

**SUBDIVISION REGULATIONS
OF
STONE COUNTY, MISSISSIPPI
2019**

BOARD OF SUPERVISORS

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STONE COUNTY SUBDIVISION REGULATIONS

WHEREAS, the statutes of the State of Mississippi, Sections 17-1-23 and 17-1-25 of the 1972 Mississippi Code empower Stone County to enact subdivision regulations and provide for their administration, enforcement and amendment; and,

WHEREAS, the Board of Supervisors deems it necessary for the purpose of promoting the health, safety and general welfare of Stone County to enact such regulations; and,

WHEREAS, the Board of Supervisors has prepared such regulations designed to set forth certain procedures and standards to be followed in the development or re-development of land subdivisions in the non-incorporate areas of Stone County to assure that development of the County is orderly, healthful, safe, efficient and economical; and,

WHEREAS, the Board amended said Order by Amendment order of the 30th day of December, 1983, and by Amendment order of the 8th day of January, 1985; and by Amendment order of the 7th day of September, 2004, and by Amendment order of the 4th of December, 2006, and by Amendment order of the 22nd day of November, 2010; and by Amendment order of the 7th day of October, 2019

IT IS, THEREFORE, ORDERED AND ADJUDGED by the Board of Supervisors of Stone County, Mississippi, that the attached “Stone County Subdivision Order – 1980 as amended” be and hereby is adopted this 7th day of October 2019.

IT IS FURTHER ORDERED AND ADJUDGED that all proper notice of this action has been previously given by publication in the Stone County Enterprise in the manner and for the time required by law as shown by sworn proof of publication thereof attached hereto and fully made a part of this Order. Accordingly, no further or other notice or publication is necessary.

SO ORDERED AND ADJUDGED this 7th day of October, 2019.

Stone County Board President

STONE COUNTY, MISSISSIPPI

SUBDIVISION ORDER – 2019

Section I. Definition and Procedure

- a. For the purpose of these regulations, a subdivision is defined as the voluntary division by a property owner, his heirs or assigns by whatever means, other than to effectuate partition of heir property, of land lying within the same, or contiguous, or adjacent tracts into(8) or more lots, tracts, sites, parcels or other divisions, for the purpose of the development of or transferring ownership of land used for commercial, industrial or residential purposes. Should the preliminary plat reveal the potential for more than 8 lots on the property in potential future phases then all lots shall be platted. A plat shall be recorded in the Chancery Clerks Office in the Stone County Courthouse for all subdivisions where lots are sold. For land or lots that are rented or leased for residential purposes, including but not limited to mobile or modular home parks and townhouse and apartment subdivisions, a plat is not required to be filed but the site plan must be approved and all other applicable sections of these regulations apply. For Commercial and Industrial developments, a plat is not required to be filed but the site plan must be approved and all other applicable sections of these regulations apply.

No part of such a lot, tract, site, parcel or other division, by whatever name, which is inundated by water, which lies within a public or private road right-of-way or which lies within frequently flooded areas may be included in calculating lot size to determine compliance with these regulations. The term “subdivision” also includes re-subdivision of existing subdivisions and the improvement of existing, platted or previously accepted roads and streets. The construction of new roads and streets that will be dedicated for public use and accepted by the county for maintenance after dedication, construction or improvement shall be subject to the standards of these regulations. If a subdivision is formed and the Developer chooses to keep the roads private, the roads shall be constructed the same as public roads defined in this order and a road maintenance agreement approved by the Board of Supervisors shall be recorded. Divisions of land for agricultural purposes shall be exempt from the requirements of these rules and regulations when such division does not involve the construction of any new public roads or streets or easements or access which is to be tendered to the county for maintenance.

Exception: When large tracts of land are divided into smaller tracts, none being less than eight (8) acres, and all having access to an existing public road no subdivision plat is required and said division is not subject to these regulations.

Type of Development	Number of lots or dwellings required to be subject to these regulations
Residential lots for sale	8
Mobile home or modular home parks	4
RV parks	4
Townhouse and apartments rented or leased	4
Industrial/Commercial developments	1

- b.
 - (i) If adequate community water and sewerage systems are provided and a storm sewer system is provided, then the minimum lot size is 7,500 square feet and the minimum lot width may be 60 feet. No

wetland, frequently flooded areas or road right-of-way areas may be considered in the minimum lot size calculations. The purpose of this exception is to promote Smart Growth Concepts in land development and as such, the following items must be provided at a minimum. All other sections in these regulations shall apply as well, if not specifically mentioned below.

- A. Underground power
- B. Street lamps
- C. Concrete curbing and guttering (28' minimum outside curb to outside curb).
- D. Storm Drainage system
- E. Concrete sidewalks (minimum 4' wide). May be constructed by homeowners when house is constructed but remains obligation of the developer.
- F. Landscape plan addressed in protective covenants.
- G. A minimum of 5% of upland green space* shall be reserved per phase in a well distributed and proportional manner so that each neighborhood may benefit.
- H. Fire protection in accordance with the Stone County Utility Authority's regulations.
- I. Water, Sewer and Storm Water plans must be approved by the Stone County Utility Authority and the appropriate State Agencies prior to approval from the Board of Supervisors.
 - * upland green space is non-wetland areas reserved for buffer, open space, parks, etc. The home owners associations are to maintain these areas in accordance with the protective covenants.
- J. Minimum Building Setbacks (measured at front setback line)
 - Front = 25
 - Side = 7 ½
 - Rear = 15

(ii.) If public or adequate community water and sewerage systems are available and approved by the appropriate state agency, then the minimum lot size is 10,000 square feet with the minimum lot width being 80 feet. For cul-de-sacs, flag lots, and or other situations where the shape of the lot is not rectangular due to the natural features of the landscape, the required 80 feet lot width must be provided at the most practical home site and the minimum road frontage may be 35 feet. No wetland, frequently flooded areas or road right-of-way areas may be considered in the minimum lot size calculations. Water, Sewer and Storm Water plans must be approved by the Stone County Utility Authority and the appropriate State Agencies prior to approval from the Board of Supervisors.

Minimum Setbacks: (measured at front setback line)
 Front = 30
 Side = 10
 Rear = 20

(iii) If a public or adequate community water system is available and approved by the appropriate state agency and the health department or equivalent approves an individual septic system, then the minimum lot size is one (1) acre with the minimum lot width being 130 feet. For cul-de-sacs, flag lots, and or other situations where the shape of the lot is not rectangular due to the natural features of the landscape, the required 130 feet lot width must be provided at the most practical home site and the minimum road frontage may be 35 feet. No wetland, frequently flooded areas or road right-of-way areas may be considered in the minimum lot size calculations. Water, Sewer and Storm Water plans must be approved by the Stone County Utility Authority and the appropriate State Agencies prior to approval from the Board of Supervisors.

Minimum Setbacks: (measured at front setback line)

Front = 30
Side = 20
Rear = 30

- (iv) If neither a community water nor sewerage system is available and there is to be an individual well and septic system that must be approved by the health department or its equivalent, then the minimum lot size is one and one-half (1-1/2) acres with the minimum lot width being 180 feet. For cul-de-sacs, flag lots, and or other situations where the shape of the lot is not rectangular due to the natural features of the landscape, the required 180 feet lot width must be provided at the most practical home site and the minimum road frontage may be 35 feet. No wetland, frequently flooded areas or road right-of-way areas may be considered in the minimum lot size calculations. Water, Sewer and Storm Water plans must be approved by the Stone County Utility Authority and the appropriate State Agencies prior to approval from the Board of Supervisors.

