

SUBDIVISION ORDINANCE

OF

JACKSON, MISSISSIPPI

ADOPTED JUNE 29, 1977

by the

CITY COUNCIL OF JACKSON

**Russell C. Davis, Mayor
Thomas B. Kelly, Commissioner
Douglass W. Shanks, Commissioner**

as recommended by the

JACKSON CITY PLANNING BOARD

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AN ORDINANCE ENACTED UNDER THE ENABLING LEGISLATION OF THE STATE OF MISSISSIPPI REQUIRING THE FILING OF PLATS AND DATA FOR SUBDIVISIONS WITHIN THE CITY OF JACKSON, MISSISSIPPI; SPECIFYING REQUIREMENTS AS TO PROCEDURES, DESIGN STANDARDS, REQUIRED IMPROVEMENTS, PLATS AND DATA NECESSARY FOR APPROVAL OF SUCH SUBDIVISION BY THE CITY OF JACKSON, MISSISSIPPI; PROVISIONS FOR VARIANCES; REQUIRING ENFORCEMENT PROCEDURE BY THE CITY OF JACKSON, MISSISSIPPI; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF ITS PROVISIONS.

WHEREAS, the City Council has caused to have prepared and has adopted a Comprehensive Master Plan for the purpose of bringing about coordinated physical development of the City of Jackson, Mississippi and its environs in accordance with present and future needs; and

WHEREAS, there are several tools available to the City of Jackson, Mississippi that are necessary to accomplish the basic goals and objectives of the said Comprehensive Master Plan, one of which is the regulations governing the subdivision of land; and

WHEREAS, the Mississippi Code of 1972 Annotated empowers the City to enact and adopt, in whole or part, regulations governing the subdivision of land and to impose such conditions as deemed requisite when new subdivisions are laid out before accepting dedication of and/or receiving in any land affected hereunder, and authorizing the recording thereof; and

WHEREAS, the City Council has given the public notice of a hearing relating to subdivision regulations, and as held such public hearing in accordance with the requirements of the Mississippi Code of 1972 Annotated; and

WHEREAS, the City Council deems it necessary, for the purpose of promoting the health, safety, morals, and general welfare of the City to enact a subdivision ordinance:

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

ARTICLE I TITLE AND PURPOSE

Section 100 Title

This Ordinance shall be known as the OFFICIAL SUBDIVISION ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI, and may be so cited. Further reference elsewhere as “Subdivision Ordinance,” and herein as “Ordinance” shall imply the same wording and meaning as the full title.

Section 101 Purpose and Intent

The purpose and intent of the Subdivision Ordinance is to promote the health, safety, convenience and general welfare of the People of the City of Jackson, Mississippi; to assist in bringing about the coordinated, efficient and economical development of the City of Jackson; to implement the Comprehensive Master Plan of the City of Jackson; to insure the proper coordination of future streets with existing or planned streets; and to insure the proper construction and installation of public improvements by establishing specific regulations for procedures, minimum standards and requirements to be followed in the development or redevelopment of land subdivision.

101.1 Unless otherwise indicated, all references to Articles and Sections shall be to this Subdivision Ordinance.

ARTICLE II AUTHORITY, JURISDICTION, COMPLIANCE, APPLICATION AND EXCEPTIONS

Section 200 Authority for Regulations

The provisions of this Subdivision Ordinance are adopted pursuant to the authority set forth in the Mississippi Code of 1972 Annotated.

Section 201 Jurisdiction

From and after the date of adoption, these subdivision regulations shall govern all subdivisions of land located within the corporate limits of Jackson, Mississippi. Cooperation in the enforcement of these subdivision regulations is requested from other appropriate governmental agencies in order to provide for the sound, orderly development of lands outside the corporate limits of the City of Jackson.

Section 202 Compliance

202.1: No land lying within the City of Jackson, Mississippi may be divided or redivided, subdivided or resubdivided except by the Final Plat of such subdivision which has been duly approved by the City Council and recorded in the office of the Chancery Clerk of the First Judicial District of Hinds

County, Mississippi.

202.2: No owner or agent of the owner of any lots located in a subdivision, as defined by this Subdivision Ordinance, may transfer title of such lots before a plat of such subdivision has been duly approved and recorded in the Office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi.

202.3 No building permit may be issued for the construction of any building or structure on any land within the City of Jackson, Mississippi before the Final Plat of such subdivision had been duly approved by the City Council and recorded in the Office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi.

202.4 No final Plat of any subdivision shall be recorded in the Office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, until such Final Plat has received approval from the Jackson City Council.

Section 203 Plat Required

Any person desiring to subdivide any land within the corporate limits of the City of Jackson, Mississippi, shall comply with the requirement as set forth in this Ordinance and the Mississippi Statutes.

Section 204 Application

The provisions of this Subdivision Ordinance shall apply to the following terms of land subdivision:

- (1) The division of land into three (3) or more lots, tracts, sites or parcels; or
- (2) The division of land, previously subdivided or platted, into lots, tracts, sites, or parcels; or
- (3) The dedication of any street or alley through any tract of land regardless of the area involved.

