole to a point 2 feet above the top of the pipe or 2 feet above the ground water level, whichever is greater.

Exfiltration in any section of the sewer main or service line shall not exceed three tenths (0.3) gallons per hour per inch diameter per one hundred (100) feet of pipe. If the exfiltration test fails, the subdivider shall relay that line segment which fails and retest, until it meets the criteria of the test.

SANITARY MANHOLES

Manholes shall be no further than three hundred (300) feet apart and at each change in alignment or grade.

The type of material used in the construction of manholes and other features of installation shall conform to the Standards and Policies of the City of Holly Springs Utility Department.

When any of the sanitary sewers within a proposed subdivision or sewer necessary to connect the proposed subdivision with the City sewer system

or an outlet acceptable to the City are so located that portions thereof may be a segment of a sanitary sewer main or outfall, the subdivider may be required to install sewer pipe for that portion of the line which may become a main or outfall sewer of such size as may be necessary to facilitate future expansion of the sanitary sewer system. In these instances, the City may reimburse the subdivider for the extra cost incurred by installing larger sewer mains. The price for this reimbursement shall be agreed upon by the City Official and the subdivider.

The construction of the manholes, laying of pipe shall conform to the Standards and Policies of the Holly Springs Utility Department.

11. Storm Sewers and Drainage

Storm sewers and drainage structures shall be designed and installed as required by the City Official in accordance with good engineering practices.

12. Street Signs

The subdividers shall provide for street signs within the subdivision; the type to be approved by the City Official. Two (2) street signs are required for each four-way intersection and one (1) street sign at each three-way intersection or as required by the Holly Springs Planning Commission.

13. Oversized Facilities

The City of Holly Springs or the appropriate department of the City may participate in the cost of "Oversized" improvements within a subdivision (i.e., street, water or sewer mains, drainage facilities, etc.) if it is judged that such oversized improvements are necessary to serve larger areas of land not included in the subdivision or tract and if the cost of such required oversized improvement is an unreasonable burden to the subdivider. For example, the subdivider shall not be required to pay the total cost of a major or arterial street, but shall participate in the cost of these improvements in the amount that a "collector street" would cost if situated where such a major or arterial street is located.

ARTICLE VI - PLATS AND DATA

A. General

The subdivider or his agent shall submit the following required information to the Secretary of the Holly Springs Planning Commission prior to review by the Holly Springs Planning Commission of such plan or plat for approval action. (See Article III, Procedure).

Preliminary Plan

The following information is required for Preliminary Plan of Subdivision.

1. General subdivision Information
 - a. Available Community facilities and utilities
 - b. Number of residential lots
 - c. Typical lot width, depth and area
8. Preliminary Plan
 - a. Name of subdivision or other identification
 - b. Boundary liens of the proposed subdivision
 - c. Location of all street with subdivision boundary
 - d. A sketch vicinity map showing the location of the proposed subdivision to the surrounding area.

B. Final Plat

The subdivider or his agent shall submit the following required information to the City Official prior to the review by the Holly Springs Planning Commission of such Plan or Plat for approval action.

Subject to the provisions of Article III of these regulations, the Final Plat will be considered for approval by the Holly Springs Planning Commission provided the following requirements are met, which requirements are conditions precedent to such final approval of said plat:

1. The Final Plat as submitted to the City Official shall be drawn in black ink upon tracing cloth, or equal, on sheets 24" wide and 36" long at a scale of one hundred (100) feet and shall show:
 - a. The location of all streets; alleys; lot lines, lot numbers in numerical order; names; reservations; easements; street names; and areas to be dedicated to public use with notes stating their purpose and any limitations.