Minimum Setbacks: (measured at front setback line)

Front = 30
Side = 20
Rear = 30

- (v) All of the provisions of Sections 41-67-1 et seq. of the 1972 Mississippi Code, as now or hereafter amended, are incorporated herein by reference and made applicable to all subdivisions as herein defined but only insofar as said Sections are as or more restrictive than this ordinance.

- c. Any person or persons, firm or corporation, owning a tract or parcel of land in Stone County located in all unincorporated areas, desiring or required by these or other regulations to make a subdivision of said land into lots and/or construct access roads or streets therein/to/from, shall have said land surveyed and platted as required by this Subdivision Order by a Mississippi-licensed land surveyor and shall submit the subdivision plat and plans for the proposed improvements to the Board of Supervisors of Stone County for its approval. The provisions of this order shall be mandatory for any development which is or becomes a subdivision as above defined. The provisions of this Order shall be discretionary for any other development which is desired to be made but which is not subject to the mandatory provisions for a subdivision as herein defined.
- d. No plat, survey, map or other description of a subdivision may be filed for record with the Chancery Clerk of Stone County nor recorded until it has been approved by the Stone County Board of Supervisors. Likewise, no conveyance of a lot or other parcel which does not conform to this order may be made nor filed for record nor recorded until this order is complied with. The Board of Supervisors shall at all times have the continuing power to require the installation of utilities and laying out of streets in subdivisions as herein defined and as otherwise provided by law.

Section II Subdivision Plat

- a. The record plat shall be drawn to a scale of 1"= 100' on a 18" x 24" sheet and will consist of one mylar one canvas and 2 CD's (one PDF and one DWG file) of the original plat. The plat shall contain complete data as follows:
1. A title including the name of the subdivision and of the engineer or surveyor. The scale and a North arrow which shall be true north. The legal description of the subdivision shall be stated, and a statement whether or not any portion of any lot is within the Flood Hazard Area of 100 year flood as defined by the Stone County Flood Damage Prevention Ordinance and, if so, specify the lot or lots. The flood zones and Corp. certified wetlands must be delineated on the preliminary and final plats.
 2. The shape and exterior boundaries of the tract subdivided indicated by the

use of distinctive or individual symbols shall be completely and accurately determined by courses, angles and distances. These boundaries shall be obtained by an accurate survey in the field, which must be balanced and closed. Copies of lot closures shall be attached.

3. The dimensions of all lots, streets, alleys and angles of intersection must be shown. The radii, arcs, central angles, P.C.'s and P.T.'s of all curves shall be given along the property lines of each street and alley.

4. The name of adjoining subdivisions, if any, the lines of abutting lots. Lot and block numbers and all street and principal property lines in territory contiguous to the proposed subdivision shall be accurately tied to the lines of the subdivision by distances and bearing of angles.

5. All the lots intended for sale may be numbered either by progressive numbering, or if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered. When all lots in any block are of the same dimensions, it shall be sufficient to mark the length and width upon one tier thereof, but all gores, triangles or other lots, either squares or parallelograms, shall have the length of their sides and angles plainly defined by figures.

6. Set backs shall be established and such lines shown on dotted lines along each property line. All necessary easements across private property for public utilities, drainage and like uses must be described and plainly indicated on the plat.

7. Subdivision plats shall provide for at least two (2) entrances to furnish proper ingress and egress from established public roads or streets, except in the case of a single street subdivision or dead-end place. Dead end streets shall not exceed 1,500 feet in length unless approved by the board due to extenuating circumstances.

8. Subdivision plats shall provide for the future construction of one or more streets for access to any other parcel of land lying back of the proposed development in order to prevent blocking of future development of adjacent subdivisions, unless the area behind the proposed subdivision already has sufficient access to a public road, in which case it will not be necessary for the proposed subdivision to provide a street to the adjacent land.

9. A certificate of ownership and dedication of all roads and streets, utility easements, drainage easements and parks or playgrounds to public use forever, signed and acknowledged before a notary public by the owner of the land and lien holder, if any, to appear on the face of the plat containing a complete and accurate description of the land subdivided and the streets and other items dedicated.

10. The certificate of the engineer or surveyors who surveyed, mapped and monumented the land, which certificate shall be sworn to before a notary public and shall be placed on the face of the plat.

11. The developer of the land shall meet with the Board of Supervisors of Stone County at an arranged time along with his plat of the subdivision and present his case to the Board. After the developer meets with the Board of Supervisors, the Board will approve or disapprove the subdivision within a period of sixty (60) days. If approval is not granted within such sixty (60) days, the developer may re-apply for approval, or consider his application denied and appeal.

12. After approval of the Board of Supervisors, the subdivision plat shall be filed for record in the office of the Chancery Clerk of Stone County as required by law.

13. No subdivision plat will be approved by the Board of Supervisors until all conditions of this subdivision ordinance have been met and certified as such by the Appointed Reviewing Engineer.

14. All building lots shall be inspected and certified to the County by the Developer's Engineer or Surveyor to determine whether the lot will properly drain.

15. All pipe culverts required in the entrance to each lot shall be furnished by the developer.

16. No roads or streets will be approved that run across a lake or pond dam.

17. All natural drains will be required to operate as drains for the surface run-off of water.

18. No subdivision plat will be approved unless access roads or streets, built in accordance with this ordinance, are provided from the nearest county road to the subdivision.

19. All subdivision plats and all conveyances of land subject to this subdivision order must include access to a public road. Each lot must also join a public road by ownership not easement. Except for very low ADT roads, all lots will face new roads in an effort to minimize and control the flow of traffic onto Collector roads.

20. All costs for inspection by the County will be paid by the developer in accordance to the fee schedule listed in this document prior to preliminary and/or final plat approval, as applicable.

21. A driveway culvert chart shall be placed on the subdivision plat indicating the size and length of each pipe as designed by a Mississippi Licensed Professional Engineer. The minimum driveway pipe size is 15" diameter and 24 feet in length.

22. Flag Lots.—Flag lots are discourage but allowed in some special cases. No more than one flag lot can be adjacent to a lot. Multiple flag lots adjoining each other are prohibited.

23 Certificate Format The following certificate form must be printed on the final plat as follows:

Owners Certificate

State of Mississippi (or applicable)
County of Stone (or applicable)

(Use applicable statement)

This is to certify that I (we), the undersigned owner(s) of the property shown hereon, hereby adopt this plat as my (our) plan for subdivision and dedicate the streets rights-of-way, utilities, easements and other improvements as shown to public or private use as noted and further state all State and/or County taxes or other assessments now due on this land have been paid.

This the ____ day of _____, _____.
(Month) (Year)

Signed:
(Owners Signature) _____
(Name Printed)

Sworn to and subscribed before me this the ____ day of _____,
_____. (month)
(year)

Notary Public _____

My commission expires: _____ (SEAL)

Engineer's/Surveyor's Certificate

State of Mississippi
County of Stone

This is to certify that I have surveyed the land shown on this plat fully described above and have subdivided the same with lots and that the plat hereon is a correct representation of the said survey and subdivision. This is to certify that I have fully complied with the requirements of the rules and regulations of the subdivision ordinance of 1980 as amended of Stone County and the State of Mississippi.