Section 205 Exceptions

Realizing that there are certain types of land uses, or property transfer procedures relating to those uses, wherein certain provisions of this Subdivision Ordinance would not be applicable, it is the purpose of this section to set forth the exceptions to which certain provisions of the Ordinance are not applicable.

- (1) A division of land resulting in two (2) or more lots, tracts, sites, or parcels to be used for bona fide agricultural purposes or for uses of a similar nature such as dairy, poultry, livestock farming, forestry, and grazing ranges for livestock, shall be exempt from the requirements of the Subdivision Ordinance.
- (2) The platting of cemeteries; except the preliminary plat thereof showing the layout of the cemetery shall be exempt from other provisions of this Ordinance.
- (3) The transfer of land between adjacent property owners, whether by sale, gift or other method, but only where no additional building lots are created, shall be exempt and subject only to other applicable laws;
- (4) A subdivision legally established and recorded prior to the adoption of this Subdivision Ordinance, but only if there are no alterations of said subdivision, shall be exempt from the requirements of this Subdivision Ordinance.

ARTICLE III PRE-APPLICATION REVIEW PROCEDURE

Section 300 Review of Development Layout

Prior to submitting a preliminary plat and data, the subdivider or his designated agent(s), in order to save time and money and to make the most of his development opportunity, may at his option submit to the Planning Director a proposed development layout as specified in Section 600. The subdivider may choose to have this proposed development layout reviewed by the Site Plan Review Committee. The purpose of this review option is to afford the subdivider an opportunity to avail himself of advice and assistance of the aforementioned before the preparation of the preliminary plat and final application for its approval.

Section 301 Procedures for the Site Plan Review Committee

If the subdivider chooses to seek the assistance of the Site Plan Review Committee, the subdivider shall submit to the Planning Director the pre-application development layout at least five (5) full working days prior to the next regular meeting of the Site Plan Review Committee. The review by the Committee may include informal conferences by the Chairman with the subdivider or his designated agent. The Committee shall discuss any general or specific problems associated with the proposed subdivision and give suggestions on modification of the layout. The Site Plan Review Committee shall return the development layout with notations, if any, to the subdivider no later than the next scheduled meeting of the Site Plan Review Committee after submission of said layout. No fee shall be required for this review.

Section 302

Before grading or construction of any type is begun for the subdivision, the subdivider or his designed agent shall have received an approved Development Permit from the Director of Building and Permit.

ARTICLE IV PRELIMINARY PLAT AND CONSTRUCTION PLANS APPROVAL

Section 400 Preliminary Plat Required

The subdivider shall submit the following the Planning Director at least five (5) full working days prior to the next regular meeting of the Site Plan Review Committee.

- (1) An application, available at the Office of the Planning Director, requesting review and approval of the preliminary plat.
- (2) Ten (10) good quality copies of the preliminary plat conforming to the requirements set forth in Section 601.
- (3) Any other supplementary data as specified in Section 601.4.
- (4) The required fee payment as specified in Section 1300.

Section 401 Preliminary Plat Review Procedure

- 401.1: After receipt of the preliminary plat and supplementary data, the Planning Director shall forward the copies of the preliminary plat and

supplementary material to the appropriate Departments that are represented on the Site Plan Review Committee. Each Department shall examine the preliminary plat to check if the proposed development meets the required specifications, with each Department giving special consideration and emphasis to the proposed plans regarding that Department's area of expertise.

401.2: The findings of the aforementioned Departments shall be forwarded to the Site Plan Review Committee at the next scheduled meeting of the Committee after the submission of the preliminary plat. If no action is taken within the designated period of review by the authorized Departments, the Site Plan Review Committee shall review the application for preliminary plat approval without delay. The applicant requesting preliminary review or his authorized representative(s) shall meet with the Committee to answer any questions concerning the development of the plat. The Committee members shall approve or disapprove the preliminary plat by the next scheduled meeting following its review with the applicant.

401.3: The Site Plan Review Committee may approve or disapprove the application as submitted, or before approval may require that the applicant modify, alter, adjust, or otherwise amend the preliminary plat. Such conditions may be accepted and agreed to by the applicant at that time or appealed to the City Council as set forth in Article XII. Failure to appeal such action to the City Council, shall deem the action of the Site Plan Review Committee on review of the Preliminary Subdivision Plat to be final. No subsequent approval is required. The action along with the conditions applying to such approval, if any, shall be noted in writing and attached to three (3) copies of the preliminary plat. One (1) copy shall be returned to the subdivider, one (1) copy shall be retained by the City Engineer, and one (1) copy shall be retained by the Planning Director.

