

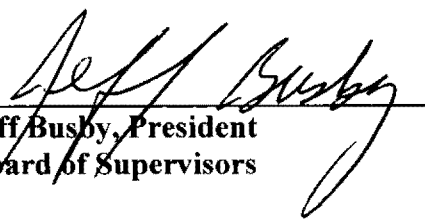
ORDER: AUTHORIZE CHANGES TO SUBDIVISION REGULATIONS AS LISTED IN THE ATTACHED DOCUMENTS

Motion was made by Kevin Frye, duly seconded by Chad McLarty, to authorize changes to Subdivision Regulations as listed 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 18th day of January, 2018.



Jeff Busby, President
Board of Supervisors



Sherry Wall, Chancery Clerk

**LAFAYETTE COUNTY
LAND DEVELOPMENT
STANDARDS AND REGULATIONS**

(Revision 2018)

TABLE OF CONTENTS

ARTICLE I: GENERAL	<u>PAGE</u>
SECTION 1 – Title	6
SECTION 2 – Purpose	6
SECTION 3 – Scope	6
SECTION 4 – Definitions	7
 ARTICLE II: APPROVAL PROCESS FOR CONDOMINIUMS, APARTMENTS, AND COMMERCIAL COMPLEXES	
SECTION 1 – Preliminary Site Plan Review	11
SECTION 2 – Final Site Plan Review	12
SECTION 3 – Appeal Procedure	14
SECTION 4 – Building Permits	14
SECTION 5 – Building Codes	15
 ARTICLE III: APPROVAL PROCESS FOR SUBDIVISIONS	
SECTION 1 – Pre-application Review	16
SECTION 2 – Preliminary Plat Application Review Procedure	17
SECTION 3 – Final Approval	19
SECTION 4 – Final Plat Recording Procedure	21
SECTION 5 – Acceptance of Roads	22
SECTION 6 – Appeal Procedure	23
SECTION 7 – Building Permits	23
SECTION 8 – Building Codes	24
 ARTICLE IIIA: APPROVAL PROCESS FOR MANUFACTURED HOUSING DEVELOPMENTS	
SECTION 1 – Manufactured Housing Development	25
SECTION 2 – General Provisions	27
SECTION 3 – Application Requirements	27
 ARTICLE IIIB: RECREATIONAL VEHICLE DEVELOPMENTS	
SECTION 1 – Location and Fencing	29
SECTION 2 – Size and Density	29
SECTION 3 – Size of Individual Sites; Pad Requirements And Landscaping	29
SECTION 4 – Street Access; Street Lighting	29
SECTION 5 – Required Facilities	30
SECTION 6 – Soil and Ground Cover	30
SECTION 7 – Prohibited Placement of Recreational Vehicle	30
SECTION 8 – Drainage and Road Construction	30
SECTION 9 – Water Supply	30
SECTION 10 – Wastewater Facilities	30
SECTION 11 – Sanitary Facilities	31
SECTION 12 – Storage, Collection and Disposal of Refuse and Garbage	31
SECTION 13 – Accessory Structures	32

SECTION 14 –Control of Insects, Rodents and other Pests	32
SECTION 15 –Fire Safety Standards; Fire Hydrants	32
SECTION 16 –Change of Ownership of Grandfathered RV Development	32

ARTICLE IV: DESIGN STANDARDS FOR SUBDIVISIONS

SECTION 1 – Streets and Roadways	33
SECTION 2 – Easements	35
SECTION 3 – Blocks	35
SECTION 4 – Alleys	35
SECTION 5 – Lots	36

ARTICLE V: MINIMUM REQUIRED SUBDIVISION IMPROVEMENTS

SECTION 1 – Improvements in Subdivision	37
SECTION 2 – Monuments	37
SECTION 3 – Streets	38
SECTION 4 – Water System	39
SECTION 5 – Sanitary Sewers	40
SECTION 6 – Storm Water Drainage	41
SECTION 7 – General Grading	42
SECTION 8 – Erosion and Sediment Control	43
SECTION 9 – Approval of Construction Plans	44

ARTICLE VI: REVISION OF RECORDED PLATS PAGE

SECTION 1 – Errors	45
SECTION 2 – Revision of Plats	45
SECTION 3 –Vacation of Plats	45

ARTICLE VII: OTHER PROVISIONS

SECTION 1 – Fees	46
SECTION 2 – Variances	46
SECTION 3 – Enforcement and Penalties	47
SECTION 4 – Contractor License	47
SECTION 5 – Amendments	47
SECTION 6 – Validity	47
SECTION 7 – Repeal of Conflicting Ordinances	47
SECTION 8 – Effective Date	47

APPENDICES

APPENDIX 1A – Declaration to Accompany Application	49
APPENDIX 1B – Commercial Application Form	50
APPENDIX 1C – Subdivision Application Form	51
APPENDIX 2 – Pre-Application Checklist for Subdivision Pre-Application	52
APPENDIX 3 – Preliminary Plat Approval Checklist	53
APPENDIX 4 – Required Sheets for Construction Plans	54
APPENDIX 5 – Final Plat Approval Checklist	55

APPENDIX 6 – Schedule of Fees	56
APPENDIX 7 – Bonding Agreement	57
APPENDIX 8 – Gated Community Permit	58
APPENDIX 9 – Covenants for Assessments and Maintenance	59
APPENDIX 10 – Enforcement Protocol	62
APPENDIX 11 – Revision History	63
APPENDIX 12 – Compliance with Flood Damage Prevention Ordinance	64

Changes to Article I

ARTICLE I: GENERAL

SECTION 1 – TITLE:

This ordinance shall be known as the **Lafayette County** Land Development Standards and Regulations (Revision 2018) and may be so cited.

SECTION 2 – PURPOSE:

The purpose of this ordinance is to provide standard procedures for subdividing and/or developing land, whether or not public infrastructure is proposed, to provide for the proper coordination of new streets within subdivisions with other existing or planned streets and with other features of lots or tracts; to provide for requirements of preliminary and final plats and/or site plans; to provide for minimum standards of physical improvements in new developments; to provide for adequate open spaces for traffic, utilities, firefighting apparatus, recreation, light and air, and for the distribution of population and traffic, all of which are to improve the health, safety, and general welfare of the community.

SECTION 3 – SCOPE:

- A. It shall be unlawful for any person being the owner, agent, or person having control of any land within the unincorporated areas of Lafayette County, Mississippi to create a subdivision as defined in Article I, Section 4, or to cause to develop subdivisions; condominiums; apartment complexes; and office, commercial, retail, or industrial complexes (as defined in Section 4) in such manner as to create a connection to an existing public right-of-way without having followed the procedures established in these regulations.
- B. The conversion of existing apartments to condominiums or individually owned properties requires the approval of the Lafayette County Planning Commission and Board of Supervisors and the existing development shall be brought into compliance with these standards before individual units may be sold. This provision applies whether or not the units are owner occupied.
- C. Any area hereafter annexed to a town or incorporated as a city or town, immediately upon annexation or incorporation shall be no longer subject to the Lafayette County Subdivision Regulations, but shall conform to the subdivision regulations adopted by the city or town.
- 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 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. 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)

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 shows 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.

- E. No lots or units shall be sold until compliance with these regulations has been achieved and Final Plat approval granted by the Lafayette County Planning Commission and the Lafayette County Board of Supervisors and recorded in the minutes of each and the plat has been lawfully recorded by the Chancery Clerk.