- b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether straight or curved.
- c. The exact position of the permanent monuments shall be indicated on the Plat by small circles (x). The character and description of said monuments.
- d. The names and locations of adjoining subdivisions and streets.
- e. Date, title including the name of subdivision, scale and north point.
- f. The relation of the land so platted to the Government Survey.
- g. The "point of beginning" as referred to in the written description shall be so indicated.
- h. All curved boundary lines, lot lines, street centerlines, and right-of-way lines on the plat shall be given a curve number and sufficient data shall be given to enable the re-establishment of the curves. This curve data shall include the following: point of curve (PC), point of tangency (PT), intersection angle (Delta), length of tangent (T), length of radius (R).
- i. All dimensions shall be shown to the nearest one hundred (100th) of a foot and angles to the nearest minute.
- j. In the case of double frontage lots, the direction the house or building front shall be clearly indicated.
- k. The following endorsements, dedications, and certificates shall be placed on the Final Plat: (Samples of each are shown in the Appendix).
 - (1) Surveyor's Certificates and Description of Land Platted.
 - (2) Dedication
 - (3) A Notary's Acknowledgement of the Dedication
Certificates referred to in (2).
 - (4) A Certificate of Approval by the Electrical Department
 - (5) A Certificate of Approval by the Public Works Director
 - (6) A Certificate of Approval by the Marshall County Health
Department (if septic tanks and/or wells are necessary).
 - (7) A Certificate of Approval by the Holly Springs Planning
Commission of the City of Holly Springs, Mississippi.

(8) A Certificate for Recording by the Chancery Clerk of Marshall County, Mississippi

2. That all improvements and utilities required, as set forth in Article V hereof, have been satisfactorily completed and installed in accordance with plans specifications approved at the preliminary plan approval stage, proof of which shall be evidenced by the certificate of the City Official or other appropriate City department having jurisdiction; or, if the Holly Springs Planning Commission shall so determine, in its sole discretion, and provide all other requirements of these regulations are met, in lieu of the completion of such improvements and utilities prior to the Final Plat approval by the Board of Aldermen, the Holly Springs Planning Commission may accept either of the following:
 - a. A bond with sufficient surety to secure the municipality the actual construction and installation of such improvements and utilities at a time to be set by the Holly Springs Planning Commission and according to the plans and specifications approved therefor.
 - b. A contract with such security as may be required between the Subdivider and the City providing the following:
 - (1) The development of the property included in the subdivision shall be completed in sections in accordance with a plan approved by and acceptable to the governing body of the City, containing adequate safeguards requiring that the improvements mentioned in subsection above to be completed by the Subdivider in each section of the subdivision (and in adjoining sections to the extent necessary to eliminate special problems) as the same is developed and before another section is started and before any lot in the section is used for building purposes.
 - (2) All improvements installed shall be of design adequate to extend to connections thereof with the remaining sections;
 - (3) If special problems exist as to sanitary sewer service and storm drainage, the section of the subdivision in which such a problem exists shall be of sufficient size to justify proper installation of necessary facilities both within the particular section and on

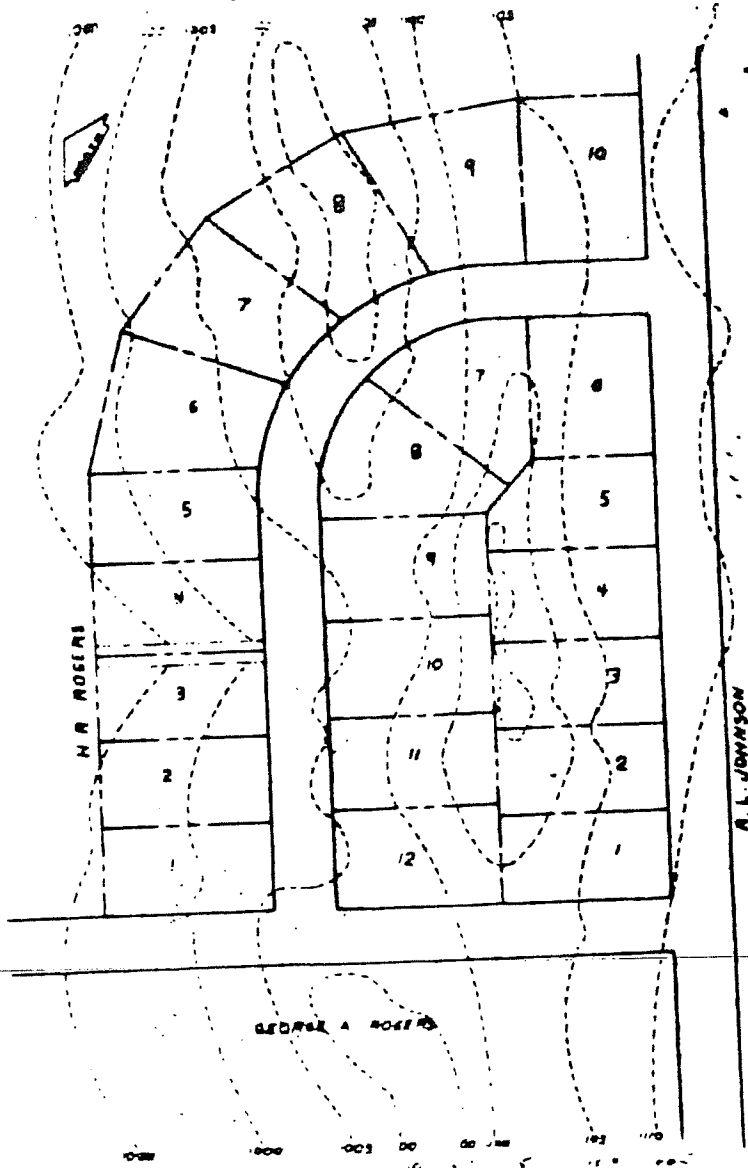
other property to the extent required, to completely solve the problems; and