- 401.4: In such case where the subdivider decides, at his option, to resubmit a preliminary plat due to the substantial deficiencies and omissions on the plat and certain conditions have been placed on said plat, the subdivider should re-submit the plat, meeting the conditions placed on the plat, at least five (5) full working days prior to a subsequent meeting of the Site Plan Review Committee. No additional fee shall be charged for re-submissions.
- 401.5: After receiving written notification of preliminary plat approval, the subdivider or his designated agent(s) shall submit the construction plans of the proposed subdivision to the City Engineer as specified in Section 403.
- 401.6: Approval of the preliminary plat shall lapse unless a final plat in substantial agreement with the preliminary plat is submitted within twelve (12) months from the date of construction plan approval, or unless an extension of time is requested in writing by the subdivider(s) and expressly granted in writing by the City Engineer, and further provided that such time extension shall in no case be greater than twenty-four (24) months from the date of initial approval.
- 401.7: Approval of a preliminary plat shall not constitute approval of the final plat. It indicates only approval of the layout as a guide to the preparation of the final plat which will be submitted for approval by the City Council and for recording upon fulfillment of the requirements of the Subdivision Ordinance and the conditions of the preliminary plat approval, if any. However, if approval of the preliminary plat is given by the Site Plan Review Committee, the subdivider shall be guaranteed that if the final plat submitted to the City Engineer conforms substantially to the approved preliminary plat, the said final plat shall be approved by the City Council.
- 401.8: Where a substantial change is desired in an approved preliminary

plat, such change may be proposed by the subdivider subject to approval of the Site Plan Review Committee.

Section 402 Vacation and/or Alteration of Recorded Plats

If an owner desires to vacate and/or alter a plat of any land which has been previously recorded as a subdivision within the City of Jackson, the vacation and/or alteration of such plat shall be accomplished as required by law.

Section 403 Approval of Construction Plans Required

403.1: The subdivider shall submit to the City Engineer five (5) copies of blueline prints of the construction plans for the required improvements, conforming to the requirements set forth in Section 602; said plans shall be submitted and approved by the City Engineer before construction of any type is begun in the subdivision.

403.2: All improvements required in this Subdivision Ordinance shall be designed by, certified by, and constructed under the supervision of a qualified Professional Engineer registered in the State of Mississippi and employed by the subdivider.

403.3: The construction plans shall be approved or disapproved by the City Engineer or his designated agent(s) within ten (10) full working days after receipt of the plans as required by this Subdivision Ordinance and have certificates of approval from said City Engineer attached thereto. Any changes to the approved construction plans shall be approved in writing by the City Engineer prior to construction.

ARTICLE V FINAL PLAT PROCEDURE

Section 500 Final Plat Application

If the subdivider intends to submit a final plat, he or his designated agent may within one (1) year from the construction plans approval submit, upon payment of fees, the following

to the City Engineer:

- (1) A final plat of good quality muslim-backed paper and five (5) copies of the final plat, conforming to the requirements of Section 603;
- (2) Any supplementary material as specified in Section 603.4.

Section 501 Final Plat Review

501.1: Approval of a final plat by the City Council shall be required before any plat shall be filed and recorded by the Office of the Chancery Clerk of the First Judicial District of Hinds County, unless specifically exempted from these requirements as provided in Section 205.

501.2: The City Engineer shall review the final plat and supplementary data in order to determine compliance with the requirements of this Subdivision Ordinance and conformance with the approved Preliminary Plat, including any conditions attached thereto, by the Site Plan Review Committee. Review and action shall be taken by the City Engineer within fifteen (15) full working days after receipt of the final plat. If no action is taken within this time period by the City Engineer, the City Council shall approve the final plat without delay.

501.3: If the final plat substantially conforms to the approved preliminary plat, the said City Engineer shall so attest and shall forward same to the City Council recommending approval of the final plat. If the final plat does not substantially conform to the approved preliminary plat, then it shall not be recommended to the City Council for approval. The subdivider, after notification of non-conformance by the City Engineer, may agree to correct the deficiencies making any changes indicated in the notification. If appealed, the City Council shall afford a hearing on the final plat. Notice of time and place shall be sent by the City Engineer by U. S. Certified Mail - Return Receipt Requested to the applicant.

501.4: The final plat shall not be approved by the City Council until the

subdivider has complied with one of the following alternatives:

- (1) Actually completed construction of all the improvements required by the Subdivision Ordinance and any conditions attached to the approved Preliminary Plat, or
- (2) Posted with the City an improvement guarantee as specified in Section 703 in an amount equal to the total estimated cost of installation of the required improvements specified in Section 703.1.

501.5: The power of approval of a final plat shall be reserved exclusively to the City Council and such approval of the final plat by the City Council shall constitute acceptance of the improvements.

501.6: After recommendation of the final plat is given by the City Engineer, the City Council shall take action on the said plat at its next regularly scheduled meeting. If approved by the City Council, the Mayor shall sign the final plat showing the approval of the plat. If the final plat is disapproved, a statement of reasons for disapproval shall be attached to the final and the same shall be returned to the applicant. The approved final plat after being signed by the Mayor shall then be sent to the Planning Director who shall have copies made and shall return the final plat to the subdivider within two (2) days after receipt of said approved final plat. Copies of the final plat that has been duly approved shall be distributed as follows:

- (1) One (1) copy shall be filed with the City Engineer;
- (2) One (1) copy shall be filed with the City Clerk;
- (3) One (1) copy shall be retained by the Planning Director.

Section 502 Recording of the Final Plat

502.1: After receiving the approved final plat, the subdivider shall have the final plat duly recorded in the Office of the Chancery Clerk of the First

Judicial District of Hinds County as required by law, and shall be responsible for payment of the recording fee.

502.2: Upon approval of the final plat by the City Council and the recording of said plat, the subdivider may transfer title of the lots contained in the subdivision by referencing the subdivision name and lot number.