This the ____ day of _____, _____.
(Month) (Year)

Signed: _____
(Signature)
(Name Printed)

Sworn to and subscribed before me this the ____ day of _____,
_____. (month)
(year)

Notary Public _____

My commission expires: _____ (SEAL)

Appointed Engineer for Subdivision Review Certificate

State of Mississippi
County of Stone

This is to certify that I, the undersigned Appointed Reviewing Engineer hereby certify:

(Use applicable statement (1), (2) or (3) for certificate)

- (1) that streets, utilities, and (other specific improvements) have been installed in an acceptable manner and according to County specifications and recommend streets for public maintenance; or
- (2) that a performance obligation security in the amount of \$ _____ has been filed with and recommended to the Board of Supervisors, Stone County, Mississippi, to assure completion of all required improvements in the case of default; or
- (3) that streets or roads within the subdivision are private and are the responsibility of the property owners within the subdivision. Stone County will not provide any maintenance of streets, roads or other improvements within the subdivision.

This the ____ day of _____, _____.
(Month)

(Year)

Signed: _____
(Signature)
(Name Printed)

Appointed Engineer for Subdivision Review

Sworn to and subscribed before me this the ____ day of _____,
_____. (month)
(year)

Notary Public _____

My commission expires: _____ (SEAL)

Supervisor's Approval for Recording

Pursuant to the Subdivision Ordinance of Stone County, Mississippi, of 1980 as amended, all the requirements for approval of a Final Plat having been fulfilled, with the exception of such variances, if any, as are noted in the Minutes of the Board of Supervisors and that it has been approved for recording in the Chancery Clerks Office by the Board of Supervisors, Stone County, Mississippi, Order of Board, Minute Book _____, Page _____.

This the ____ day of _____, _____.
(Month) (Year)

Signed: _____
(Signature)
(Name Printed)

President, Board of Supervisors

Recording Certification by Chancery Clerk

I certify that this instrument was filed for record in my Office on this the ____ day of _____, _____,
(Month) (Year)

In Plat File _____, This the ____ day of _____, _____.
(Month) (Year)

Signed:(Signature) _____
(Name Printed)

Chancery Clerk
Stone County, Mississippi

Supervisors Acceptance for Maintenance

Final Approval of streets and drainage easements and acceptance of said streets and drainage easements for public maintenance: Order of Board, Minute Book _____, Page _____

This the ____ day of _____, _____.
(Month) (Year)

Signed:(Signature) _____
(Name Printed)

President, Board of Supervisors
Stone County, Mississippi

Section III. Review of Preliminary Plat

- a. The developer shall file with the County Planner a preliminary plat in conformity with the other provisions of this order clearly and legibly showing all of the items required by this order at a minimum scale of one inch equal to 200 feet. Such preliminary plat shall be accompanied by an application for preliminary review and approval in such form as may be adopted from time to time by the Board of Supervisors and also accompanied by cash or certified check in the amount of \$200.00 payable to the County as a deposit toward processing of the application. The developer shall also file with his application for preliminary review a certificate of title from a Mississippi-licensed attorney-at-law certifying the state of the title to the real property included in such application for the space of at least thirty-five (35) years down to and inclusive of the date of such application. It is recommended the developer have a pre-development meeting with the County Planner, the County Engineer and the Stone County Utility Authority's Engineer before preparing the preliminary plat.
- b. The County Engineer shall thereafter check such plans and the property for conformance to the rules and regulations of this order. If deemed necessary, the County Engineer may give a review of the plans, and notice of the time and place of such review shall be sent by the County Engineer to the applicant who is requesting such preliminary review and approval. This notice should not be less than ten (10) days prior to the review date. The County Engineer will make written recommendations and submit them to the County Planner.
- c. Thereafter, the County Planner shall recommend approval or disapproval of the plans to the Board of Supervisors. A notation of the action shall be made on two (2) copies of the plan including a statement of the reasons for disapproval if the preliminary plat is disapproved.

One (1) copy shall be returned to the subdivider or his agent and one (1) copy retained for the records of the County Planner.

- d. Approval of the plans does not in anywise constitute approval or acceptance of the final plat or subdivision. Approval of the preliminary plat and detailed construction plans presented by the developer shall be construed as authorization to the developer to proceed with the construction of the subdivision development in part or in whole as directed by the Board of Supervisors. There shall be no changes or deviations from the approved construction plans and preliminary plat without prior approval in writing by the County Engineer after his consultation with the Board of Supervisors. Approval of the preliminary plat shall expire and be null and void after a period of twenty four (24) months if all construction plans have not been approved unless an extension of time is approved by the Board of Supervisors.

- e. MASTER PLANNED DEVELOPMENTS:

Residential developments in excess of 300 single-family residential homes or multi-family dwellings, regardless of the size of lot, must have Board approval for the master planned development prior to any phase being accepted for preliminary plat approval. Developers shall submit an Impact Statement prepared by a qualified professional who must have been previously approved by the Board of Supervisors, addressing the financial and social impacts on Stone County to include but not limited to schools, solid waste, water/sewer/storm water infrastructure, police and fire protection, health care, recreation, roads, tax assessor, chancery and circuit court services and quality of life. The Impact Statement will be reviewed by the affected county agencies to determine ability to accommodate additional residents. The approved master planned development may not be deviated from without the permission from the Stone County Board of Supervisors. Furthermore, to insure community stability the Board reserves the right to approve phases or partial phases by classes or groups with respect to lot size, home size and commercial and recreational areas.

Section IV. Surveys, Minimum Standards and Design

- a. The location of subdivisions shall conform to the zoning regulations of the towns or cities in the vicinity of or adjacent to the proposed subdivision development, unless otherwise waived by the Board of Supervisors. If it is located adjacent to a Mississippi State Highway, subdivision roads or streets, which connect with the highway shall be located and constructed only by permit to be secured from the Mississippi State Highway Department for authority to connect with said highway.
- b. In surveying the land to be platted, all lot corners shall be marked on the ground with iron pins and plastic caps indicating surveyors name, and PLS number and all street intersections and subdivision corners shall be marked by concrete posts at least 4" x 4" x 30" in length, reinforced by one (1) #4 rod through the center thereof, and such post shall be firmly set in the ground to a depth of 24 inches.

- c. All streets shall be laid off with at least a sixty (60) foot minimum right-of-way in width.
- d. The arrangements of roads and streets in the new subdivision shall provide for the continuation of the principal existing streets of at least the same width as in any adjoining subdivision or their proper projection in case the adjoining property is not subdivided.
- e. All subdivisions shall be surveyed and laid out in such a manner that each and every lot intended for sale shall face a public street. Lots will face new streets except for very low ADT roads, at the county's discretion.
- f. Dead-end streets may be laid out in unusual cases where thru streets are situated nearby and a dead-end street would carry only local traffic. Dead end streets shall not exceed 1,500 feet. All dead-end streets shall be provided with an end turning loop with a minimum inside paved radius of forty (40) feet. The right-of-way for this turning loop shall have a minimum radius of sixty (60) feet.
- g. No intersecting streets shall be platted with the angle included between the adjoining street lines less than forty-five (45) degrees or more than one hundred thirty-five (135) degrees. In such cases, the street lines shall be curved or angled to intersect at approximately ninety (90) degrees.
- h. No subdivision showing or including reserve strips of land which would block access to public ways or adjoining properties will be approved.
- i. Utility easements shall be shown on the plat. The width of the easements shall comply with the local utility company's requirements.