- (4) The Subdivider shall place on record in the Probate Office restrictions providing that no building shall be constructed on a lot in a section until provisions acceptable to the City are made for such section to be developed and for the improvements to serve the same to be complete.
- (5) Upon full compliance with the subsection and the completion of the improvements required, the City Official shall issue his certificate to that effect to the Building Inspector, the Holly Springs Planning Commission, and other interested parties.

Sanitary Sewer Plan shall contain the following information:

- a. Location and size of all existing and proposed sewers in the subdivision and tie-points of the subdivision. Location of sewer laterals.
- b. Direction of flow of each sewer line.
- c. Location of each man-hole and other sewerage system appurtenances including lift stations, oxidation ponds, treatment plants.
- d. Profile of sewerage system.
- e. Engineer's name and seal.

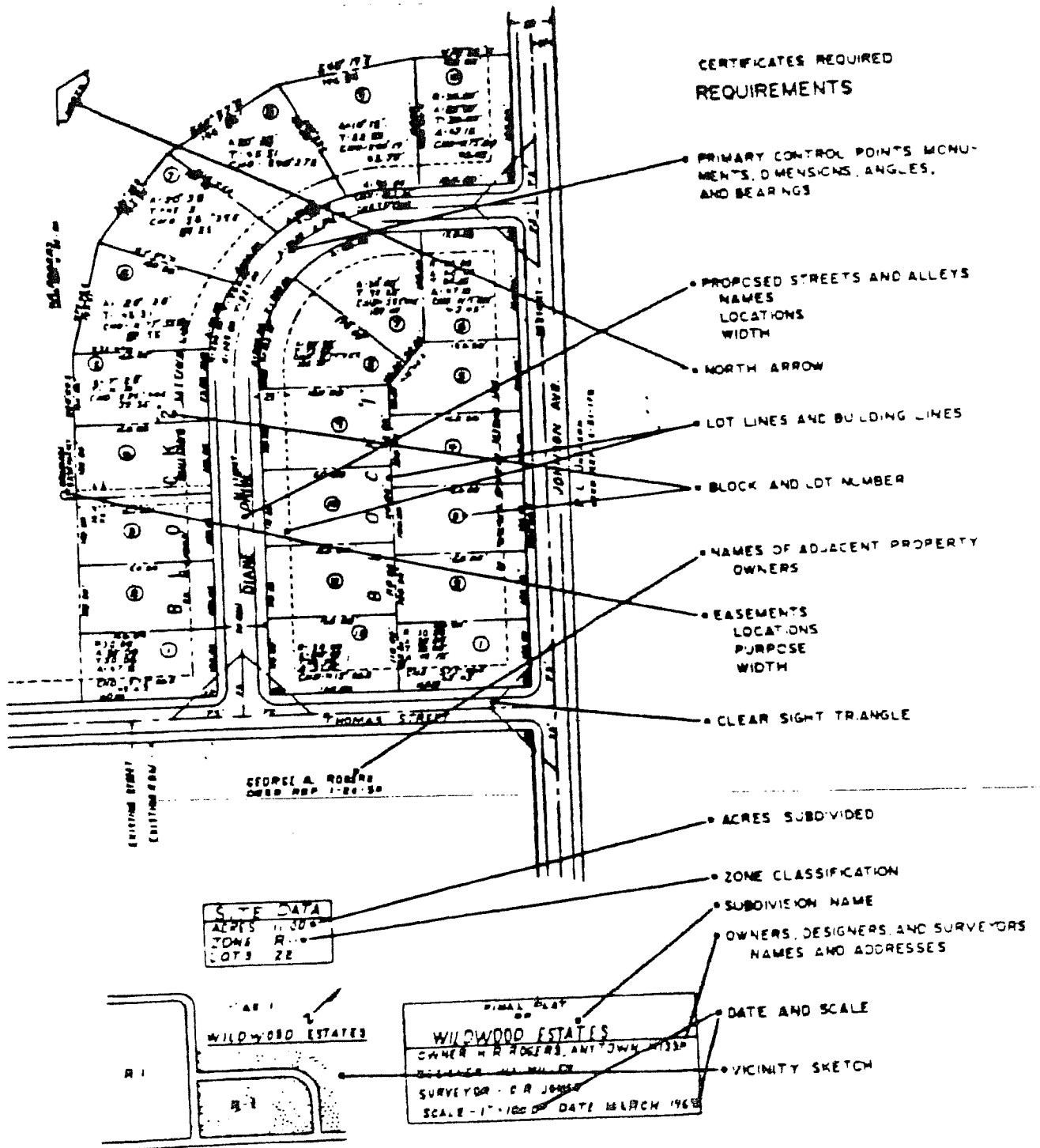
PRELIMINARY PLAN



SITE DATA
ACRES: 11.00
ZONE: R-1

SITE PLAN
WILLOWOOD ESTATES
OWNER: H. R. ROGERS, INC. JOHN M. ST.
DATE: MARCH 1964

FINAL PLAT



ARTICLE VII - VARIANCES

A. Subdivision by Certificate

The foregoing procedure for Plat Approval contained in Articles III and VI may be waived by the Holly Springs Planning Commission in the case of a property owner who desires to convey a part or parts of one lot or tract of land as shown by an already recorded map or plat of a subdivision, or as shown by an already recorded map or plat of a subdivision, or as shown by the official city map of the City of Holly Springs, as approved by the Holly Springs Planning Commission, when it is the opinion of the Holly Springs Planning Commission that compliance with the foregoing procedure would cause an unnecessary hardship to the property owner if strictly adhered to, and that by reference to existing maps or plats the Holly Springs Planning Commission can determine that the conveyance of such part or parts of such lot or tract is in harmony and conformity with the general requirements and minimum standards of design for the subdivision of land as contained in these regulations.