ARTICLE VI SPECIFICATIONS FOR PLAT, PLANS AND DATA

Section 600 Pre-application Development Layout

The development layout for the purpose of pre-application review as specified in Article III shall show in simple form sufficient data to permit a responsible evaluation of the physical factors of the proposed development. The layout should show in simple form the existing and proposed layout of the streets, and the approximate arrangement of lots and utilities. At the subdivider's option, he may also submit a location map, topography, approximate number of lots proposed, current or proposed zoning, parks and playgrounds, and any other additional information that will help him obtain an evaluation of his proposed development.

Section 601 Preliminary Plat Specifications

The preliminary plat for submission as set forth in Section 400 shall meet the following requirements in regard to form and contents:

601.1 Form: The preliminary plat shall be submitted on a sheet size as small as possible for convenience but no less than eighteen (18) by twenty-four (24) inches. If the complete plat cannot be shown on one (1) sheet, it may be shown on more than one (1) sheet with an index map on a separate sheet of the same size.

601.2 Scale: The preliminary plat shall be clearly and legibly drawn at a minimum scale of one (1) inch to two hundred (200) feet.

601.3 Contents: The preliminary plat shall show the following information:

(1) The title under which the proposed subdivision is to be recorded, with the

name(s) and address(es) of the owner(s), the name of the designer of the plat, the name and registration number of the engineer or surveyor licensed to practice in the State of Mississippi;

- (2) Date of preliminary plat, location, north arrow, scale of plat in graphic form;
- (3) Vicinity map showing the relationship of the subdivision site to the surrounding area and identification of the neighborhood in which the site is located. List township, range and section designations and show limits of the proposed subdivision;
- (4) Location and size of existing streets, water, sewer, and other utilities to which the proposed development is to be connected, or otherwise abutting the property;
- (5) Present zoning classification of the land to be subdivided;
- (6) Total acreage of the land to be subdivided and the number of lots proposed;
- (7) Contour lines of ground elevations, based on Mean Sea Level (U. S. Geological Survey Datum) or the City of Jackson Datum with a maximum contour interval of five (5) feet. The datum that is used shall be indicated on the plat;
- (8) If any portion of the land being subdivided is below the elevation of Intermediate Regional Floods (100-Year Flood Frequency) as defined in published U. S. Army Corps of Engineers Flood Plain Information Studies or other such responsible agencies, such flood limits shall be shown on the plat;
- (9) Location of proposed streets, including names along with dimensions of the street improvements and right-of-ways; dimensions of any alleys; lot and block numbers and lot lines with approximate dimensions; and
- (10) Sites, if any, to be reserved or intended to be dedicated for parks, playgrounds, open spaces, lakes, ponds and other public uses.

601.4 Supplementary information to be provided with the preliminary plat includes:

- (1) Statement of the proposed use of lots, giving types of residential buildings with number of proposed dwelling units, or type of business or industry, as applicable, so as to reveal the effect of development on traffic, fire hazards, or congestion of population.
- (2) If any zoning changes are contemplated, the proposed zoning classification should be indicated.

Section 602 Construction Drawings Specifications

The construction drawings as required in Section 403 shall meet the following requirements with regard to form and contents:

602.1 Form: Construction plans shall be submitted on twenty-four (24) inch by thirty-six (36) inch sheets and shall consist of combination plan and profile for each street and a typical cross-section of the proposed grading, drainage, base course and pavement. Detailed plans shall be submitted for the water and sanitary sewer systems and for culverts, drainage structures and bridges, or if applicable, standard plans issued by the Mississippi State Highway Department may be included for reference.

602.2 Scale: The plan and profile sheets (streets and sanitary sewers) shall be drawn to a scale of one (1) inch equal twenty (20) feet horizontal and one (1) inch equals two (2) feet vertical, and shall be based on U. S. Geological Survey Datum (Mean Sea Level) or City of Jackson Datum. The datum used shall be noted on the plans.

602.3 Contents: The construction plans shall contain the following information and sheets:

- (1) Location sheet depicting subdivision in relation to all existing streets and property in the general area and showing the name of the subdivision engineer and developer;

- (2) Drainage and geometric layout sheet with contour lines depicting drainage areas, proposed drainage facilities with drainage area to be served by each facility noted, curves data and typical street sections;
- (3) Water and sewer layout sheet depicting proposed water and sanitary sewer facilities;
- (4) Combination plans and profile sheets as specified in 602.2 showing construction requirements for each proposed street and appurtenances. The plan profile drawings of the proposed sanitary sewers shall depict the location of lines and final grades; the location of stubouts; sanitary manholes, inverts, top elevation; length, size and slope of pipes between manholes; types of materials to be used; creek crossings; and pump stations and force mains;
- (5) Standard Detail sheets of the City of Jackson or equal;
- (6) Special Detail sheets.

602.4 Supplemental information to be provided with the Construction Drawings include:

- (1) Design computations used by the designer if requested by the City Engineer;
- (2) If and when the plans of the public utilities have been received by the subdivider from the appropriate utility companies, the subdivider shall submit one (1) copy of each of the said plans to the City Engineer.