- F. The Lafayette County Board of Supervisors will withhold approval of improvements, of any nature whatsoever, including the acceptance and maintenance of streets or roads, until approval of the subdivision development has been recommended by the Lafayette County Planning Commission, approved by the Lafayette County Board of Supervisors and any required documents (such as a plat or condominium master document) have been properly signed and lawfully recorded in the Chancery Clerk's office. Streets or roads must pass final inspection by the County Engineer and County Road Manager and approval must be given by the Lafayette County Board of Supervisors for the county to accept and maintain streets or roads.
- G. No building permit or address shall be issued for any parcel or plat of land created by Site Plan or subdivision after the effective date of, and not in substantial conformity with, the provisions of these Lafayette County Subdivision Regulations (Revised 2006)., and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with these regulations.
- H. All residential developments shall provide declarations, restrictions, and covenants that set forth the Developer's legally binding commitments concerning the type of development to be built and include provisions for maintenance of common areas during construction of the development and after the development is completed. These documents shall set forth how the Developer conveys the responsibility for common areas to individual homeowners and prescribe the financial means for supporting future upkeep of all areas of collective benefit. The document creating and establishing such covenants and a homeowners association shall include the provisions set forth in Appendix 9, hereto.
- I. It is not the intent of this ordinance to prohibit or in any way disadvantage individuals who wish to will or deed property to family members. Accordingly, any conveyance, by deed or will, of three or more lots within a single tract of land, each conveyance being between individuals within the first, second or third degree of relation (i.e. grantees who are related to the grantor/owner within the first, second or third degree, including children [and their descendants], spouse, brother and sister [and their descendants], father and mother, grandparent, and uncle and aunt) and with the intent that the grantees will develop each parcel for the exclusive use as the grantees homestead, is excepted from the definition of "subdivision." Development of any such parcel shall not "land lock" the remaining portion of the parcel and shall provide an easement to a county road right-of-way not less than 50 feet wide.

SECTION 4 – DEFINITIONS:

- A. For the purpose of interpreting this ordinance, certain words used herein are defined as follows.
1. **ALLEY**: A public or private right-of-way primarily designed to serve as a secondary access to the sides or rear of those properties for which principal frontage is on some other street; alleys are intended to provide access for refuse collection, loading/ unloading and for fire protection.
 2. **APARTMENT COMPLEX**: A structure of three (3) or more attached units consisting of non-owner occupied residential units on a parcel of land as such to require the construction of improvements such as streets, roads and utilities that will connect with existing streets, roads, and utilities. (See **RENTAL COMPLEX**)
 3. **AUTOMOBILE AND METAL SAVAGE**: A commercial venture which collects automobile parts and vehicles or other metal and/or recyclable materials and refuse items for salvage and/or sale, including junkyards.
 4. **BEDROOM**: A single room dedicated as a sleeping quarter and featuring two points of access, including a door, and a window with a view to outside the unit, a minimum square footage of 131 square feet, adequate ventilation, a closet and access to a bathroom without having to enter through another bedroom.
 5. **BOARD**: The Lafayette County Board of Supervisors.
 6. **BOND**: Guarantee which secures installation of improvements in the event a Developer defaults on required improvements. An acceptable bond shall include any one of the following: a surety bond from a company licensed to do business in the State of Mississippi; a cashier's check, assignment of certificates of deposit, or an irrevocable letter of credit from a bank licensed to do business in the State of Mississippi, as determined by the Board of Supervisors.

7. **BUILDING CODES**: Will be known as the Building Codes adopted by the Lafayette County Board of Supervisors, and these codes shall apply to all new construction in Subdivisions and to Commercial Developments.
8. **BUILDING LINE**: A line shown on the plat beyond which structure must be set back from the street or road right-of-way line upon which the property abuts.
9. **BUSINESS**: An operation, enterprise or entity offering services and/or products for sale or for the exchange of consideration as a means or livelihood or gain.
10. **COMMERCIAL**: Of or pertaining to a trade or commerce in general.
11. **COMMERCIAL COMPLEX**: The development of a parcel of land proposing a use for business, retail, office, professional services, and/or industrial uses.
12. **COMMERCIAL ESTABLISHMENT**: A place where commodities, products or services are exchanged or offered for purchase, bartered, bought or sold.
13. **COMMERCIAL STRUCTURE**: A structure containing in whole or in part multi-unit apartments, condominiums, a business, church, office, or manufacturing facility. Agricultural buildings and private residences, within this standard, are not considered to be commercial structures.
14. **COMMERCIAL SUBDIVISION**: The proposed subdivision of land into 3 or more parcels or lots for the intent of commercial activities and must follow the regulations for a residential subdivision in the Lafayette County Subdivision Regulations under Article III and Article IV.
15. **CONDITIONAL**: Granted or made contingent upon satisfying certain declared provisions set forth in this ordinance.
16. **CONDOMINIUM**: A condominium is that form of ownership of property under which units of improvements are subject to ownership by different owners and there is appurtenant to each unit as part thereof an undivided share of all real estate and designated common improvements.
 - a. **CONDOMINIUM UNIT** means the elements of a condominium which are not owned in common with the owners of other condominiums in the project.
 - b. **CONDOMINIUM PROJECT** means the entire parcel of real property divided, or to be divided into condominiums, including all structures therein.
17. **CONSTRUCTION**: Unless otherwise specified herein, construction shall mean any change in the original physical condition of any area within the proposed project site as depicted in the Site Plan or Preliminary Plat.
18. **COUNTY ENGINEER**: See ENGINEER.
19. **COUNTY PLANNER**: An individual appointed by the Board of Supervisors to administer the requirements of the Lafayette County Subdivision Regulations (Revised 2006).
20. **CUL-DE-SAC**: A permanent dead-end street, cove, or court culminated by a turnaround.
21. **DEVELOPER**: Any person, individual, firm, partnership, association, corporation, trust, or any other group or combination acting as a unit, who undertakes the subdivision and development of land as defined herein. DEVELOPER may include owner or builder even though the persons and their interest may vary at different project stages. Developer shall also include any successor in interest to the original Developer as to the ownership of the Development roads, common areas and unsold lots prior to the completion of the roads and common areas in accordance with the applicable specifications. Note: Wherever the term DEVELOPER appears herein, the Developer's legally appointed agent may be substituted. See also SUBDIVIDER.
22. **DEVELOPER'S ENGINEER**: See ENGINEER.
23. **DEVELOPMENT**: The improvement or use of land for purposes and activities governed by the Lafayette County Zoning Ordinance, including, but not limited to, residential, commercial, industrial and/or manufacturing activities and uses.
24. **EASEMENT**: A grant by the property owner to the public, a corporation or persons for the use of a strip of land for specific purposes.
25. **UTILITY**: An easement reserving space for utilities.
26. **ACCESS**: For purpose of this ordinance a private way which is permanently reserved as the principal means of vehicular or other access to abutting property, and the terms of use of which are of public record.
27. **ENGINEER**:
 - a. **COUNTY ENGINEER**: The Engineer appointed by the Board of Supervisors to act as Consultant to the Board of Supervisors and to the Lafayette County Planning Commission.

The Engineer shall be registered as a Professional Engineer in the State of Mississippi by the State Board of Registration for Professional Engineers and Land Surveyors.

- b. **DEVELOPER'S ENGINEER:** The Engineer hired by the Developer to lay out the subdivision plat and design improvements. The Engineer shall be registered as a Professional Engineer in the State of Mississippi by the State Board of Registration for Professional Engineers and Land Surveyors.
21. **LOT:** A contiguous piece of land at least sufficient size to meet the minimum requirements for use, coverage, and area and to provide such yards and other open spaces as specified in the Zoning Ordinance of Lafayette County, Mississippi.
22. **MANUFACTURED HOME DEVELOPMENTS:** (also known as Mobile Home Developments) – A parcel of land either (1) under a single ownership to be used to locate three or more manufactured homes for lease or rental as residential dwellings or (2) subdivided into three or more lots for sale with the intent to locate manufactured and modular homes. Manufactured Housing Developments will comply with the development standards set forth in the Zoning Ordinance as well as regulations governing subdivisions in Article III and, in addition, will comply with the density and other design requirements particularly applicable to manufactured housing developments set forth in Article III and Article IIIA.
23. **MODULAR HOME:** Factory assembled movable dwelling, other than a single-wide or double-wide manufactured home, designed and constructed by components to be transported by flatbed truck, built with a pitched, shingled roof, intended for permanent occupancy, with the necessary service connection for required utilities. Dwelling shall be certified by its manufacturer as being constructed in accordance with nationally recognized building code such as the International Building Code.
24. **MOTEL AND HOTEL:** A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which at least a portion of the rooms are directly accessible from a public or private right-of-way, from a parking lot for a space or from the exterior of the building. As such, it is open to the public in contradiction to a boarding house or apartment.
25. **PARCEL:** A contiguous quantity of land recorded as property owned by an individual or entity, often synonymous with "lot."
26. **PLANNING COMMISSION:** The Lafayette County Planning Commission, appointed by the Board of Supervisors.
27. **PLANS:** All drawings, including cross sections, profiles with working details and specifications, which the Developer prepares to show the type, character, extent, and details of the improvements required under this ordinance.
28. **PLAT:** A map or drawings showing the lot and street arrangements or other features or details of the area being developed.
 - a. **PRELIMINARY PLAT:** A plat conforming to the requirements of Article III, Section 2 hereof for preliminary approval.
 - b. **FINAL PLAT:** conforming to the requirements of Article III, Section 3 for final approval and recording in the Office of the Chancery Clerk.
25. **PRIVATE ROAD:** A facility primarily used for vehicular access to more than one lot owned and maintained by a private entity.
26. **PUBLIC ROAD:** A publicly traveled road on the official maintenance plan of the State, County, or City.
27. **RECREATIONAL VEHICLE DEVELOPMENT OR RV DEVELOPMENT:** Any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as living or sleeping quarters by the day, week, or month, if a charge is made. A recreational vehicle development is a unified development of recreational vehicle spaces provided for recreational vehicle use with or without community facilities and permitted buildings.
28. **RECREATIONAL VEHICLE OR RV:** Any licensed camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile and/or towable by motor vehicle.
29. **RIGHT-OF-WAY:** The entire strip of land lying between property lines bordering a street or alley.