The property owner desiring approval of the conveyance of a part or parts of any such lot shown by an existing recorded plat or by an approved map of the City of Holly Springs without complying with the provisions of Article III and VI hereof may make a request to the Secretary for such approval by the Holly Springs Planning Commission. The Holly Springs Planning Commission shall consider such request and shall have authority to require such property owner to furnish such information as the Holly Springs Planning Commission shall deem necessary in order to pass upon such request. If, upon consideration of such request and the evidence or information furnished by the property owner in accordance with the requirements of the Holly Springs Planning Commission, and the Holly Springs Planning Commission is of the opinion that such part or parts of such lot or tract may be conveyed without destroying the intent of these regulations in conformity with the general requirements and minimum standards as contained in these regulations, it shall issue to such property owner a certificate of approval of such conveyance in writing and containing such restrictions and conditions as the Holly Springs Planning Commission may deem appropriate. Without limiting the generality of the authority of the Holly Springs Planning Commission to impose conditions and restrictions with reference to such conveyance, it is hereby provided that the Holly Springs Planning Commission may impose as a condition of such approval that such part of such lot or tract, the conveyance of which is being approved, may not be re-conveyed by the grantee in such conveyance without further approval of the Holly Springs Planning Commission.

The Certificate of Approval provided for in the above paragraph shall be executed and acknowledged by the Chairman or Secretary of the Holly Springs Planning Commission, and may be recorded in the Chancery Clerk's Office along with the conveyance of such part of such lot or tract as evidence of compliance with these subdivision regulations in the conveyance of such part of such lot or tract.

ARTICLE VIII - SEVERABILITY AND SEPARABILITY

Severability and Separability

Should any article, section, subsection or provision of these Subdivisions Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of these Subdivision Regulations as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

ARTICLE IX

Section 1. Administrative Body

These rules and regulations shall be administered by the Holly Springs Holly Springs Planning Commission, the Mayor and Board of Aldermen and the appropriate designated employees.

