

**ORDER: ADOPT ALL AMENDMENTS TO THE SUBDIVISION
REGULATIONS REGARDING BOND INFORMATION, MAIL
NOTIFICATIONS, CONSTRUCTION BOND INFORMATION,
SANITARY SEWER SYSTEMS AND CONSTRUCTION PLANS
AS OUTLINED IN THE ATTACHED DOCUMENTS**

Motion was made by Kevin Frye, duly seconded by Jeff Busby, to adopt all amendments to the subdivision regulations regarding bond information, mail notifications, construction bond information, sanitary sewer systems and construction plans as outlined in the attached documents.

The vote on the motion was as follows:

Supervisor Kevin Frye. voted yes
Supervisor Jeff Busby. voted yes
Supervisor David Rikard. voted yes
Supervisor Chad McLarty. voted yes
Supervisor Mike Roberts. voted yes

After the vote, President Busby, declared the motion carried, this the 3rd day of January, 2017.


Jeff Busby, President
Board of Supervisors


Sherry Wall, Chancery Clerk

ARTICLE I: GENERAL

SECTION 3: SCOPE

PARAGRAPH D:

Construction shall not commence for proposed development improvements including grading, drainage, streets, utilities or any other improvements until Preliminary Site Plan approval is granted by the Lafayette County Planning Commission and the Lafayette County Board of Supervisors or Preliminary Subdivision Plat approval is granted by the Lafayette County Planning Commission and the Lafayette County Board of Supervisors and recorded in the official minutes of each.

However if any person desires to grade and clear vegetation or trees without a site plan then a temporary permit may be issued by the County Planner based upon a review of and approval of an erosion control plan and an existing vegetation and tree plan that show retention of vegetation/trees along boundary lines, road frontage, creeks/rivers and major drainage ways, perimeter of retention shall be a minimum of 15 feet and within the retention area trees with diameter of 15 inches will be retained.

ADD CHANGES NOTED ABOVE AND ADDITIONAL WORDING AT THE END OF FIRST PARAGRAPH IN PARAGRAPH D:

Site plan approval shall also be contingent upon the provision of a restoration bond in an amount determined by the County Planner and in a form allowed by Article I, Section 4, Subsection 4 (Bond).

(See Restoration Bond requirements in Article III: Approval Process for Subdivisions, Section 2- Preliminary Application Review Procedure, Paragraph H)

*Ammed
except Article IV
Section 4*

ARTICLE III: APPROVAL PROCESS FOR SUBDIVISIONS

SECTION 1: PRE-APPLICATION REVIEW

PARAGRAPH E:

The Developer shall provide the names and addresses of all owners of all adjacent property to the county planning department. The developer shall notify those property owners by US Post Office certified mail, FedEx, UPS or other delivery carriers that require receipts to be signed by the recipient, dated no later than 10 days prior to the meeting, of the date of the Developer's appearance before the Planning Commission. Proof of notification shall be furnished to Lafayette County prior to the project being heard by the Lafayette County Planning Commission.

ADD CHANGES AS NOTED ABOVE

ARTICLE III: APPROVAL PROCESS FOR SUBDIVISIONS

SECTION 2: PRELIMINARY APPLICATION REVIEW PROCEDURE

PARAGRAPH H:

Preliminary approval of the development does not constitute any final approval, nor shall any documents (such as preliminary plat, site plan, or master document) be recorded in the Lafayette County Chancery Clerk's office. No lots or units shall be sold or recorded until Final Plat approval by the Board of Supervisors has been granted and any conditions thereof have been satisfied (See Section 3, below.) Preliminary approval of the development by the Planning Commission and the Lafayette County Board of Supervisors shall constitute authorization for the Developer to proceed with construction of the proposed improvements subject to inspection by the County Engineer and/or other designated representative of the County or agencies which have a lawful interest in the development. All construction shall be done in conformance with the approved formal documents.

MAKE CHANGES AS NOTED ABOVE AND ADD ADDITIONAL WORDING AT THE END OF PARAGRAPH H:

Before any construction can begin based on preliminary approval, a restoration bond **in an amount determined by the County Planner and in a form allowed by Article I, Section 4, Subsection 4 (Bond)**, approved by the County Engineer **and the Lafayette County Board of Supervisors** shall be received and filed with the Lafayette County **Administrator**. The minimum amount of this bond will be the cost as submitted by the Developer's Engineer plus 15% for restoration of the site that was disturbed by permanently installing and maintaining grassing, sodding, rip rap or other erosion control items to secure the site from future erosion. The methods used shall also comply with any MS Dept. of Environmental Quality requirements that may apply to the site and approved by the County Engineer. This restoration bond will remain in place until all the disturbed area is permanently settled from future erosion. This restoration bond may be released once all erosion control improvements are in place and approved for final acceptance by the Lafayette County Board of Supervisors.