30. **RENTAL COMPLEX:** Multiple structures (three or more) consisting of non-owner occupied residential units, to include mobile homes, on a parcel of land as such to require the construction of improvements such as streets, roads, and utilities that will connect to existing streets, roads, and utilities. (See APARTMENT COMPLEX.)
31. **RE-SUBDIVISION:** The re-subdivision of any part of all of any block or blocks of a previously platted subdivision, addition, lot or tract.
32. **SHALL** to be interpreted in its mandatory sense.
33. **SITE PLAN:** A drawing indicating the location of existing and proposed buildings or other structures, and, where required by this Ordinance, landscaping and planting screens and points of access/egress and driveways on a single lot. A "site plan" differs from a "subdivision plat" in that a subdivision plat reflects certain required information for three or more lots.
34. **STREET:** A way for vehicular traffic, whether designated a street, highway, thoroughfare, parkway, throughway road, roadway, avenue, boulevard, land, place, or however otherwise designated.
35. **SUBDIVIDER:** See DEVELOPER.
36. **SUBDIVISION:** The development of a tract or parcel of land into a division of three (3) or more parcels or lots, for the purpose of transfer of ownership and subsequent structure construction of any size or nature on the lots, whether or not roads or utilities are involved, and regardless of whether all proposed lots front an existing public road. Except if Residential lots are 10 acres or larger and will have frontage on an existing County Road or an approved existing Private Road, then Subdivision Regulations would not apply. Every two years from date of the deed of the last parcel sold two (2) more parcels may be subdivided; however, each lot not on a County Road must have access to a County Road or an approved Private Road. If a new road is built, the Subdivision Regulations must be followed.
37. **SUBDIVISION LOT:** A distinct parcel of land depicted in a subdivision plat restricted to the placement of a single residential dwelling structure.
SUBDIVISION: The development of a tract or parcel of land into a division of three (3) or more parcels or lots, for the purpose of transfer of ownership and subsequent structure construction of any size or nature on the lots, whether or not roads or utilities are involved, and regardless of whether all proposed lots front an existing public road. Except if Residential lots are 10 acres or larger and will have frontage on an existing County Road or an approved existing Private Road, then Land Development Standards and Regulations would not apply. Residential subdivisions shall consist of one dwelling per lot.
Every two years from the date of the deed of the last parcel sold two (2) more parcels may be subdivided; however, each lot thereafter must meet minimum lot size requirements for the zoning district in which it is located and each lot not on a County Road must have access to a County Road or an approved Private Road. If a new road is built, the Subdivision Regulations must be followed.
38. **TEMPORARY TURN AROUND:** A temporary dead-end street, cove, or court culminated by an all-weather surface turnaround intended to be extended in the future. The temporary turn around shall be terminated by the Owner once the subdivision main road is extended. If the main road is not extended by a future phase within 1 year of the final acceptance of the adjoining phase, the Owner shall construct a permanent cul-de-sac (turn around) on right-of-way dedicated to Lafayette County. If the temporary turnaround is not abandoned, the Board of Supervisors reserves the right to construct a permanent turn around with funds from the Owner's maintenance bond.

Changes to Article II

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

SECTION 1 –Preliminary Site Plan Review

- A. The Developer applicant shall file with the County Planning Office his declaration and application (Appendices 1A and 1B) for development approval. The request to be placed on the Planning Commission agenda shall be filed no later than the first day of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first day falls on a holiday or weekend, the filing deadline is extended to the next business day. The applicant shall submit to the Planning Commission through the County Planning Office a conceptual drawing, or sketch plat, showing the boundaries of the proposed development, its relationship to surrounding properties, natural features on the site and surrounding area, and the proposed street and lot pattern, and the proposed types of land uses planned. The sketch may also include topography. The conceptual drawing shall illustrate the entire proposed development and illustrate all phases of the development. The applicant must state his intentions regarding development or improvement of private or public roads.
- B. All Condominium and/or Apartment Complexes for residential development shall conform to the Zoning Ordinance Density Regulation.
1. Each unit within a development is limited to a maximum of (4) bedrooms per unit.
 2. Residential developments for condominiums and/or apartment complexes shall also provide open space according to the Lafayette County Zoning Ordinance. All open space shall be maintained and owned by the Home Owners or Condominium Association and shall be noted on the Final Plat.
- C. Within two weeks of receiving application for site plan approval, the County Planning Department will place a conspicuous sign in a clearly visible spot on or near the property to be developed that will declare the date and time upon which the Developer will appear before the Planning Commission.
- D. The applicant shall also provide information concerning property maintenance responsibilities through restrictions, covenants, condominium association, etc. The purpose of this step is to provide the Developer the opportunity to consult early and informally with the Planning Staff and Planning Commission before preparation of a Final Site Plan and to make the Planning Staff and the Developer aware of potential problems involving the proposed development. After review by the planning staff, the Developer must meet with the Planning Commission to discuss in detail the proposal.
- E. The Developer shall conduct a traffic impact study and provide a report to the Planning Department for residential developments having more than 50 units.
- 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. 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).
- G. Setbacks, landscape buffers and screening requirements must follow the zoning regulations in which district the property is located.

- H. 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 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.
- I. The Developer shall obtain a Letter of Zoning Verification from the Zoning Administrator.

SECTION 2 – Final Site Plan Review

- A. After the Preliminary Site Plan review process has been completed, applications for Final Site Plan Review for condominiums, apartments, or commercial complexes must be filed no later than the first day of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first day falls on a holiday or weekend, the filing deadline is extended to the next business day.
- B. If the Developer applicant decides to combine Preliminary and Final Site Plan Review, then all applicable provisions of Article II Section 1 must still be satisfied.
- C. The Developer shall submit to the Planning Department no later than the deadline in Article II, Section 2, Paragraph A:
 - 1. Application form (Appendix 1B),
 - 2. Filing fee (See Article VII, Section 1), the fees established for Construction Inspection fees (erosion control compliance) in Article VII, Section 1.
 - 3. Seven (7) copies of the Project Site Plan, drawn to scale of 100 feet to the inch conforming to the requirements of Section 2-C,
 - 4. Two (2) copies of construction plans and technical specifications,
 - 5. Completed site plan approval checklist form (Appendix 2) and all supporting documents,
 - 6. Any variance requests, in written form only. (See Article VII, Section 2.)
- D. 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, Businesses, 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. 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 with the Lafayette County Subdivision Regulations (Article V).
- E. The Planning Commission will utilize the following review criteria in considering approval of the proposed Site Plan:
 - 1. The completed Site Plan Approval checklist (Appendix 2) and all supporting documentation shall be provided no later than the required deadline.
 - 2. Ingress/Egress considerations: Vehicle and pedestrian safety design, traffic flow and control, utility servicing, emergency access. Off-street parking spaces shall have unobstructed access to a public street or driveway and all driveways shall be of sufficient width to permit easy movement of vehicles into and out of such parking spaces. For developed housing units, parking must be provided in accordance to the zoning district in which the property is located.