The Holly Springs Planning Commission may, from time to time, issue instructions and operating procedure to be followed in the administration of these regulations, to the end that the public may be informed, and approval of plats be expedited.

Section 2. Fees

At the time of filing an application for Final Plat Approval with the City, for requesting the Holly Springs Planning Commission's consideration of a plat, the developer shall pay to the City Clerk a filing fee of a minimum of fifty dollars (\$100.00) and two dollars (\$5.00) per lot.

Section 3. Penalties

Any violation of these rules and regulations shall be interpreted as a misdemeanor under the laws of the State of Mississippi, and the offender, upon conviction, shall be punished accordingly. Any court having jurisdiction of misdemeanor cases shall have jurisdiction to try such offenders, and upon conviction to fine them not less than seventy-five dollars (\$75.00) nor more than One Hundred Dollars (\$100.00) for each offense. Each day that any violation of the regulations continues, it shall constitute a separate offense.

The owner or agent of any land, who transfers, sells, agrees to sell, or negotiates to sell such land by reference to or exhibition of or by other use of a plat or development to the Holly Springs Planning Commission and obtained its approval as required before such plat be recorded in the office of the appropriate Chancery Clerk, shall be deemed guilty of a

misdeemeanor. The description by metes and bounds in the instrument of transfers or other documents used in the process of selling or transferring shall not exempt the transaction from such penalties. The City Attorney or other official designated by the Board of Aldermen shall have the authority to enjoin such transfers, sale, or agreement, by injunction or other appropriate legal action.

Any building or structure erected or to be erected in violation of these subdivision regulations and land development code shall be deemed an unlawful building or unstructured, and the City Official, designated by the Mayor and Board of Aldermen may bring action to enjoin such erection, or cause it to be vacated or removed.

Section 4. Adoption

These rules and regulations shall be in full force and effect upon their approval by the Holly Springs Planning Commission and adoption by the Mayor and Board of Aldermen of Holly Springs, Mississippi.

Section 5. Amendments

The Mayor and Board of Aldermen may from time to time adopt amendments that will tend to increase the effectiveness of these subdivision regulations and expedite the approval of plats. These subdivision regulations may be revised or amended by the Mayor and Board of Aldermen after giving adequate public notice as required by law and conducting a public hearing.

Section 6. Conflict

In any case where a provision of the Ordinance is found to be in conflict with a provision of any other ordinance or code of Holly Springs, Mississippi, existing on the effective date of the Ordinance, the provision which, in judgment of the Holly Springs Planning Commission, establishes the higher standard for the promotion and protection of the health and safety of the people of Holly Springs shall take precedence.

ARTICLE X - EFFECTIVE DATE

Effective Date

Subdivision Regulations heretofore adopted are hereby repealed.

The Subdivision Regulations shall take effect and be in force from and after the date of adoption.

ADOPTED THIS _____ day of _____, 20____
BOARD OF ALDERMEN OF THE
CITY OF HOLLY SPRINGS,
MISSISSIPPI

By: _____
MAYOR,
HOLLY SPRINGS,
MISSISSIPPI

Attest:

City Clerk
Holly Springs, Mississippi

APPENDIX A

Final Plat Certificates

Example:

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

STATE OF MISSISSIPPI
COUNTY OF MARSHALL

I, (name of surveyor), a registered Engineer/Surveyor of the State of Mississippi, hereby certify that I have surveyed the property of (the name of company or proprietor), a (corporation or proprietor), situated in the City of Holly Springs, Marshall County, Mississippi, and described as follows:

(Insert Legal Description)

And that the plat or map contained hereon is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and its number and showing the streets, alleys and public grounds, and giving the bearings, length, width, and name of the streets, said map further shows the relation to the land so platted to the Government Survey, and that permanent monuments have been placed at points marked thus (x) as hereon shown.

WITNESS my hand this the _____ day of _____, 20____.

(Name of Surveyor)

Registration # _____

Example:

DEDICATION

I/We (land owner or developer, address), as proprietor(s) have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as (Subdivision Name), a part of (Section Call Out), City of Holly Springs, Mississippi, Marshall County, Mississippi, and that the (streets, drives, alleys, etc.) as shown on said plat are here dedicated to the use of the public.