Section V. Improvements Required in Subdivisions

- a. In consideration of the Board of Supervisors accepting the subdivision and assuming the responsibility of maintaining the dedicated roads and drainage easements laid out therein, the sub-divider shall cause the following to be designed by a Mississippi Licensed Professional Engineer, and then constructed at no expense to Stone County the following minimum improvements:
 1. Grading of the roads and streets.
 2. Surface drainage of the roads and streets by side ditches or drainage of roads and streets by concrete curbs and gutter with inlets and underground storm sewers where necessary.
 3. Stabilization of unsatisfactory sub-grade by removal and replacement with a minimum of a class 9, group B material as necessary.
 4. Construction of a compacted clay gravel, semi-gravel or stabilized sand clay base course.
 5. Installation of pipe culverts, arch or box culverts, bridges or other drainage structures where necessary.
 6. Excavation of drainage ditches or installation of outfall sewers where necessary.
 7. Construction of a surface course with a minimum of two (2) inches of asphalt, based on the pavement structure number as derived from the Office of State Aid Road Construction's PAVESN analysis. Acceptable substitutions are reinforced concrete and brick pavers. Approval of substitutions must be received by the Board and the design of all substitutions must be approved by the County Engineer.

All road shall at a minimum be one of the following:
10" Cl. 5, Gr.b gravel with 2" hot mix (9.5 mm)
4" black base asphalt with 1.5" hot mix (9.5mm)

b. TOWNHOUSE AND APARTMENT SUBDIVISION

1. Conditions of Approval

The Board of Supervisors may approve townhouse and apartment subdivisions under the following conditions:

2. Site Requirements

Sewage, water supply, street paving and sub-surface drainage shall be designed and constructed under the supervision of a Mississippi licensed Professional Engineer and reviewed by the County Engineer for Subdivisions as required by these regulations, except that connection to sanitary sewers shall be the only permitted method of sewage disposal.

All Townhouse and Apartment subdivisions must receive approval from the Stone County Utility Authority for sewer, water and storm water.

Streets shall be constructed and paved as per Section VI "Specifications and Minimum Design Standards for Roads and Streets"

Offstreet parking shall be 2 spaces at each unit and 1 space per 2 units in clustered offstreet parking areas.

Sidewalks shall be required and shall be situated a minimum of 3 feet from the back of curb.

3. Density

Not to exceed 25 individual resident units per each acre. No wetland, frequently flooded areas or road right-of-way areas may be considered in the calculations for density.

Units shall be laid out so there are no more than six (6) connecting units in a row before a 20 foot green buffer is placed.

4. Time Frame

Only townhouses or apartments may be built in such a subdivision and the subdivision must be undertaken within six (6) months of final subdivision approval. If construction is not undertaken within six (6) months, the Board of Supervisors shall revoke approval of the subdivision unless some compelling reason can be shown for its continuance.

5. Documentation

A preliminary plat must be submitted and approved by the Board of Supervisors. A final subdivision plat will be required to be recorded. All other portions of these regulations will apply. Protective Covenants must be filed and approved by the Board of Supervisors prior to recording plat.

6. Site lighting

A lighting plan shall be designed by a qualified person. Streets and park areas shall be covered by security lights.

c. MOBILE HOME, MODULAR HOME PARKS

MOBILE HOME, MODULAR HOME PARK A parcel (or contiguous parcels) of land which has been designated and improved so that it contains four (4) or more mobile homes, modular homes available to the general public for lease or rent. Each acre will have no more than 4 mobile or modular homes.

1. General Requirements

A minimum of (1) or more acres is required for a mobile, modular parks.

Lot lines need not be delineated within the park; however, each mobile, modular parks home site must be clearly designated on the subdivision plat and meet minimum setback requirements.

All mobile, modular parks must receive approval from the Stone County Utility Authority for sewer, water and storm water.

2. Density

A mobile home park shall have a density of not more than four (4) units per acre and in no case more than 4 units per each acre. of non-wetland and non-floodzone area. Floodzone here is defined as the 100-yr flood zone.

3. Setbacks

All mobile, modular parks homes shall be located at least thirty feet (30') from any roadway right-of-way.

No mobile, modular park home shall be situated in a manner so that any part of such mobile home will obstruct any roadway or walkway in a mobile home park.

4. Roadways

Safe and convenient access shall be provided for vehicular traffic and emergency vehicles at all times.

Each mobile, modular parks home lot within a park shall have direct access to a park street or public street. The access shall be an unobstructed area not less than ten feet (10') in width which may be pedestrian in character.

Streets shall be constructed and paved as per Section VI "Specifications and Minimum Design Standards for Roads and Streets".

Offstreet parking shall be 2 spaces at each unit and 1 space per 2 units in clustered offstreet parking areas. Spaces may be paved, concrete, limestone, wash gravel or crushed concrete.

All roadways shall be paved with a minimum of 2" of asphalt in accordance with subdivision regulations.

Streets and walkways designed for the general use of mobile/modular home park residents shall be lighted during the hours of darkness. Such lighting shall not be under the control of the mobile home occupant. Poles shall not exceed thirty-five feet (35') in height, and longitudinal spacing shall not exceed two hundred feet (200').

5. Sidewalks

If sidewalks are provided, they shall be located not less than one foot (1') out side the right-of-way. Sidewalks shall connect individual homes with parking areas. In no case shall sidewalks be less than four feet (4') wide.

6. Vehicle Parking

Two (2) off-street automobile parking spaces shall be required for each mobile home stand. The minimum dimension of these spaces shall be nine feet (9') wide by twenty feet (20') deep. In no event shall parking be located over one hundred (100') from the corresponding mobile home stand.

Parking spaces are required to be composed of a minimum of a four inch (4") compacted sub-base of clay, sand and gravel, with a two inch (2") surface course of limestone, crushed asphalt or crushed concrete.

7. Recreation/Open Space

Twenty-five percent (25%) of the total land area shall or must be open space reserved for the exclusive use of the residents of the park.

8. Water System

Pure potable water from a community water supply shall be supplied to each and every mobile home occupied in mobile home parks.

This system shall be designed, constructed, and protected in accordance with current health, plumbing, electrical, and fire protection standards, codes, and regulations adopted and administered by the State of Mississippi and/or Stone County.

9. Sewage Disposal System

Central sewerage systems are required for all mobile home parks under inspection of, and regulated by the Department of Environmental Quality (DEQ).

10. Documentation

A site plan and/or preliminary plat must be submitted and approved by the Board of Supervisors. No subdivision plat will be required to be recorded. All other portions of these regulations will apply. When construction is complete and all as-built plans and final approvals from local and state authorities, with respect to water and sewer, are submitted, the county planner will issue a certificate of completion to the owner.