ARTICLE V: MINIMUM REQUIRED SUBDIVISION IMPROVEMENTS

SECTION 5: SANITARY SEWER SYSTEMS

PARAGRAPH B:

B. The treatment and collection facilities shall be designed in accordance with rules, regulations, guidelines and standards of the MS Dept. of Health and the MS Dept. of Environmental Quality.

ADD ADDITIONAL WORDING AT THE END OF PARAGRAPH B:

The developer may submit his project for review and consideration but must show evidence that the proposed sanitary sewer treatment and collection facilities plans have been designed in accordance with the sanitary sewer supplier and the MS Dept. of Health and/or Ms. Dept. of Environmental Quality. The developer must provide a will serve letter from the sanitary sewer supplier stating the design criteria to serve the development. If there is not a sanitary sewer supplier to serve the development, the Developer's Engineer shall be responsible for designing and submitting plans for approval for an adequate sanitary sewer treatment and collection system, if required, to the applicable State agencies for approval. Provided that the above requirements have been satisfied, the developer may request Preliminary and/or Final approval to the Lafayette County Planning Commission. The Lafayette County Planning Commission may, in its discretion, approve Preliminary and/or Final approval based on the information provided. Final plat approval requests may not be submitted for approval to the Lafayette County Board of Supervisors until written approval by the MS Dept. of Health or MS Dept. of Environmental Quality, if required, has been received. For permission to begin construction see ARTICLE 1: GENERAL, SECTION 3, SCOPE, PARAGRAPH D AND ARTICLE III: APPROVAL PROCESS FOR SUBDIVISION, SECTION 2, PRELIMINARY APPLICATIONS REVIEW PROCEDURE, PARAGRAPH H.

ARTICLE V: MINIMUM REQUIRED SUBDIVISION IMPROVEMENTS

SECTION 9: APPROVAL OF CONSTRUCTION PLANS

PARAGRAPH C:

If the County Engineer shall find the Preliminary Plat and supporting documents to be in accordance with applicable policies and standards of the County and if a bond in an amount determined by the County Planner and in a form allowed by Article I, Section 4, Subsection 4 (Bond) is required, he shall authorize construction of site and infrastructure improvements as required in ARTICLE III: Approval Procedure for Subdivisions, Section 2: Preliminary Application Review Procedure, Paragraph H.

ARTICLE II: APPROVAL PROCESS FOR CONDOMINIUMS, APARTMENTS AND COMMERCIAL COMPLEXES

SECTION 1: PRELIMINARY SITE PLAN REVIEW

PARAGRAPH F:

The developer shall consult with other agencies having an interest in the development such as the County Health Department, environmental regulatory agencies, county fire department, and all utility providers to determine the availability of services and compliance with regulations of those agencies.

ADD ADDITIONAL SENTENCE AT THE END OF PARAGRAPH F:

For the purpose of water and sanitary sewer utility approval and construction for such developments shall be classified as a subdivision of land. Therefore, the Developer shall meet all requirements according to the applicable design and construction requirements contained within the Lafayette County Subdivision Regulations (Article V).

SECTION 2: FINAL SITE PLAN REVIEW

PARAGRAPH E:

Site Plan review is required for approval by the Planning Commission and Board of Supervisors on all condominiums, apartments, Mobile Home Development, Motels, Hotels, Churches, Recreational Vehicle Developments or commercial subdivisions and complexes. For the purpose of road construction such developments shall be classified as a subdivision of land. Therefore, the Developer shall construct all proposed streets, driveways and parking lots for customer service according to the applicable design and construction requirements contained within the Lafayette County Subdivision Regulations (Article III (sections 2 and 3), IV and V) regardless of whether the streets are to be private or public. If the Developer intends for the streets to be public, then dedication of appropriate right-of-way and/or easement will be required.

ADD ADDITIONAL SENTENCE AT THE END OF PARAGRAPH E:

For the purpose of water and sanitary sewer utility approval and construction for such developments shall be classified as a subdivision of land. Therefore, the Developer shall meet all requirements according to the applicable design and construction requirements contained within the Lafayette County Subdivision Regulations (Article V).