Section 603 Final Plat Specifications

The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of this Subdivision Ordinance. The specifications of the final plat of the subdivision shall be as follows:

603.1 Form: The final plat shall in every case be made on sheets of good quality

muslim-backed paper, eighteen (18) by twenty-four (24) inches in size.

603.2 Scale: The final plat shall be clearly and legibly drawn at a minimum scale of one (1) inch equals two hundred (200) feet.

603.3 Contents: The final plat shall be prepared as provided herein and following the statutes of Mississippi relating to subdivision plats, the requirement of which includes:

- (1) A full and detailed description of the land embraced in the map or plat, showing the township and range in which such land is situated, the sections and parts of sections platted and in plain letters the fact that such land is a subdivision located in the City of Jackson;
- (2) The name of the city, town, or village, or addition platted;
- (3) The name(s) of the owner(s), of the engineers, surveyor, or other person making the plat;
- (4) The signatures of the owner(s) and surveyor(s) which shall be acknowledged as deeds are acknowledged;
- (5) The sections and parts of sections platted designated by lines drawn upon the final plat with appropriate letters and figures;
- (6) A plain designation of the cardinal points of the compass, a correct graphic scale, and date;
- (7) All public grounds, except streets and alleys, by their boundaries, courses and extent;
- (8) All streets and alleys by their courses, lengths, widths and other dimensions and curve data;
- (9) All the lots intended for sale numbered either by progressive numbers, or if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered;

- (10) Dimensions, angles, curve data, bearings, etc., of all lots, but where all the lots in any block are of the same dimensions, it shall be sufficient to make the precise length and width upon one tier thereof, but all gores, triangles, or on other lots, either squares or parallelograms, shall have the lengths of their sides plainly defined by figures;
- (11) All adjacent streets and alleys, and those parts of existing subdivisions abutting them;
- (12) If any portion of the land as subdivided is below the elevation of Intermediate Regional Floods (100-Year Flood Frequency) as defined in published U. S. Army Corps of Engineers Flood Plain Information Studies or other such responsible agencies, such flood limits shall be shown on the plat;
- (13) The point of beginning of the survey;
- (14) Location and description of boundary monuments, if applicable;
- (15) Location of all utility and drainage easements;
- (16) Registered Professional Engineer=s or Registered Land Surveyor=s Certificate; (See Appendix B-1)
- (17) Owner's Certificate; (See Appendix B-2)
- (18) Acknowledgment Form (Notary Public); (See Appendix B-3)
- (19) City Approval and Acceptance Form; (See Appendix B-4)
- (20) Certificate of Comparison Form; (See Appendix B-5)
- (21) Certificate of Filing and Recordation Form. (See Appendix B-6)

603.4 Supplementary information to be presented with the final plat shall include:

- (1) A good quality reproducible of the "as built" construction plans depicting the exact location of all required improvements as proposed on the approved construction plans. Such plans shall contain a certified statement by the registered engineer employed by the subdivider attesting that a final field

survey was conducted and that the “as built” plans resulted from said survey and are true and correct to the best of the engineer’s knowledge.

- (2) A certificate dedicating to the City all lands and/or improvements other than the dedicated streets and utilities desired for City acceptance and maintenance, if any;
- (3) If not previously submitted, one (1) copy of the layout plans of the private utilities, if available.

ARTICLE VII REQUIRED IMPROVEMENTS AND INSPECTIONS

The owner of the subdivision shall cause to be constructed and installed the improvements specified in this Article. Such construction and installation shall be in accordance with the requirements and specifications set forth by this Subdivision Ordinance.

Section 700 Monuments

- 700.1: Concrete monuments shall be placed at all corners in alignment along the boundary of the subdivision. Concrete monuments shall consist of 4-inch by 4-inch, or 4-inch diameter, concrete posts not less than thirty (30) inches in length, reinforced with a single 2-inch steel rod extending not less than 1/4-inch or more than 2-inch above the top of the concrete. Concrete monuments shall be firmly set in the ground to a depth of twenty-four (24) inches, except at intersections where they shall be set flush with the ground.
- 700.2: Markers shall be placed at all lot corners or changes in alignment in lot boundaries. These markers shall consist of iron pins not less than 2-inch in diameter and not less than twenty-four (24) inches in length.
- 700.3: Markers shall be set with the top thereof flushed with the finished grade. Where farming operations or other land uses might destroy or disturb the markers, they shall be sunk underground and referenced to permanent landmarks.

Section 701 Improvements

701.1: In consideration of the City of Jackson's acceptance of any subdivision and assuming the responsibility of maintaining the dedicated streets laid out therein, the developer shall cause to be constructed, at no expense to the City of Jackson, the following minimum improvements in accordance with the approved plans and the Standard Specifications for Construction of Streets, Pavements, Sewers and Water Distribution System adopted by the City of Jackson in November, 1963, and as of record in the Office of the City Clerk, being recorded in Minute Book "PP", Page 531, and all amendments and revisions thereof.

- (1) Grading of streets and sidewalks shall be for the full width of the right-of-way.

Valid exceptions to the grading requirement outside of the improvement area may be granted if necessitated by excessive grade change and/or the excessive removal of large trees which would be caused by the grading of the full right-of-way width providing such is approved by the Site Plan Review Committee.