11. Site lighting

A lighting plan shall be designed by a qualified person. Streets and pedestrian areas shall be covered by security lights.

d. COMMERCIAL AND INDUSTRIAL SITES

1. Conditions of Approval

A site plan shall be submitted for commercial and industrial sites to the Board of Supervisors. No plat is required to be filed but a preliminary plat is required to be submitted and approved if more than one site.

Site plan shall include driveway access, off-street parking, storm water drainage and management landscaping and buffering.

Site plans will be reviewed by the County Engineer for compliance with these regulations.

Protective Covenants shall be submitted to the Board of Supervisors for approval and filed prior to final approval.

2. Soil Erosion Requirements

In the development of a commercial or industrial site, the developer shall not cause or allow earth-disturbing activities that can pollute a public or private surface ditch, subsurface drainage, stream, pond, lake or river. The developer shall also, to the greatest extent possible, take steps so that sediment will not be deposited onto an adjoining property. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve soil resources and to maintain existing water quality. Sediment control shall follow the standards and specifications in The Planning & Design Manual for the Control of Erosion, Sediment & Storm water (First Edition, 1994) (MS Department of Environmental Quality (MDEQ), MS Soil & Water Conservation Commission and USDA Soil Conservation Service).

When a proposed development consists of >1 acre to <5 acres of land disturbance, a Small Construction General Permit from MDEQ is required. A copy of the permit application form and Storm water Pollution Prevention Plan must be submitted to the Department of Planning and Development. For proposed developments which include >5 acres of land disturbance, a Large Construction General Permit (NPDES permit) is required. A copy of the NPDES permit and a copy of the approved MDEQ Storm water Pollution Prevention Plan must be submitted to the Department of Planning and Development. In the event the acreage requirements for the above mentioned permits are changed by DEQ, the stricter of the two shall be used.

Soil erosion and sedimentation control plans shall be certified by a professional engineer registered in the State of Mississippi before being submitted to the Mississippi Department of Environmental Quality and the Department of Planning and Development for review and approval.

3. Drainage and Storm Water Management

All storm water drainage design shall be planned and executed so as to preserve natural topographic features and vegetative cover, to minimize change to existing topography, and to preserve natural drainage systems in accordance with Mississippi Department of Environmental Quality permit requirements and the following regulations.

The developer shall construct all necessary facilities including underground pipe, inlets, catch basins, or open drainage ditches, as approved by the County Engineer, to provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses. The best available technology shall be used to minimize off-site storm water runoff, increase on-site filtration, encourage natural filtration functions, simulate natural drainage systems, and minimize off-site discharge of pollutants to ground and surface water. Best available technology may include measures such as retention basins, recharge trenches, porous paving and piping, contour terraces, and swales. Storm water management shall follow the standards established in The Planning & Design Manual for the Control of Erosion, Sediment & Storm water (First Edition, 1994) (MS Department of Environmental Quality (MDEQ), MS Soil & Water Conservation Commission and USDA Soil Conservation Service) or any later version that is published as an update. Commercial and industrial development shall not increase the rate of runoff and an increase in the volume of runoff shall require a reduction in the rate of runoff.

When necessary, outlet ditches of closed sewers of an approved type and size shall be required as part of the construction, If same is across private property, rights-of-way or easements shall be obtained by the developer for the construction and future maintenance. These rights-of-way or easements shall be shown on the construction plans. Whenever possible, post-development drainage patterns shall be the same as pre-development drainage patterns. The design of parking lot and grading shall be such that runoff from roofs, driveways and other impervious surfaces will be collected in gutters in short runs three hundred (300) feet to four hundred (400) feet in length. The runoff shall then be diverted from the surface, if not already underground, into storm sewers or a natural water

course. Parking lots shall be located away from water courses unless storm sewers are to be installed. The channel downstream of the site development shall be improved adequately by the developer to convey the storm runoff from the development and across the adjacent property owner so that damages from flooding are minimized.

The developer shall guard against the creation or continuation of swampy areas or stagnant pools, unless they are a component of a designed wetlands open space. The County may require fill, swale, and/or channel improvements in order to forestall such problems. Any wetland disturbance shall require a CORP of engineers permit.

Adequate measures for the protection of open and closed drainage channels shall be provided. Maintenance easement widths shall be determined by the County Engineer for Subdivisions. The velocity flow on an open ditch shall not exceed four (4) feet per second in soil ditches or six (6) feet per second in turf gutters. Paved gutters will be required if velocities of flow are greater than those specified, or if it is otherwise likely that destructive erosion will result.

No water course shall be altered in such a way as to change the amount or direction of flow; no fill, building or structures shall be situated in natural water courses unless provision is made for the flow of water in a manner satisfactory to the County Engineer for Subdivisions and in accordance with Stone County's Floodplain Management Ordinance.

4. Driveways

Driveways shall have a maximum grade of (15) percent. Driveways and curb cuts shall be located not less than five (5) feet from the side lot line. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet wider than the driveway on each side. The developer shall place the approved drainage structures under intersecting driveways when required. Driveways shall be designed so as to drain into the roadside ditch and not onto the roadway surface.

A driveway permit shall be obtained from the Mississippi Department of Transportation for all access to state maintained roads. Proof of such permit shall be submitted with the permit documents.

When adequate frontage is available on a roadway, two driveways to a property used for a single purpose may be permitted.

5. Required Driveway dimensions:

	Commercial	Industrial
Minimum width	15	20
Maximum width	40	40
Turn Radius Minimum	15	25
Turn Radium Maximum	50	50
Minimum Angle of Intersection	45	45

*The minimum width of commercial driveways is intended to apply to one-way operation. The width is intended to be measured along the right-of-way line.

6. Off Street Parking

An adequate number of off-street parking spaces shall be required in all developments to accommodate the type of use.

Parking Requirements

Type of Uses	Off Street Parking Requirements
One/Two Family Dwellings	2 spaces/DU.

Townhouses and Multiple Family	2 spaces/DU.
Mobile Homes	2 spaces/unit
Office Uses	2 spaces plus 1 space for each 200 sq. ft of usable floor area.
Office Uses	1 space for each 100 sq. ft. of usable floor area.
Industrial Uses	1 space for employee in the largest working shift.
Churches and Temples	1 space for each 3 seats.
Restaurant	1 per 3 seats
Fast-Food Establishment	1 per 30 sq. ft. of usable floor area
Retail Store	1 per 200 sq. ft. of usable floor area
Shopping Center Under 400,000 sq. ft.	4 per 1,000 sq. ft. of usable floor area
Shopping Center 400,000-599,999 sq. ft.	4.5 per 1,000 sq. ft. of usable floor area
Shopping Center 600,000+ sq. ft.	5 per 1,000 sq. ft. of usable floor area
Medical Center	1 per 250 sq. ft. of usable floor area

7. Size of Spaces

Each off-street parking space shall be restriped and measure ten (10) feet in width by twenty (20) feet in length. Parking spaces for the physically handicapped shall measure twelve (12) feet in width. For every 25 spaces, there must be at least one (1) handicapped accessible space, labeled and signed for such use in accordance with Americans with Disability Act.

8. Parking Areas

Off-street parking areas shall be located within a reasonable walking distance of the buildings they are designed to serve.

Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance.

Parking lots containing ten (10) or more spaces, shall be planted with at least one (1) tree per eight (8) spaces, no smaller than 2" caliper (tree trunk diameter at chest height).