3. Drainage considerations: The development shall not adversely affect neighboring properties or public storm drainage systems, should use sound engineering and ecological practices, and should mitigate flooding and erosion. The development should avoid generating odor and air pollutants at the development site. The development shall comply with the design standards in Article V, Section 6, Paragraphs A through I, and Article V, Section 8, Paragraphs A and B.
 4. Ownership and maintenance of common areas: Provisions must be made for control and maintenance of common properties and open spaces as proposed in development plans. Such provisions shall be in conformity to the provisions set forth in Appendix 9, hereto.
 5. Utilities: The provision of service utilities, whether public or private, must be illustrated and proper for the size of development, and meet required health and safety standards. This includes provision for all solid waste removal.
- F. Site Plan documents and other requirements for approval on CONDOMINIUM, APARTMENT, COMMERCIAL, OFFICE, RETAIL, and INDUSTRIAL complexes shall include the following as a minimum:
1. Graphic survey plot of the development boundary indicating the bearings and distances along the perimeter and the mathematical closure of the survey.
 2. Proposed rights-of-way to be dedicated to Lafayette County.
 3. Proposed easements (with location indicated by bearing and distances if not parallel to boundary lines) indicating width and purpose.
 4. Proposed structure locations with number of units per structure for assignment of E-911 addresses.
 5. Vicinity map at a minimum scale of one (1) inch equals one thousand (1,000) feet showing the location of the proposed development and names of adjoining street/roads.
 6. Location of points of ingress/egress that connect to existing public right-of-way with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and provision of adequate parking for residents and guests.
 7. Adjacent property boundaries with existing structures and any significant features located in relation to the development boundary.
 8. Watercourses and marshes shall be indicated with notation regarding Corps of Engineers jurisdictional determination under Section 404 of the Clean Water Act.
 9. The Developer's Engineer shall delineate any wetlands as defined by the U.S. Corps of Engineers that are within the platted area, and if so, the Developer will ensure that the development complies with all appropriate state or federal regulations pertaining thereto.
 10. Flood level information showing contours for the "100 Year Frequency Flood Elevations" and "Floodways" if any part of the proposed development lies within either. Site Plan must contain a statement that the 100-Year Flood Frequency Contour does not lie within the development boundary if not graphically indicated.
 11. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties.
 12. Location of existing and proposed utilities for the development along with the connection location with the utility provider.
 13. Letters of agreement to provide service from the appropriate utility provider(s).
 14. Title of the proposed development, graphic scale, and north arrow.
 15. Declarations, restrictions, and covenants that set forth the Developer's legally binding commitments concerning the type of development to be built and include provisions for maintenance of common areas during construction of the development by the Developer and after the development is completed by an owners' association. It shall set forth how the Developer conveys the responsibility for common areas and prescribe the financial means for supporting future upkeep of all areas of collective benefit.
 16. The Developer shall be responsible for cleaning up all construction related material on a daily basis at the project site and shall not permit waste materials, dirt and debris to be placed or remain in a public right-of-way. Violators of this requirement shall be prosecuted for placing obstruction on a public right-of-way and shall be required to pay for the costs of removal of such material if removed by the County.
 17. Vegetation and tree retention plan-Existing vegetation and trees should be shown on an aerial photo map(available from Lafayette County or Computer maps)Vegetation and trees to be

- retained along boundary lines, road frontage, creeks, rivers and major drainage ways should be so marked on aerial photo map. Vegetation and trees shall be retained where feasible.
18. **Setback and landscape** buffers and screening requirements must follow the zoning regulations in which district the property is located.
 19. **Cell Tower setbacks** shall be the height of the cell tower from all property lines.
 20. **Paving on Site Plan** – The right-of-way that provides the ingress and egress must be paved to the property line and if the property has a positive slope of 5% to the road or highway an additional 20 feet of the drive must be paved.
 21. **A Landscape plan must be provided for all site plans showing vegetation and open spaces.** Buffer area in the setback to adjoining property owners must have a detailed landscape plan and provide screening according to zoning district regulations. The Landscaping Plan shall include as a minimum the following:
 1. **Planting areas drawn to a scale and plants clearly located and labeled. A plant list shall include the following:**
 - i. **Common name of trees and shrubs to be used.**
 - ii. **Size to be planted (gallon size).**
 - iii. **Quantity of each.**
 2. **Location, name and size of all existing trees and shrubs that are to be incorporated as part of the landscape plan.**
 3. **Irrigation facilities are encouraged to maintain plant materials at all times. Use of automatic watering systems is encouraged to facilitate maintenance. Hose bibs shall be located within serviceable proximity to every planter where fixed and/or automatic water systems are not employed.**
 4. **A continuous maintenance program shall be provided by the developer for the landscape areas. The plan shall include repair or replacement as needed for the life of the development.**
 5. **All approved landscaping shall be installed or financial assurance provided to the County in an amount sufficient to fund the total cost of the required landscaping.**

SECTION 3 – APPEAL PROCEDURE

If the Planning Commission does not approve a site plan, the Developer may appeal to the Board of Supervisors. The Developer shall submit a written request for appeal to the Lafayette County Planning department no more than ten (10) working days after the adverse decision. The written request shall clearly explain the reason for the appeal and provide sufficient documentation to allow the Board of Supervisors to fully consider the merit of the appeal.

SECTION 4 – BUILDING PERMITS

- A. All Developers or Builders shall obtain a building permit from the County Planning Office for any new construction in the unincorporated areas of the county that lies within a Site Plan subject to the provisions of Article II. No Building Permit is required for agricultural buildings.
- B. In the interest of fire safety, Building Permits for hotels/motels, apartment complexes, and multi-unit condominiums shall only be issued for plans meeting the provisions of Article II, Section 2, and Paragraph D of this ordinance.

Changes to Article III

ARTICLE III: APPROVAL PROCESS FOR SUBDIVISIONS

SECTION 1 – PRE-APPLICATION REVIEW

- A. The Pre-Application Review step is optional, but strongly recommended. If the Developer elects to appear for a Pre-Application Review, the Developer applicant shall file with the County Planning Office his declaration and application (Appendices 1A and 1) for development approval. The request to be placed on the Planning Commission agenda shall be filed no later than the first day of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first day falls on a holiday or weekend, the filing deadline is extended to the next business day. The applicant shall submit to the Planning Commission through the County Planning Office a conceptual drawing, or sketch plat, showing the boundaries of the proposed development, its relationship to surrounding properties, natural features on the site and surrounding area, and the proposed streets and lot pattern, and the proposed types of land uses planned. The sketch must also include topography. The conceptual drawing shall illustrate the entire proposed development and illustrate all phases of the development. The applicant must state his intentions regarding development or improvement of private or public roads. The purpose of this step is to provide the Developer the opportunity to consult early and informally with the Planning Staff and Planning Commission before preparation of a site plan or preliminary plat and to make the Planning staff and the applicant aware of potential problems involving the proposed development. After review by the Planning Staff, the applicant must meet with the Planning Commission to discuss in detail the proposal.
- B. Within two weeks of receiving application for site plan approval, the County Planning Department will place a conspicuous sign in a clearly visible spot on or near the property to be developed that will declare the date and time upon which the Developer will appear before the Planning Commission.
- C. The condition of the county road system in the vicinity of the proposed subdivision will be subject to review by the County Engineer. The review may require a site inspection by the County Engineer, the Developer, and the Developer's agent. The Developer may be required to grant additional right-of-way and/or improve existing county roads connecting to or serving the proposed subdivision. Any such improvements shall be negotiated with the County Engineer, Road Manager, and County Supervisor for the District prior to the Preliminary Plat approval conference with the Planning Commission.
- D. The Developer shall consult with other agencies having an interest in the development--County Health Department, County Solid Waste Department, environmental regulatory agencies, and all utility providers--to determine the availability of services and compliance with regulations of those agencies.
- 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.
- F. Prior to the approval of the preliminary plat, the Developer and the financial institution providing financing for the general improvements within the Development shall enter into a Development Agreement with the County providing that the financial institution will be subject to any applicable bonds, letters of credit or other posted security, agree to provide all necessary financing for the completion of the Development improvements in accordance with the applicable County specifications, including road improvements and related infrastructure.