- (2) Surface drainage of streets shall be by concrete curb and gutter with curb inlets, manholes and underground storm sewers;
- (3) Installations of pipe culverts, box culverts, bridges or other drainage structures as required on the approved plans;
- (4) Excavation of drainage ditches;
- (5) Topping of subgrades with selected subbase materials as required on the approved plans;
- (6) Construction of pavement base and surface courses;
- (7) Grading, dressing and erosion control measures on shoulders and slopes;
- (8) Construction of sanitary sewer system, including collection sewers, services

to all lots, force mains, lift stations, and all appurtenances, and connecting sewers to existing sanitary sewers as per plans approved by the City Engineer and the Mississippi Air and Water Pollution Control Commission;

- (9) Construction of water system including water mains, services to all lots, fire hydrants, valves, manholes, any and all appurtenances per plans approved by the City Engineer and Mississippi State Board of Health;

701.2: All underground utility street crossings shall be installed prior to construction of the base course of the streets, or in lieu thereof, such utility lines shall be jacked under the street after the base course has been installed. When the subdivider is ready to install the final wearing surface on the streets, he shall not do so until he notifies the City Engineer or his designated agent(s) and receives approval for the installation from said City Engineer.

701.3: It shall be the responsibility of the developer to mark or to cause to have marked the "as built" location of all water and sanitary sewer services to individual lots. The location of water and sanitary sewer services shall be marked on the face of the curb with the letter "W" to denote water and with the letter "Y" to denote sewer.

Section 702 Optional Improvements

While not to be considered as required improvements, it shall be the policy of the City Council that any additional improvements such as parks and open space, sidewalks, landscaping, suitably designed retaining walls, nature trails, pedestrian bridges over exposed waterways, and any similar improvements which in total would contribute to the livability and desirable visual appearance of the subdivision, are most highly recommended and encouraged. Any proposed improvements within existing or proposed street rights-of-way shall be subject to review by the Site Plan Review Committee before be approved.

702.1: When sidewalks are constructed in a subdivision they shall be subject to approval by the City Engineer and shall be constructed in accordance

with the City of Jackson Design standards as delineated in Section 701.1 (1) and 804.8 (8).

702.2: It shall be the responsibility of the Planning Board and its staff to constantly monitor residential development in Jackson to ascertain directions and patterns of growth for the purpose of anticipating where parks and open spaces for recreational purposes will be needed and to recommend to the City Council acquisition of such land by the City of Jackson before such acquisition is preempted by development.

Section 703 Improvement Guarantees

Application for the final plat approval may be granted by the City Council if one of the following improvement guarantees is posted with the City.

703.1 Performance Bond: If all improvements except the final wearing surface have been completed at the time at which the subdivider wishes to submit the final plat for approval, he may, after obtaining approval from the City Engineer, post a performance bond in an amount sufficient to properly complete such improvements in accordance with the approved construction plans and specifications. The City Engineer or his designated agent(s) in conjunction with the subdivider shall determine the appropriate amount of the performance bond, after reviewing the construction plans for the required improvement. The City Engineer shall then recommend the amount estimated to the City Council for approval. The duration of the bond shall be until such time as the improvements are accepted by the City. Where performance bond(s) have been deposited with the City for the purpose of guaranteeing that improvements are actually installed as proposed, said bond(s) shall be returned to the subdivider when the final inspection of the required improvements have been made by the City Engineer or his designated agent(s) and certification has been made by the City Engineer that the improvements have been satisfactorily constructed as required.

703.2 Cash or Securities Bond Account: The subdivider may, in lieu of performance bond, deposit cash or other instrument readily convertible into cash at face value, either with the City, or in escrow with a bank. In the case of a cash or securities bond account, and for the use of any instrument other than cash, the bank with which the funds/instrument are to be deposited, shall be subject to the approval of the City Council. The amount of the deposit shall be at least equal to the cost of installing the required improvement specified in 703.1, as estimated by the City Engineer or his designated agent(s) in conjunction with the subdivider. To utilize the bond account option, the subdivider shall file with the City Council an agreement between the financial bank and himself guaranteeing the following:

- (1) That the funds of said bond account shall be held in trust until released by the City Council and may not be used or pledged by the subdivider as security in any other matter during that period;
- (2) And that in the case of a failure on the part of the subdivider to satisfactorily complete said improvements within the specified time period, then the bank shall immediately make the funds in said account available to the City for use in the completion of those improvements;
- (3) And that if any interest is earned on the account, the interest shall be returned to the subdivider.

703.3 Time Limits: Prior to the granting of final plat approval, the subdivider and the City Engineer shall agree upon a deadline for the completion of all required improvements, such deadline not to exceed one (1) year from the date of final plat approval. The City Council may extend the deadline for one (1) additional year where the subdivider can present substantial reason for doing so.

703.4 Satisfactory Completion of Improvements: If any portion of the required improvements shall fail to be accepted for dedication, either for reason of

incompletion or for any reason of substandard construction, then the City Council shall take the following actions:

- (1) Where improvements have been guaranteed through the posting of a performance bond shall be advised that the guaranteed improvements must be completed or reconstructed under the bond. Where the improvements have been guaranteed through the depositing of readily convertible instruments or through the establishment of an approved bond account under Section 703.2, the City Council shall declare whatever security has been pledged as a guarantee to be forfeit. Where the City Council is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it.
- (2) The City Council shall use the guarantee which is deemed applicable to finance the completion of contracted improvements or the construction of such improvements to the proper specifications. Unused portions of these securities shall be returned to the subdivider, bonding company, or crediting institution, as is appropriate.