Parking areas shall be screened along lot lines bordering residential uses and Along streets. Native trees and shrubs shall be planted wherever possible.

The width of all aisles providing direct access to individual parking stalls shall be in accordance with the requirements specified above. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety degrees.

9. Landscape Plan

A landscape plan shall be submitted with each site plan application for commercial, industrial permits pursuant to these Regulations. The landscape plan shall identify existing and proposed trees, shrubs, and ground covers; natural features; and other landscaping elements. Where existing plants are to be retained, the applicant shall include in the plans proposed methods of protecting them during construction.

10. Parking Lot Landscaping

In parking lots, at least five percent (5%) of the interior parking area shall be landscaped with plantings, and one (1) tree for each eight (8) spaces shall be

installed. Planting required within the parking lot is exclusive of other planting requirements, such as shade trees planted along the street.

Landscaping should be located in protected curbed areas, such as along walkways, in center islands, at the ends of bays, or between parking stalls. All landscaping in parking areas and on the street frontage shall be placed so that it will not obstruct sight distance. Plantings in parking areas and on streets shall pay particular attention to sun position during the summer months so that maximum cooling effects can be gained from well-placed trees.

11. Paving Materials

Design and choice of paving materials used in pedestrian areas shall consider such factors as function, climate, characteristics of users, availability, cost, maintenance, glare, drainage, noise, appearance, and compatibility with surroundings. Acceptable paving materials shall include, but are not limited to, concrete, brick, cement pavers, asphalt, and stone.

12. Documentation

A site plan and/or preliminary plat must be submitted and approved by the Board of Supervisors. No subdivision plat will be required to be recorded. All other portions of these regulations will apply.

e.

RV Parks

RV PARK A parce (or contiguous parcels) of land which has been designated a And improved so that it contains four (4) or mor RV's available to the general public for lease or rent. Each acre shal have no more than 10 RV's.

1. General Requirements

A minimum of (1) or more acres is required for a RV parks.

Lot lines need not be delineated within the park; however, each RV site must be clearly designated on the plan.

All RV parks must receive approval from the Stone County Utility Authority, DEQ and/or the Ms Health Dept (as applicable) for sewer, water and storm water.

2. Density

A RV park shall have a density of not more than four (10) units per acre and in no case more than 10 units per each acre of non-wetland and non-floodzone area. Flood zone here is defined as the 100-yr flood zone.

3. Setbacks

RV shall be located at least thirty feet (30') from any roadway right-of-way.

No RV shall be situated in a manner so that any part of such RV will obstruct any roadway or walkway in the park.

4. Roadways

Safe and convenient access shall be provided for vehicular traffic and emergency vehicles at all times.

Each RV parks lot within a park shall have direct access to a park street or public street. The access shall be an unobstructed area not less than ten feet (10') in width which may be pedestrian in character.

Offstreet parking shall be 2 spaces at each unit and 1 space per 2 units in clustered offstreet parking areas. Spaces may be paved, concrete, limestone (3”), or crushed concrete (3”) or crushed asphalt (3”).

All roadways shall be a minimum of 6 inches of c15, gr b clay gravel with 3 inches of limestone or crushed concrete.

8. Water System

Pure potable water from a community water supply shall be supplied to each and every unit occupied in the park.

This system shall be designed, constructed, and protected in accordance with current health, plumbing, electrical, and fire protection standards, codes, and regulations adopted and administered by the State of Mississippi and/or Stone County.

9. Sewage Disposal System

The central collection system or the dumping stations must be tied into an existing system or a newly approved system.

10. Documentation

A site plan and/or preliminary plat must be submitted and approved by the Board of Supervisors. No subdivision plat will be required to be recorded . All other portions of these regulations will apply. When construction is complete and all as-built plans and final approvals from local and state authorities, with respect to water and sewer, are submitted, the county planner will issue a certificate of completion to the owner.

Section VI. Specifications and Minimum Design Standards for Roads and Streets

- a. The design of roads and streets shall provide for adequate drainage and runoff of storm water. Adequate drainage and run-off of storm water shall be construed to mean making provisions for the run-off of a “25 Year Event.” Streets may be drained by curbs and gutters with drop inlets and storm drains underground or they may be drained by surface ditches with proper gradients to natural outlets. All pipes crossing underneath roads shall be MDOT approved RCP (reinforced concrete pipes).
- b. Driveway crossing side ditches shall be constructed to a minimum width of twenty-four (24) feet with culvert pipe drains laid to the profile of the ditch invert.
- c. The sizes and capacities of all drainage pipes and culverts, drainage structures and drainage ditches shall be determined from known drainage areas by the use of general accepted engineering formulas, but no culvert pipe shall be smaller than 15 (fifteen) inches in diameter.
- d. The design of all drainage structures shall conform to the standard plans of the Mississippi State Highway Department for secondary roads. When the drainage requires a culvert size of a larger area than can be obtained in prefabricated pipe, the drainage structure may be either a box culvert or a bridge.
- e. The design and typical section of roads and streets shall conform to the following minimum dimensions:
 1. Minimum width of roadway from outside of shoulders 30 feet
 2. Minimum fore-slope and back-slope 2:1 slope

- | | |
|---|--------------------|
| 3. Minimum depth of ditch from the edge of shoulder to the flow line. | 18 inches |
| 4. Minimum width of base course | 22 feet |
| 5. Minimum thickness of base course
All roads shall at a minimum be one of the following: | |
| 10" C1.5, Gr.b gravel with 2" hot mix (9.5mm), or
4" black base asphalt with 1.5 " hot mix (9.5mm) | (designed by P.E.) |
| 6. <u>Minimum</u> thickness of subgrade stabilization with cement or lime/fly ash. Pavement Structure at a minimum shall consist of a granular material or mechanically stabilized base course. | 8 inches |
| 7. Minimum width of streets between curbs (where curb and gutter are used) | 27 feet |
| 8. Minimum open ditch gradient of flow line | 0.1% |
| 9. Minimum curb and gutter gradient | 0.2% |
| 10. Minimum width of pavement surface
(for roads with more than 500 ADT (average daily traffic) | 20 feet
22 feet |
| 11. Minimum pavement crown slope | ¼" per ft. |
| 12. Minimum radius of pavement at intersection | 25 feet |
| 13. Minimum Asphalt Pavement thickness: | |
| All roads shall at a minimum be one of the following: | |
| 10" C1.5, Gr.b gravel with 2" hot mix (9.5mm), or
4" black base asphalt with 1.5 " hot mix (9.5mm) | |
- f. The specifications for all materials for road work shall conform to the applicable provisions of the Standard Specifications for Road and Bridge Construction, Mississippi State Highway Department, State Aid Divisions.
- g. Crossing of overhead telephone lines and power lines shall provide for a vertical clearance of at least eighteen (18) feet above the surface of the road. Underground utilities paralleling the final pavement surface course on said roads shall be located no closer than five (5) feet to the edge of the pavement surface and will have a minimum cover of thirty-six (36) inches. After the pavement surface has been installed, no underground lines will be allowed to cross the road without a permit from the county.
- h. After the completion of all of the work on the subdivision, the Board of Supervisors will designate the County Engineer to make a field inspection of the completed work. The County Engineer shall report to the Board of Supervisors as to his findings and if the Board finds that the roads and streets have been properly constructed in reasonable conformity with the plans and specifications, and all requirements of this order have been met, the Board may then formally accept the dedication of the roads and streets for public use and for maintenance there-after or require such other or further action as the Board, in its discretion, may find necessary to protect the interest of Stone county and any future purchasers or users of the subject subdivision, roads and streets.
- i. FINAL PLAT DOCUMENTATION: Upon final approval of the proposed subdivision by the County Engineer and acceptance by the Board on behalf of

the County, the developer shall – at the developer’s cost – have prepared and furnish the County, at a minimum, the following final plat documentation, in addition to the subdivision plat and other requirements here-in-else where set forth:

1. Water Supply. If a public body, a community water system or other water association is to provide water service to or for the subdivision, written verification from the public body, water system or association establishing – to the satisfaction of the Board – its ability to supply adequate potable water.