SECTION 2 – PRELIMINARY PLAT APPLICATION REVIEW PROCEDURE

- A. After the pre-application review has been completed, the application and the application fee for Preliminary Plat approval of subdivision must be filed no later than the first day of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first day falls on a holiday or weekend, the filing deadline is extended to the next business day.
- B. If the Developer applicant elects to skip the Pre-Application Review step, then all applicable provisions of Article III Section 1 must still be satisfied.
- C. The Developer shall submit to the Planning Department no later than the deadline in Article III, Section 2, Paragraph A:
 - 1. Application form (Appendix 1C),
 - 2. Filing fee (See Article VII, Section 1),
 - 3. Twelve (12) copies of the preliminary plat, drawn to scale of 100 feet to the inch conforming to the requirements of paragraph III.2.C,
 - 4. Two (2) copies of construction plans (see Appendix 4) and technical specification,
 - 5. Completed preliminary plat approval checklist form (Appendix 3) and supporting documents,
 - 6. Any variance requests, in written form only.
 - 7. The developer shall conduct a traffic impact study and provide a report to the Planning Department for a Subdivision having more than 50 lots.
 - 8. The Professional Surveyor or Engineer who prepared the subdivision plat or who represents the firm must be present at the Planning Commission Meeting.
- D. Preliminary plats shall be at a sufficient scale to allow the entire development (including all phases) to be shown on a "D" size plot (24" x 36"). Minimum data required for the preliminary plat and any accompanying documents should include the following.
 - 1. Boundary lines: Bearings and distances along perimeter boundary and lot lines and mathematical closure of survey.
 - 2. Proposed lot lines, lot numbers, and lot layout for the subdivision.
 - 3. Easements: Location, bearings and distances if not parallel with lot lines, width, and purpose.
 - 4. Streets: Location of all existing and proposed streets, alleys or access easements with dimensions, right-of-way widths and street names within the proposed subdivision and the names of adjoining street names or numbers.
 - 5. Vicinity map at a minimum scale of one (1) inch equals one thousand (1,000) feet showing location of the site for the proposed subdivision.
 - 6. Minimum building setback lines.
 - 7. Proposed use of all land in the subdivision including any reserved areas for parks, playgrounds or other public usage and the acreage.
 - 8. Watercourses and marshes shall be shown with notation regarding Corps of Engineers jurisdictional determination under Section 404 of the Clean Water Act.
 - 9. Existing houses and other significant features shall also be shown.
 - 10. Flood level information showing contours for "100 Year Frequency Flood Elevations" and "Floodways" if any part of the proposed subdivision lies within a flood plain. Plat must contain a statement that 100 year flood frequency contour is not involved with development. Information on Plat will adhere to Appendix 12 Flood Insurance Ordinance.
 - 11. Title under which proposed subdivision is to be recorded, with names and addresses of owners, notation stating acreage, graphic scale, north arrow (true north), mean sea level (msl) datum, benchmarks, and date of survey.
 - 12. The Developer's Engineer shall delineate any wetlands, as defined by the U.S. Corps of Engineers that are within the platted area and if so, the Developer will ensure that the development complies with all appropriate state or federal regulations pertaining thereto.
 - 13. Proposed utilities: Line sizes, approximate invert elevations (where approximate), and cross sections of principal drainage ditches.

SECTION 3 – FINAL APPROVAL

- A. After Preliminary Plat approval has been granted, twelve (12) copies of the proposed final plat must be filed no later than the first day of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first day falls on a holiday or weekend, the filing deadline is extended to the next business day.
- B. All documents and covenants submitted for final approval shall conform substantially to the documents given Preliminary Plat approval. If desired by the Developer, the proposed Final Plat may constitute only that portion ("phase") of the approved Preliminary Plat, which he proposes to record and develop at the time, provided that such portion conforms to all requirements of these regulations.
- C. The Developer shall also submit for review declarations, restrictions, and covenants that set forth the Developer's legally binding commitments concerning the type of development to be built and include provisions for maintenance of common areas during construction of the development by the Developer and, after the development is completed, by an owners association. It shall also set forth how the Developer conveys the responsibility for common areas and prescribe the financial means for supporting future upkeep of all areas of collective benefit. Such provisions shall be in conformity to the provisions set forth in Appendix 9, hereto.
- D. It shall be the duty of the Planning Commission to examine the Final Plat to be certain that it conforms to existing streets, drainage and utility systems and that all conditions set forth on the preliminary plat have been satisfied, including any conditions established by the Planning Commission. After review and approval of the Final Plat by the Planning Commission, the Plat shall be forwarded to the Board of Supervisors with a recommendation for approval.
- E. The Final Plat may be on several sheets accompanied by an index sheet showing the entire subdivision. The Final Plat shall be prepared at a scale of one (1) inch equals one hundred (100) feet and shall show the following:
 - 1. Primary control points, or descriptions and "ties" to such control points to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
 - 2. Monuments, tract boundary lines, right-of-way lines of streets and easements and property lines of residential lots and other sites. Sufficient data to determine readily and reproduce on the ground any line on the map, including accurate dimensions, bearings, deflection angles and radii, acres, and central angles of all curves.
 - 3. All data shown on the approved Preliminary Plat.
 - 4. Location and description of boundary monuments.
 - 5. Title, graphic scale, north arrow (true north) and date
 - 6. Declarations, restrictions, and covenants as required in Paragraph III.3.C.
 - 7. When covenants are not recorded on the final plat, the recording information showing book and page number(s) for Protective Covenants shall be shown on the Final Plat.
 - 8. If private roads are used in a subdivision a statement must be included on the final plat that states "All roads in this subdivision are private and will be maintained by the lot and homeowners of this subdivision. If at any time these roads are requested to be county roads they must be brought up to the county standards that are in place at the time of the request and paid for by the Owner. The roads would be inspected and if approved by County Engineer and Road Manager, then the request would be sent to the County Board of Supervisors for approval. This statement must also be included in all deeds for the sale of lots in the subdivision.
- F. In accordance with these regulations, the following Engineer's and Surveyor's Certificates shall be affixed to, sealed and attested to by the person or persons responsible for the design and surveying on the Final Plats:

bond applies have been satisfactorily completed. When the Developer's Engineer does not estimate the cost of improvements, the County Engineer shall determine the amount of the bond.