Section 704 Inspection and Certification of Required Improvements

704.1: The developer shall employ a registered professional engineer, acceptable to the City Engineer, to inspect the improvements as they are installed. This engineer shall then certify to the City Engineer that each improvement has been constructed in accordance with the requirements of Section 701.1.

704.2: Upon approval of the construction plans with such changes and alterations, if any, as may be ordered, the developer may proceed with proposed improvements. The City Engineer must be informed by letter of the date on which the work is anticipated to begin to the proposed subdivision.

704.3: After completion of all improvements the City Engineer shall make a

final inspection of the required improvements which are delineated in Section 701, and any other improvements to be accepted by the City, after Certification by developer=s engineer that such improvements have been completed in accordance with the City Specifications. Unacceptable work, whether the result of poor workmanship, use of defective materials, damage through carelessness or any other cause found to exist prior to final acceptance of the work, shall be removed and replaced in an acceptable manner at no cost to the City of Jackson. The City Engineer, acting as the duly authorized representative of the City of Jackson and subject to the rules and regulations contained herein, shall decide all questions which may arise as to quality or acceptability of materials furnished or work performed. Such decisions may be appealed to the City Council. This final inspection and acceptance of each phase shall be binding upon the City subject to correction by the Developer and his contractor of any damage which might occur during subsequent work on other required improvements.

704.4: If the City Engineer has verified that the contracted improvements are complete and free from defect, then upon receipt of the final plat, as described in Article V and any other statements and certificates and/or agreements, the City Council shall accept the dedication of those improvements. The City Council may, at its discretion, accept the dedication of any portion of the required improvements, provided that all statements and agreements specified above have been received for that portion of the improvements.

ARTICLE VIII DESIGN STANDARDS

Section 800 General Provisions

The provisions of this Article set forth the standards by which subdivision developments will be functionally related to existing land uses, streets and utility systems and be so designed and located that the public health, safety and welfare of the community will be promoted

and protected.

Section 801 Suitability of Land

The subdivision of land affected by conditions undesirable to urban development shall not be approved until satisfactory evidence is provided by a registered professional engineer outlining the steps to be taken to overcome these conditions. The subdivision of land whose elevation is below the 100 year flood elevation as indicated by the Intermediate Regional Flood determined by U. S. Corp of Engineers shall not be permitted for residential, commercial, or industrial uses until provisions have been made to either raise the elevation of the building site above such flood elevation or to raise the floor level of any structure to be erected thereon above such flood level by the use of piles or piers. If the building site is raised by filling, channeling, and/or a combination of both, it shall not unduly restrict the flow of water in the main channel nor unduly increase flood heights in lower regions of the subject drainage basin. Land on which development cannot take place may be set aside for open space uses which will produce acceptable development conditions.

Section 802 Lots

Except where lot design is accomplished by approved planned unit development given in Section 1004 of the Official Zoning Ordinance of Jackson, Mississippi, all lots shall conform to the following requirements.

802.1 The lot size, width, depth, shape and orientation, and the minimum building set-back lines of all uses shall be appropriate for the location of the subdivision and for the type of development and use contemplated as prescribed by the provisions of the Official Zoning Ordinance of Jackson, Mississippi.

802.2: The subdividing of land shall be such as to provide, by means of a public or private street, each lot with satisfactory access to an existing public street or land.

802.3: Double frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet in width shall be provided along back lot lines abutting such a

traffic artery or other disadvantageous use.

802.4: Site lot lines shall be as close as possible at right angles to straight street lines, and radial to curved street lines. Each lot must front for the minimum width distance required by the Official Zoning Ordinance of Jackson, Mississippi on a public dedicated street or approved private drive. Provided, however, that lots fronting on a turn-around this minimum lot width can be measured at the building set back line providing the dimensions at the street or private drive frontage is at least fifty percent (50%) of the required minimum lot width distance.

802.5: Where platted lots and lands of subdivision are subject to flooding as indicated by the delineation of the Intermediate Regional Flood (U. S. Army Corps of Engineers, et al), the limits of such areas subject to flooding shall clearly be indicated on the preliminary and final plat.

Section 803 Blocks

803.1: As usual a practice, blocks should be no less than four hundred (400) nor more than sixteen hundred (1600) feet in length, except where it is necessary to secure an efficient use of land such as institutional, commercial or industrial areas, or desired features of the street pattern. Necessary variances in the length, shape and width of blocks may be granted in keeping with the provisions of Article XI.

803.2: Blocks shall be wide enough to allow two (2) rows of lots that are of the dimensions required by the Official Zoning Ordinance of Jackson, Mississippi. Where such is prevented by topographic conditions, the Site Plan Review Committee may approve a single row of lots of adequate depth in keeping with the dimensional requirements of the zoning district wherein located.