2. Wastewater Treatment.

- i. If individual treatment such as septic tanks are to be used, written approval from the Mississippi State Department of Health.
- ii. If an existing sewer system is to be used, written verification from the system’s operator establishing – to the satisfaction of the Board – its ability to connect to the existing system and to supply adequate and healthful wastewater treatment.
- iii. If a new sewage system is to be constructed, written certification from the Mississippi Department of Environmental Quality [DEQ] that the developer has secured all appropriate permit[s] and has constructed the facility in accordance with the permitting document[s].

3. Final Certificate of Title. A certificate of title from a Mississippi-licensed attorney at law certifying the state of the title to the real property included in such subdivision for the space of at least thirty-five (35) years down to and inclusive of the date of the filing of the final subdivision plat for recordation by the Chancery Clerk of this County.

4. Dam Construction. Although the County and this Board do not and shall not accept title to any road, street, easement, alley, dam or spillway and will not accept or furnish maintenance of any road, street, easement, alley other public way in, on or across a dam, spillway or any type structure in the nature of a dam or spillway, the developer shall obtain and file written certification from the developer’s Mississippi-licensed professional civil engineer that any dam or dam-type structure located wholly or partly in , within, along, or adjacent to subdivision or any public road, has been constructed according to generally accepted engineering standards and further, the developer shall obtain and file written documentation that DEQ’s Office of Dam Safety has finally inspected and finally approved plans for and construction of such dam or other such structure.

5. Deed Restrictions/Covenants. The proposed deed restrictions and/or protective covenants, in recordable form, which shall affect the land being subdivided. One of the restrictions/covenants shall be stated as follows:

“Provision of any additional desired streets or roadways or any paving or culverts shall be the sole obligation of the developer and the purchaser there from, and Stone County will provide no such streets, roadways, paving or culverts for the developer or any owners or purchasers or lands served by the subject roads and the developer and subsequent owners have the continuing duty so to inform subsequent purchasers of such land in writing.”

One of the restrictions/covenants shall be stated as follows: “ No changes in covenants may be made from the originally approved covenants for a period of 10 years without the approval of the Stone County Board of Supervisors.”

6. Final Construction Plans. Two sets of “Record Drawing” construction drawings, showing all improvements.
7. Rights of Ways/Easements. Metes and bounds or courses and distances and legal descriptions for all streets, roads, alleys, drainages or other ways to be dedicated to the public on the final plat.
8. PERFORMANCE AND WARRANTY OBLIGATIONS

a. Performance Obligations are established when the subdivider wishes to receive final plat approval and has substantially completed the project and/or due to some extenuating circumstances, has not completed all of the construction, which warrants said performance obligation. The Board reserves the right to approve or not approve performance obligations.

The amount of a performance obligation shall be based upon the current estimated costs of installation of a street and supporting improvements including power, water and sewer lines. When the improvement has not been installed, the obligation shall be for 100% of the cost.

This estimated cost is to be determined by the subdivider’s engineer and verified by the Appointed Engineer for Subdivisions.

The Board of Supervisors shall approve the amount of the performance obligation, as well as the duration. Performance obligations shall be set for six (6) month or one (1) year periods or until the work requiring the establishment of said obligation has been satisfactorily completed and accepted by the Board.

b. Warranty Obligations are established prior to final plat approval of the subdivision which includes the construction of all street, drainage, and other improvements. Said warranty obligation assures the County that all construction work, completed by the subdivider is in accordance with the plans and specifications of the subdivision are free from any structural defects.

The amount of a warranty obligation shall be based upon fifty (50%) percent of the cost of the street and supporting improvements.

The cost of the subdivision improvements is to be prepared by the subdivider’s engineer and verified by the Appointed Engineer for Subdivisions.

The Board of Supervisors shall approve the amount of the warranty obligation as well as the duration. Warranty obligations shall be set for a period of Two (2) years to insure serviceability and structural integrity of the street and drainage infrastructure. If less than 80% of the homes have been constructed, a one year extension to the warranty may be added.

c. Posting Requirements

All performance and/or warranty obligations must be secured by acceptable securities submitted to and on file with the Board of Supervisors, and no lots can be sold until such action has been procured.

Acceptable security is required to be posted by a subdivider of a newly constructed subdivision development in order to ensure that monies are available, if needed, to complete all construction requirements and to assure the serviceability and maintenance of all roadways within said subdivision in the event a subdivider defaults on the obligation.

d. Acceptable Security as set forth by the Board of Supervisors, to ensure fulfillment of maintenance obligations shall be:

Cash to be held in escrow by the Board of Supervisors.

Letter of Credit from a financial institution with a Scheshunoff Bank Quarterly rating of C+ or above. If the financial institution rating falls below a C+ rating during the term of the obligation, the Board of Supervisors will allow one additional quarter for the rating to rise to an acceptable level. If the rating does not rise to an acceptable level, the subdivider will have fifteen (15) days to provide acceptable alternative security, or the subdivider will be considered in default of their obligation, and the letter of credit will be called. If the financial institution's rating falls to a NR (not rated) level, the developer will have fifteen (15) days to provide acceptable alternative security, or the developer will be considered in default on their obligation, and the letter of credit will be called.

Certificate of Deposit from a financial institution with Scheshunoff Bank Quarterly rating of C+ or above. The certificate of deposit must be pledged to the Stone County Board of Supervisors, and held with a safekeeping agreement in a safekeeping account. If the financial institution rating falls to a C during the term of the obligation, the Board of Supervisors will allow one additional quarter for the rating to rise to an acceptable level. If the rating does not rise to an acceptable level, the subdivider will have fifteen (15) days to provide acceptable alternative security, or the subdivider will be considered in default on their obligation, and the certificate of deposit will be called. If the financial institution's rating falls to an NR (not rated) level, the subdivider will have fifteen days to provide acceptable alternative security, or the subdivider will be considered in default on the obligation, and the certificate of deposit will be called.

U.S. Treasury Bills or U.S. Treasury Notes, pledged to the Stone County Board of Supervisors to be held in a safekeeping account with a safekeeping agreement.