- b. The Developer may provide an irrevocable letter of credit (LOC) in lieu of a bond. In that event, the Developer shall make adequate arrangements to maintain the LOC until such time the County Engineer determines the infrastructure improvements have been satisfactorily completed within two years.
 - (1) In the event the LOC contains a date of expiration, the Developer shall provide a written and timely report to the Planning Commission on the status of all infrastructure improvements on or before ninety (90) days prior to the expiration of the LOC.
 - (2) If, in the opinion of the County Engineer, the Developer fails within said time period, to provide either: a). a renewal LOC or b). reasonable assurances that the infrastructure improvements will be timely and satisfactorily completed, the County Engineer will recommend that the County take all steps to call the LOC and require the payment of the funds secured by the LOC to the County which shall deposit the funds in an account as security for the satisfactory completion of all improvements by the developer.
 - c. All subdivision road improvements shall be completed with the final lift (for a minimum total thickness of three [3] inches of hot mix asphalt) within two years from the recording of the approved Final Plat.
 - d. All road bond amounts approved by the County Engineer shall automatically increase by five percent (5%) each year at time of renewal, beginning with the first bond renewal.
 - e. The Board of Supervisors reserves the right to allow the City of Oxford to bond and provide inspections on the construction of improvements within the utility service areas of the City of Oxford and waive such bonding to the County, except that the Board of Supervisors shall require warranty bonding on the streets proposed for acceptance by the County.
 - f. Developers shall submit a plan for a construction vehicle entrance to be used for all construction vehicle ingress in order that adjoining roads will not be damaged and/or the developer shall be required to post bond for potential damages to existing roads. In new subdivisions, where access to proposed lots is through an existing subdivision and where a new street or road is also proposed which connects the subdivision to an existing county road or state highway, the Developer shall utilize the new street or road connecting to the county road or state highway for all construction vehicles during the period of construction of all improvements within the subdivision. The Developer shall install and maintain signs at the connection point of any new street or road within the subdivision to existing streets or roads within any adjoining subdivision. Such signs shall read "ALL CONSTRUCTION VEHICLES MUST USE CONSTRUCTION ENTRANCE". A sign shall also be installed and maintained at the connection point of the subdivision with such county road or state highway which reads "CONSTRUCTION ENTRANCE". At the time of sale of any lot, the Developer shall notify the purchaser that all construction vehicles shall use the construction entrance for construction of any building within the subdivision. The Developer shall continue to maintain such signs and notify purchasers of the construction vehicle requirement until such time as 90% of the lots within the new subdivision are sold. Failure to comply shall result in suspension of building permits to either violator, the developer or the lot owner, and/or the requirement of additional road bonds on existing streets, roads, etc. other than construction of the new subdivision roads.
- 3. Street names and traffic signs to be installed prior to Final Plat Approval and verified by County Planner or County Engineer by signed statement.
- J. Prior to Final Plat approval and submission of any required bond, no lots shall be conveyed by the Developer and no building or related permits shall be issued.

SECTION 4: FINAL PLAT RECORDING PROCEDURE:

- A. Following the granting of final approval by the Planning Commission and the Board of Supervisors, the Developer shall submit to the County Planning Office an original copy of the approved Final Plat containing all of the necessary signature blocks, certificates, and seals as specified Article III, Section 3. F and G., along with any agreements, covenants, and bonds and an attorney's certificate

bond may be called upon by the Board of Supervisors if it is determined by the County Engineer that the repairs are considered significant or the total dollar aggregate for "minor" road repairs exceeds One Thousand Dollars (\$1,000) for the one year period.

SECTION 6 – APPEAL PROCEDURE

If the Planning Commission does not approve a preliminary or final plat, the Developer may appeal to the Board of Supervisors. The Developer shall submit a written request for appeal to the Lafayette County Planning department no more than ten (10) working days after the adverse decision. The written request shall clearly explain the reason for the appeal and provide sufficient documentation to allow the Board of Supervisors to fully consider the merit of the appeal.

SECTION 7 – BUILDING PERMITS

- A. All Developers or Builders shall obtain a building permit from the County Planning Office for any new construction in the unincorporated areas of the county which lies within platted subdivision subject to the provisions of Article III. No Building Permit is required for agricultural buildings.
- B. Building Permits for one and two family residential structures shall be issued only to Residential Contractors or Commercial Contractors licensed by the State of Mississippi and listed on the roster of the Mississippi Board of Contractors. (Note: Residential structures with three or more family units require a Commercial Contractor License. See Article II, Section 4, Paragraph B.)
- C. Plumbing and electrical subcontractors listed on the building permit application by the general contractor shall be licensed by any jurisdiction in the State of Mississippi. (Note: See Article VII, Section 4 for exception to the licensing requirement.)
- D. The Contractors/Developers/Builders shall have portable restroom facilities available at the job site prior to the Building Permit being issued.
- E. Hard-wired smoke alarms shall be installed in all residential units.
- F. House street numbers must be displayed to be visible from the road.
- G. Copy of Building Permit Work card must be displayed in front yard.
- H. Before the building permit can be issued and before building slab or conventional foundation is installed, setback lines must be staked by the developer/lot owner's engineer or surveyor for front, side and rear yards; right of way and property lines must be clearly identified. Once setbacks are staked, Lafayette County Planning office must be given significant notice and perform an inspection prior to slabs, foundation, etc. being installed. Planning Office Representative will leave an inspection report at the building site and furnish a copy to Lafayette County. Once the copy is received by Lafayette County, the developer can apply for a building permit. Failure to obtain an inspection could result in a citation or disciplinary action.
- I. Construction shall start with the pouring of footings within ninety (90) days from the date the permit is issued. A new permit must be applied for in the event construction is not commenced within ninety (90) days of the date of issuance.
- J. The Contractors/Developers/Builders shall have an appropriate sized dumpster on site prior to starting any framing.
- K. The Contractors/Developers/Builders shall be responsible for all erosion control on the building site including but not limited to installation and maintenance of all silt fence, wattles, rocked entrances and exits, check dams, detention ponds, and all other required Best Management Practices (BMP's). Also the Contractors/Developers/Builders shall keep the entrances, exits and the streets or roads free of mud and silt. Also, all Provisions of Article IV: Design Standards for

Changes to Article IIIA

ARTICLE IIIA: APPROVAL PROCESS FOR MANUFACTURED HOUSING DEVELOPMENTS

SECTION 1 - MANUFACTURED HOUSING DEVELOPMENT: Manufactured Housing Developments shall conform to the following minimum standards; however, the Review Authority may impose other and more restrictive requirements. All Manufactured Home Developments formally approved prior to the effective date of this Ordinance shall be considered grandfathered. However, if an existing Manufactured Home Development desires to add on or increase density, it shall comply to all ordinances and regulations as specified herein.

- A. **Minimum Lot Size:** All lots in a Manufactured Housing Development shall be a minimum of 1 acre
- Lot size is measured in reference to the area within which each dwelling unit is located and contiguous thereto. The plat or site plan submitted for approval shall depict a division of lots, each with the minimum dimensions, upon which each dwelling unit will be placed.
- Note: Additional acreage may be required by the Lafayette County or Mississippi State Health Department to accommodate sewage disposal.
- B. **Coverage:** The manufactured home and accessory structures shall not cover more than sixty-five (65) percent of the space area.
- C. **Minimum yards:** Minimum yard setbacks for individual spaces shall be thirty (30) feet on the front and ten (10) on the sides and rear. When a side or rear yard abuts a development property line, the zoning district setback, buffer zone, and screening regulations apply according to the zone in which the property is located.
- D. **Projection into yard:** the following structures may be erected or project into any required yard setback:
1. Eaves, stairways and awnings not to exceed one (1) foot.
 2. Landscape elements including trees, shrubs, and other plants, except hedges, provided that such landscape feature does not hinder the movement of the manufactured home in or out of its space.
 3. Manufactured home tongue or hitch.
 4. Necessary appurtenances for utility services.
- E. **Skirting:** Spaces beneath manufactured homes shall be enclosed with architecturally harmonizing skirts or by a combination of skirts, decks and grading with ventilation and access in accordance with Mississippi State law.
- F. **Height:**
1. Manufactured Homes: Twenty (20) feet; or
 2. Accessory use structures: Two (2) story or thirty (30) feet maximum, whichever is less.
- G. **Parking:**

1. Occupant Spaces: Two (2) parking spaces per dwelling unit, which may be tandem spaces.
 2. Visitor spaces: One (1) for each four (4) manufactured homes.
- H. Development setbacks, buffer zones, landscaping and screening requirements must comply with the zoning regulations of the district in which the property is located.
- I. Recreation Area:
1. Fifteen (15) percent of total park area or seven hundred (700) square feet per space, whichever is less shall be devoted to recreational areas and facilities, excluding any buffer requirements. Use of such facilities shall be limited to park residents. All recreational areas and facilities shall be completed prior to park occupancy; except as approved by the Planning Commission in a phasing program.
 2. No recreation area shall be less than three thousand (3,000) square feet in area and total recreation area for any park shall not be less than six thousand (6,000) square feet in area.
 3. For parks with children, a total of a minimum twelve hundred (1,200) square feet in area equipped with play apparatus shall be provided for each twenty-five (25) spaces and shall be credited to the area required under Subsection 1 above.
 4. All recreation areas shall be landscaped or planted in lawn and included in the landscape plan.
- J. Access:
1. All streets shall be designed in accordance with Article IV, Design Standards for Subdivisions and Article V.
 2. Street signs shall be provided for all public streets.
 3. Circulation: All manufactured home park developments shall complement adjoining, existing or contemplated vehicle circulation patterns. All manufactured home park developments may be required to dedicate land adjoining public roads to the County for road widening purposes. Improvements of the same to County standards may be required by the Planning Commission to offset the burden placed on the public by the generation of new traffic.
- K. Utilities: All utility distribution facilities shall comply with the requirements of this Subsection and shall make the necessary arrangements with each of the serving utilities for the installation of such facilities. Water and sewer distribution facilities shall be installed in conformance with applicable utility specifications. All manufactured home spaces must be served with water, sewer, and electricity, and comply with Local, County, State and Federal Requirements.
- L. Trash Storage: A centralized refuse and trash storage pad made of 6" concrete shall be provided and be readily accessible to all manufactured home spaces and County Waste management vehicles. Trash storage areas shall be concealed from any public and private street and enclosed by a six (6) foot solid wall of fence. Dumpster Pad requirements are at the Lafayette County Planner's office.
- M. Landscaping: The Landscaping Plan shall include as a minimum the following:

Changes to Article IIIB

ARTICLE IIIB: RECREATIONAL VEHICLE DEVELOPMENTS

RECREATIONAL VEHICLE DEVELOPMENTS: Recreational Vehicle Developments (RV Developments) shall conform to the following minimum standards:

A site development plan must be prepared and submitted in accordance with **ARTICLE II** and applicable sections of **ARTICLE III** and/or **ARTICLE IV**.

SECTION 1 – LOCATION AND FENCING:

An opaque fence at least eight (8) feet in height must be placed on the property line to buffer the RV Development from view. The fence shall be installed on both sides and at the rear of the property. Development setbacks, buffer zones, landscaping and screening requirements must comply with the zoning regulations of the district in which the property is located.

SECTION 2 – SIZE AND DENSITY:

Each RV Development must have a minimum size of two (2) acres, with a maximum of five (5) acres. The maximum site density for RV Developments shall be twenty (20) sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site.

SECTION 3 – SIZE OF INDIVIDUAL SITES; PAD REQUIREMENTS; LANDSCAPING:

- (a) Each recreational vehicle site within the RV Development shall have a minimum area of one thousand nine hundred fifty (1,905) square feet and shall be at least thirty (3) feet wide and sixty-five (65) feet in depth. The sites shall be designed as pull-through for ease of entering and leaving the site. A roadway is therefore required to the front and rear. In addition, the space shall be clearly marked identifying the space number.
- (b) The left 1/3 (10 x 65) of the site or driver's side must be planted with grass and other landscaping; the middle (10 x 65) must be paved with cement and the remaining 1/3 or passenger side can be paved with either cement, asphalt, crushed rock or similar material. The middle portion is to be used for the parking of the recreational vehicle with the paved area on the right used as a parking or patio area.

SECTION 4 – STREET ACCESS; STREET LIGHTING:

- (a) Each recreational vehicle site within the RV Development shall have access to an internal private roadway, which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least thirty (30) feet with an adequate curb radius. The major thoroughfare shall have a pavement width (concrete or asphalt) of twenty-four (24) feet in accordance with County standards, as per ARTICLE III, ARTICLE IV and ARTICLE V. The roadway may be fifteen (15) feet if the RV Development is designed for one-way roads. Each emergency access lane shall have a clear unobstructed width of twenty-four (24) feet; fifteen (15) feet if one-way and shall have a turning area and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles. Dead-end streets are not allowed. The internal streets off the major thoroughfare may be constructed with hot mix asphalt materials.

Changes to Article IV

- D. Dead-end alleys shall be avoided where possible, but if permitted, shall provide a turnaround having an outside roadway diameter of at least ninety (90) feet and a right-of-way diameter of at least one hundred (100) feet. The Planning Commission may require a larger turnaround when it is deemed necessary to provide adequate turnaround space.

SECTION 5 - LOTS

- A. All subdivisions shall be surveyed and laid out in such a manner that each and every lot intended for sale shall front a public thoroughfare or private road as defined in Article IV.
- B. Lots shall have minimum setbacks complying with zoning regulations of the district in which the property is located.

Changes to Article V

Road and bridge Construction, Section 403. The material and construction requirements shall conform to all applicable sections and subsections for surface course hot bituminous mix mixed in a central plant and placed hot, all according to the above mentioned specifications. One and one-half (1 ½) inches of surface course shall be installed upon approval of the base material by the County Engineer. The remaining one and one-half (1 ½) inches of surface course shall be installed no later than 2 years after the filing of the final plat, unless the Board in its discretion, agrees to extend the time for completion of the required improvements an additional one year period. Prior to the installation of final surface course, the initial surface course shall be inspected by the County Engineer and any defects in the surface course, base and/or subgrade shall be corrected by the subdivider.

SECTION 4 - WATER SYSTEM

- A. The developer or his engineer must provide evidence that the water supply and fire protection plans have been submitted to the Water Association, City or private supplier for review and approval. The developer may submit his project for review and consideration but must show evidence that the proposed water supply and fire protection plans have been approved by the water supplier's engineer and the Lafayette County Fire Department for submittal to the MS Department of Health. The developer can request Preliminary and Final approval of the development while plans are being reviewed by the Water Association, City or private supplier and the MS Department of Health. The Lafayette County Planning Commission may approve Preliminary and Final approval subject to the MS Department of Health's approval. However, final approval by the Lafayette County Board of Supervisors cannot be obtained until approval by the MS Department of Health has been received. The distribution and fire protection system shall be designed to furnish domestic water supply and fire protection to every lot in accordance with accepted design criteria. However, any water system that cannot provide the required water for fire protection requirements must notify the developer of the deficiencies and the reasons why an adequate supply cannot be furnished. The developer may submit and request an exception based on an alternative proposal but final approval with the exception must be recommended by the Lafayette County Planning Department, Lafayette County Fire Department and granted by the Lafayette County Board of Supervisors.
- B. In the event that the proposed subdivision is near or adjacent to an existing municipal water system, every effort shall be made by the Developer to connect the water system of the proposed subdivision with that of the municipality. If the proposed subdivision abuts any municipality or if the subdivision is to be connected to a municipal system, the water system within the subdivision shall conform to the specifications required by that municipality as if the subdivision were within the corporate limits of such municipality.
- C. If a water system serving the entire subdivision is constructed within subdivision, this system shall meet the minimum requirements of these regulations.
- D. Water mains shall not be located underneath the pavement, but shall be located a minimum of five (5) feet from the edge of the pavement in street right-of-way or utility easements. All water mains should be designed based on hydraulic analysis, using an appropriate friction coefficient, and taking into account reasonably anticipated future residential and/or commercial growth. The minimum main size should be as follows, regardless of the results of the hydraulic analysis:
1. For streets classified as arterial or collector streets an 8 inch minimum, or
 2. For streets classified as private local, local, cul-de-sac or alley an 8" minimum. However, a reduction in pipe size to 6 inch may be permitted provided minimum potable water pressure can be supplied according to state and International Building Code standards and fire flow requirements can be met in accordance with the International Code.
- E. The installation of the water system, including five fire hydrants, shall be subject to approval of the Governing Authority/ Utility Owner, Department of Public Health and Board of Supervisors.

- F. A minimum six (6) inch lead pipe will serve all fire hydrants. The six (6) inch fire hydrants shall have two, two and one-half (2 ½) and one, four and one-half (4 ½) discharges and shall be installed in all subdivisions and developments having public water supply. The fire hydrants shall be located not more than five hundred (500) feet, or as recommended by the Lafayette County Fire Department, as measured along a dedicated street from all lots in the subdivision or development.

SECTION 5 - SANITARY SEWER SYSTEM

- A. Centralized sewage collection and treatment facilities will be provided on all lots in all subdivisions except as hereafter provided, and shall conform to all applicable state and local laws, regulations and procedures.
- B. The treatment and collection facilities shall be designed in accordance with rules, regulations, guidelines and standards of the Mississippi Department of Health and the Mississippi Department of Environmental Quality.