Witness

Property Owner

Witness

Property Owner

Example:

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF MARSHALL

I, _____, a Notary Public in and for said County, in said State, hereby certify that (owner's name), whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, executed the same voluntarily.

GIVEN under my hand and official seal this _____ day of _____ 20____.

NOTARY PUBLIC

Example:

CERTIFICATE OF APPROVAL BY THE ELECTRIC DEPARTMENT

The undersigned, a authorized by the Electric Department of the City of Holly Springs, Mississippi, hereby approved the within plat for the recording of same in the Chancery Office of Marshall County, Mississippi, this the _____ day of _____, 20____.

Electric Department
Holly Springs, Mississippi

Example:

CERTIFICATE OF APPROVAL BY THE WATER DEPARTMENT

The undersigned, as authorized by the Water Department of the City of Holly Springs, Mississippi, hereby approved within plat for the recordings of the same in the Chancery Office of Marshall County, Mississippi, this the _____ day of _____, 20____.

Water Department
Holly Springs, Mississippi

Example:

CERTIFICATE OF APPROVAL BY THE PUBLIC WORKS DIRECTOR

The undersigned, as City Engineer of the City of Holly Springs, Mississippi, hereby approved the within plat for the recording of same in the Chancery Office of Marshall County, Mississippi, this the _____ day of _____, 20_____.

Public Works Director
Holly Springs, Mississippi

Example:

**CERTIFICATE OF APPROVAL
BY THE MARSHALL COUNTY HEALTH DEPARTMENT**

The undersigned, as authorized by the Marshall County Health Department, Mississippi, hereby approved the within plat for the recording of same in the Chancery Office of Marshall County, this the _____ day of _____, 20_____.

Health Officer
Marshall County, Mississippi

Example:

**CERTIFICATE OF APPROVAL BY THE HOLLY SPRINGS PLANNING
COMMISSION**

The within plat of (Subdivision Name), Marshall County, Mississippi, is hereby approved
by the Holly Springs Planning Commission of the City of Holly Springs, Mississippi this
the _____ day of _____, 20____.

PLANNING COMMISSION FOR THE
CITY OF HOLLY SPRINGS,
MISSISSIPPI

Secretary

Example:

OFFICE OF THE CHANCERY

STATE OF MISSISSIPPI
MARSHALL COUNTY

I hereby certify that this Plat or Map was filed in this Office for record this the _____
day of _____, 20____, at _____ o'clock _____ M, and recorded in Book _____
of Plats and Maps, Page _____ Recording paid.

Clerk of Chancery

APPLICATION FORM
HOLLY SPRINGS PLANNING COMMISSION
HOLLY SPRINGS, MISSISSIPPI

APPLICATION FOR SUBDIVISION PLAT OR DEVELOPMENT APPROVAL

Name of Subdivision or Development _____

No. of Lots in Subdivision or Acres in Development: _____

Proposed Land Usage: _____

Zoning Classification of Said Property: _____

[Attested by City Building Officials]: _____

Name of Owner: _____

Name of Engineer: _____

Name of Applicant: _____

Tel. Number of Applicant: [Business] _____ [Home] _____

Date of Application: _____

Name and Address of Adjacent Land Owner: _____

Legal Description of Property is as follows:

As described and recorded in Book No. _____, Page No. _____, in the records of Marshall County, Mississippi. There are [are no] restrictive covenants or deed restrictions [which are attached]. Attached is a certified check in the amount of five [\$5.00] per lot plus a one hundred [\$100.00] filing fee made payable to the City of Holly Springs.

Signed: _____
[Name of Applicant]

APPLICATION FORM
HOLLY SPRINGS PLANNING COMMISSION
HOLLY SPRINGS, MISSISSIPPI

APPLICATION FOR SUBDIVISION PLAT OR DEVELOPMENT APPROVAL

Name of Subdivision or Development _____

No. of Lots in Subdivision or Acres in Development: _____

Proposed Land Usage: _____

Zoning Classification of Said Property: _____

[Attested by City Building Officials]: _____

Name of Owner: _____

Name of Engineer: _____

Name of Applicant: _____

Tel. Number of Applicant: [Business] _____ [Home] _____

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Signed: _____
[Name of Applicant]