Bond issued by a Surety Company listed on the Federal Register, licensed in the State of Mississippi and acceptable to the County.

e. Monitoring The County Engineer is charged with the responsibility to ensure that securities do not lapse or expire, and shall notify the appropriate governing authority, when the disposition of said obligation requires review and subsequent action by said body or bodies. In addition, the Department of Planning and Development shall be responsible for notifying the subdivider and financial institution holding the pledged securities at least ninety (90) days prior to the expiration of the obligation and further informing said parties that a meeting of the Board of Supervisors will be held regarding the disposition of said obligation.

f. Release The County Engineer for Subdivisions shall determine whether the subdivider has complied with all applicable requirements of development before any obligation can be released. In the event that a subdivider requests or the staff recommends an extension, renewal or reduction of obligation, the Board of Supervisors shall have the sole authority to approve or disapprove said request.

g. Default If a subdivider defaults and cannot or will not meet the obligation at or on the prescribed date and time that said obligation is due to expire, the Board of Supervisors shall have the authority to call any outstanding security on the property in default and instruct the Board of Supervisors Attorney to seize those securities necessary to complete any performance or warranty obligations pertaining to the subdivision.

9. Wetlands/Storm Water Runoff. Written certification from DEQ [and, where applicable, U.S. Army Corps of Engineers] that all wetland and storm water runoff issues have been properly dealt with by and at cost of the developer prior to filing of the final plat for acceptance.
10. Any other items which the Board may reasonably require, given the particular circumstances of the subdivision.

j. Fees

In order to defray the costs of notification, special studies, field investigations and processing of Subdivision Plats, and provide information to the public, fees shall be charged by Stone County. Said fees shall be paid to Stone County, Mississippi, at the time and place the preliminary plat, construction plans and final plats are submitted to the County.

Preliminary Plat

Application Fee.....	\$200.00
Lot Fee.....	\$ 15.00 per lot

Construction Plan Review

Review Fee.....	\$100.00
Road Plans	\$ 10.00 per lot or unit
Sewerage and water.....	No Charge

Final Plat

Review fee.....	\$100.00
Lot fee.....	\$ 20.00 per lot

Resubdivisions

Parcel Fee.....	\$ 50.00 per parcel
<u>Acceptance of Private Road</u> – Filing Fee.....	\$100.00
<u>Variance</u> – Filing Fee.....	\$100.00
<u>Mobile/Modular Home and RV Park Site plan</u>	\$100.00 plus \$15.00 per unit
<u>Townhouse and Apartment Plat</u> – Filing Fee.....	\$100.00 plus \$15.00 per unit
<u>Commercial/Industrial Site Plan Review</u>	\$500.00

Special Construction Special construction requiring the review and inspection by the County Engineer for Subdivisions and/or their representative shall have fees established at their discretion subject to appeal by the petitioner to the Stone County Board of Supervisors. Examples of special construction are as follows: bulkheads, revetments, subsurface drainage, canals & water systems, miscellaneous construction involving the public health, welfare and safety, etc.

<u>Subdivision Driveway Culvert Permit</u>	\$10
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The size and length of pipe required for each lot in the subdivision shall be designed by the developer's engineer. A driveway culvert chart shall be included on the filed plat indicating the Lot number, pipe length and pipe diameter. Each Driveway Pipe must be installed properly by the owner in strict accordance with the permit. The County Road Manager will approve the final installation and signify by his signature on the permit. Installations without a completed permit shall be considered a violation of these regulations.

SECTION VI. Protective Covenants

Before a Subdivision Plat is recorded, Protective Covenants must be approved by the Board and recorded by the Chancery Clerk and the Deed Book and Page Number shall be reference on said Plat. At a minimum, the developer must address the following issues satisfactory to the Board before recording the protective covenants.

1. Building Setbacks
2. Minimum House size and type
3. Utility or Homeowner's association requirements
4. Discharge of Firearms
5. Pets and Livestock
6. Out-Buildings
7. Abandoned vehicles
8. Sidewalks
9. Solid waste

Section VII. Effect of County Acceptance of Subdivision Plat

Acceptance by Stone County of the subdivision and allowance of the plat thereof to be recorded in the Land Records shall not in any manner constitute assurance or commitment by Stone County, or any official thereof, to the developer, owner, purchaser or user of any portion thereof, that such developer or any other person owns the subject property nor that he has complied with any state or federal law other than this subdivision order. Any prospective user, owner or purchaser thereof should make his own private investigation to determine compliance with any other federal or state law.

Section VIII. Repeal of Conflicting Orders

It is further ordered that all previous orders or parts of orders in conflict herewith are hereby repealed and of no force and effect as to any transaction from and after the effective date hereof.

Section IX. Penalty

It is further ordered that any person or persons violating any of the terms or provisions of this order shall be guilty of a misdemeanor and will be subject to prosecution and fines allowable by law and each day that a continuing violation exists without reasonable effort by the violator to correct same shall constitute a separate offense.

Section X. Enforcement

Any violation of this order shall entitle the Stone County Board of Supervisors or any private individual or entity harmed thereby, in addition to any other remedies provided by law, to institute injunction, mandamus, abatement,

damage suit, or any other appropriate action, actions, proceeding or proceedings, to prevent, enjoin, abate, remove or recover damages for such violation as he may be entitled to have, including reasonable attorney's fees.

Section XI. Interpretation

The provisions of this order shall be liberally construed and applied in favor of Stone County in order to effectuate its purposes of promoting the public health, safety, and general welfare of Stone County's citizens and land owners or purchasers.

Section XII. Validity

Each section, sub-section, provision, requirement, regulation or restriction established by this order or any amendment hereto is hereby declared to be independent, and holding of any part hereof to be unconstitutional, invalid or ineffective for any cause shall not affect nor render invalid this order or amendments hereto as a whole or any other part thereof except the particular part so declared to be invalid. This order shall be of full force and effect from and after April 7th, 1980.

SO ORDERED AND ADJUDGED by the Board of Supervisors of Stone County, Mississippi, this 7th day of October, 2019.

Scott Strickland President
Board of Supervisors
Stone County, Mississippi

Gerald W. Bond, Clerk

Came on the necessity of adopting a form application for preliminary subdivision approval pursuant to the “Stone County, Mississippi Subdivision Order 2019”; the Board finding that the application form attached hereto meets the needs at this time for such a form and that same should be adopted:

IT IS, THEREFORE, ORDERED AND ADJUDGED that the application form attached hereto be and is hereby adopted for use in connection with all applications for preliminary subdivision approval as contemplated by the above said 2019 subdivision order until such form may be amended or superceded in the discretion of this Board.

SO ORDERED AND ADJUDGED this 7th day of October, 2019.

APPLICATION FOR PRELIMINARY SUBDIVISION APPROVAL

Name of Subdivision: _____

Number of Lots in Subdivision: _____

Zoning Classification of Said Property: _____

Is Property in Flood Hazard Area: _____

Name of Owner or Owners: _____

Name of Developer's Engineer: _____

Name of Applicant: _____

Address of Applicant: _____

Telephone Number of Applicant:(Business)_____ (Home)_____

Date of Application: _____

Names and addresses of Adjacent Land Owners:

Legal Description of Property:

As recorded in Book Number _____, Page Number _____, in
the Records of Stone County, Mississippi legal description of said property, to-wit;

There are no restrictive covenants or deed restrictions existing or proposed other than those attached hereto.

Fee

Attached herewith is cash or certified check of \$200.00 made payable to the Stone County to defray the cost of processing this application.

APPLICATION