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 I: GENREAL, SECTION 3, SCOPE, PARAGRAPH D AND ARTICLE III: APPROVAL PROCESS FOR SUBDIVISION, SECTION 2, PRELIMINARY APPLICATIONS REVIEW PROCEDURE, PARAGRAPH H.

- C. The Developer shall submit a letter from the Lafayette County or Mississippi State Health Department indicating approval of individual septic systems on a lot by lot basis. After installation of sewer treatment systems on individual lots a final inspection must be made by the Lafayette County or Mississippi State Health Department and certification provided to Lafayette County before the Final Plat can be filed.
- D. All subdivisions hereafter filed for record in the Office of the Chancery Clerk shall be approve only for use with central collection and/or treatment of sewage as approved by the Mississippi State or Lafayette County Health Department or the Mississippi State Department of Environmental Quality.

E. **Subdivision minimum lot size** - Lot sizes are determined by the Lafayette County Zoning Ordinance. Maximum density may only be achieved when Community/ Public water and Public Sewer is provided. In no case shall subdivision lots be smaller than the following criteria:

<u>Proposed Development with:</u>	<u>Minimum Lot Size:</u>
Individual wells and Septic Systems	30,000 sq. ft.
Community/Public Water and Septic System	20,000 sq. ft.

NOTE: Additional acreage may be required by the Lafayette County or Mississippi State Health

potential.

8. Whenever feasible, natural vegetation shall be retained and protected.
- B. Once the erosion control measures are in place, the developer, or the developer's contractor, shall call the County Engineer, or his representative, for a field inspection to verify the erosion control measures as proposed under the Storm Water Permit are in place. If the measures are determined to be in compliance, then and only then may the developer or the developer's contractor begin clearing and/or the earthwork operations. After the project has begun, the County Engineer or his representative will perform periodic inspections to check to make sure the erosion control measures are in place and functioning. If it is determined that the erosion control is not functioning properly, the County Engineer may require that all construction operations cease until the corrections are made. Compliance with this provision shall in no way relieve the developer, or the developer's contractor, from any requirement of the MDEQ Storm Water Permit or the MDEQ rules, regulations and procedures pertaining to erosion and sediment.

SECTION 9 - APPROVAL OF CONSTRUCTION PLANS

- A. The improvements specified herein shall be designated by and constructed under the observation of a Registered Professional Engineer retained by the Developer.
- B. In order to obtain approval for the construction of improvements in subdivision, the Developer shall submit construction plans as required in Article III, Section 2, showing the types of improvements contemplated. The construction plans, at a minimum, shall consist of:
 1. a cover sheet, index sheet, and quantity sheet,
 2. typical sections detailing roadway base and pavement structure,
 3. intersection details including paving, drainage plan and all details,
 4. erosion control plan,
 5. striping and sign plan,
 6. plan-profile sheets, and
 7. standard detailsDetail plans for water and sanitary sewer systems may be submitted with the roadway and drainage plans, or may be submitted separately. Plan and profile sheets for streets and gravity sewers should be drawn to a horizontal scale of one (1) inch equals fifty (50) feet and a vertical scale of one (1) inch equals five (5) feet and shall be based on U.S. Government mean sea level datum. Plans and specifications for the proposed water and sanitary sewer system shall be accompanied by written certification from the Mississippi Department of Health and the Mississippi Department of Environmental Quality that the proposed system and treatment facilities are in conformance with all applicable laws and regulations. Also, see Article V, Section 4 and Section 5 for water and sanitary sewer approval requirements.
- 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.
- D. All improvements must be inspected during the course of construction by the Developer's Engineer. The County Engineer may, at his discretion, review the Developer's Engineer's written reports during the period of construction.
- E. The Developer's Engineer shall ensure quality-assurance during each phase of construction. The Developer's Engineer shall provide proof of meeting specifications on street construction sub-grade, sub-base, base, and surface paving standards to the designated county official.

Changes to Article VII

ARTICLE VII: OTHER PROVISIONS

SECTION 1 - FEES

- A. For subdivision, condominiums, apartment, office, commercial or industrial complexes, the Developer shall pay to the Lafayette County General Fund a filing fee according to the schedule in Appendix 6 for application for site plan approval with the Lafayette County Planning Commission. Neither the Planning Commission nor the Board of Supervisors shall take any action on an application until the fee has been paid to the Lafayette County General Fund. This fee shall be charged on all site plans and preliminary plats, regardless of the actions taken, or whether the site plan or plat is approved or disapproved.
- B. Building Permits will only be issued once the application is completely and properly filled out and the required fee is paid to the Lafayette County General Fund according to the fee schedule in Appendix 6.
- C. Inspection fees to cover the County's professional services fee for inspection of construction of roads, utilities, erosion control, etc. are to be paid upon submission of the subdivision or site plan application according to the fee schedule in Appendix 6.

Construction Inspection Fees:

Site Plan Inspection:	
Sites 1 Acre or Less	\$100.00
Sites More Than 1 Acre, But Less Than 5 Acres	200.00
Sites 5 Acres or More	300.00
Subdivision Inspections:	
Subdivisions Less Than 10 Lots	150.00
Subdivisions More Than 10 Lots, But Less than 25 Lots	250.00
Subdivisions 25 Lots or More	500.00

SECTION 2 - VARIANCES

- A. Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such special variances will not have the effect of nullifying the intent and purpose of these regulations and will not conflict with the zoning ordinance. All variance requests must be presented to the County Planning Office in the form of a written letter stating the exact nature of the request and the specific reasons of justification for the requests. Also, all variance requests must be submitted along with the Preliminary Plat or Site Plan no later than the first day of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first day falls on a holiday or weekend, the filing deadline is extended to the next business day. Only formal written requests for variances submitted by the deadline will be considered and acted upon.
- B. In granting variances, the Planning Commission may require such conditions that are necessary, in their judgment, to secure substantially the objectives of the standards or requirements so varied or modified.
- C. If the Planning Commission does not approve a variance request, the Developer may appeal to the Board of Supervisors. The Developer shall submit a written request for appeal to the Lafayette

Changes to Appendix 6

**APPENDIX 6
SCHEDULE OF FEES**

Application for Site Plan Approval	
Base Fee	\$150
Additional fee per unit	\$5

Application for Subdivision Approval	
Base Fee	\$150
Additional fee per lot	\$5

Building Permits -	
Commercial Building – Based on valuation	
Apartment/Condominium Based on valuation	
Single Family Residence \$150 base fee + .30 per sq. ft.	
Two Family Residence Based on valuation	

Note: An additional fee of \$50 per site visit will be charged when re-inspection is required due to Builder's or Developer's fault.

Changes to Appendix 10

APPENDIX 10

ENFORCEMENT PROTOCOL

Potential violations of the Lafayette County Land Development Standards and Regulations (Revision 2006-2) fall into two broad categories. First, a property owner may cause to develop property without appearing before the Planning Commission and without complying fully with the Regulations. This would be considered a major violation of the Regulations. Second, in a development going through the approval process, a Developer or Builder may fail to comply with some specific provision or provisions of the Regulations. This would be considered a specific violation.

Alleged Major Violations

The Planning Commission and Board of Supervisors will execute the following progression of enforcement actions until such time that the issue of an alleged substantial violation of the Regulations is resolved.

- A. A County Code Official will issue a STOP WORK ORDER.
- B. The County Building Official notifies the alleged violator that he or she is required to appear for a hearing at the next Planning Commission meeting
- C. The County Planner notifies the Planning Commissioners during a regular Commission meeting and goes on the record about a suspected violation of the Land Development Standards and Regulations (Revision 9006-2).
- D. The Planning Commission votes to make a recommendation to the Board of Supervisors to issue a subpoena to the property owner to appear before the Board of Supervisors for a fact-finding hearing.
- E. The County Planner petitions the Board of Supervisors to issue a subpoena to the property owner to appear before the Board of Supervisors for a fact-finding hearing.
- F. The Board of Supervisors orders the County Attorney to begin enforcement proceedings in Chancery Court.

Specific Violations

In the event of an alleged violation to a specific provision of the Regulations, a County Code Official will issue a citation (affidavit) to the Developer or Builder. If the Developer or Builder wishes to contest the citation, he/she may appear before the Board of Supervisors.