Section 804 Streets

804.1: The design of streets shall conform to the minimum criteria set forth hereinbelow and/or as depicted in Appendix A of the regulations, and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and their appropriate relation to the proposed

uses of the land to be served by such streets.

804.2: The arrangement of streets in a subdivision shall either:

- (1) Provide for the continuation of existing streets in surrounding areas,
- (2) Conform to a plan for area development adopted by the City Planning Board and approved by the City Council to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

804.3: Residential streets shall be so laid out that their use by through traffic will be discouraged. Where a proposed subdivision abuts or contains an existing or proposed arterial street, the Site Plan Review Committee may require that the streets or lots be designed in such a way as to provide adequate protection of residential properties.

804.4: Where a proposed subdivision abuts or contains a railroad, freeway, limited or controlled access highway right-of-way, the Site Plan Review Committee may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirement of approach grades and future grade separations.

804.5: Half-streets shall be prohibited.

804.6: Horizontal and Vertical Alignment

- (1) The maximum length of a minor street designed to have only one end open shall be 600 feet unless a greater length is required due to unusual topographic conditions or to property access limitations, and approval is granted by the Site Plan Review Committee. A turn-around having a minimum diameter of sixty (60) feet between curb faces and a minimum right-of-way of eighty (80) feet shall be provided at the closed end of such streets.

- (2) The minimum stopping sight distance for horizontal curves on minor residential streets shall be two hundred (200) feet.
- (3) Reverse curves shall be avoided when possible. Should it become absolutely necessary to utilize a reverse curve, a tangent of at least one hundred (100) feet shall be introduced between curves.
- (4) The minimum radius of curvature permitted on a horizontal curve shall depend upon design speed and corresponding friction coefficients developed by AASHTO (American Association of State Highway and Transportation Officials), but shall not be less than one hundred seventy-five (175) feet.
- (5) All changes in street grades shall be made with vertical curves. The minimum required stopping sight distance for a vertical curve shall be computed using formulas developed by AASHTO, but shall not be less than two hundred (200) feet.
- (6) The maximum street gradient shall not exceed 8% except where steeper grades are mandatory due to usual topographic conditions and approval is granted by the City Engineer. The minimum grade shall be such as to allow for adequate drainage without undue spread of storm water over the travel lane, but shall not be less than 0.5%.

804.7: Intersection Design

- (1) Streets shall be designed to intersect at approximately right angles. Skewed intersections shall be avoided and in no case shall the angle of intersection be less than 75 degrees.
- (2) Street intersections and approaches shall be designed on as flat a grade as possible. Street gradients within 100 feet of intersections shall not exceed 4%, and every reasonable effort shall be made to keep the gradient below 2%.
- (3) The minimum curb radius permitted at intersections shall be twenty (20) feet

for minor residential streets, and twenty-five (25) feet for collector streets, and for streets serving commercial or industrial developments.

- (4) Two streets intersecting the same street (T-intersection) shall be offset a minimum of one hundred fifty (150) feet (centerline offset).
- (5) Turning lanes shall be provided at heavily traveled intersections as determined by the City Engineer.
- (6) When possible, intersections on sharp horizontal curves or near the vertex or crest vertical curves shall be avoided.

804.8: Typical Section and Pavement

- (1) Streets shall be designed with a parabolic crown in accordance with the following criteria:

| <u>Street Width*</u> | <u>Crown</u> |
|----------------------|--------------|
| 32' to 40' | 6" |
| 41' to 48' | 8" |
| 49' to 60' | 10" |

* Street widths face to face of curb

- (2) Street pavement designs shall be based on consideration of the anticipated traffic volumes by weight, the subgrade soil, surface drainage, ground water and climatic conditions. The pavements thickness shall be a function of the load supporting value of the subgrade soil beneath the pavement and of the load distribution characteristics of the proposed pavement structure. Set forth hereinbelow are the minimum acceptable thicknesses for pavement structures:
 - a. 1 1/2 inches Type "C" Asphalt Wearing Course and 5 inches Asphaltic Concrete Black Base
 - b. 2 1/ 2 inches Type "C" Asphalt Wearing Course and 8 inches

Compacted Clay Gravel Base

- c. 5 inches Portland Cement Concrete Pavement with 42 pound 6 inches by 6 inches - 6/6 gauge welded wire mesh
- (3) Streets serving low density single family and moderate density single and two-family residential districts (R-1 and R-2 zoning) as established in the Official Zoning Ordinance shall have a minimum street width of thirty-two (32) feet face to face of curb and a minimum right-of-way of fifty (50) feet.
 - (4) Streets serving a townhouse and/or zero lot line residential district (R-3 zoning) in the Official Zoning Ordinance shall have a minimum street width of thirty-six (36) feet face to face of curb and a minimum right-of-way width of fifty (50) feet.
 - (5) Streets serving all other single or multi-family residential districts shall have a minimum street width of forty (40) feet face to face of curb and a minimum right-of-way width of sixty (60) feet.
 - (6) Streets serving commercial or industrial developments shall have minimum street and right-of-way widths as determined by the Site Plan Review Committee.
 - (7) If it is determined by the Site Plan Review Committee that a street within a proposed development will serve as a secondary or arterial route, said committee may require that a seventy (70) foot right-of-way width be dedicated.
 - (8) Concrete sidewalks, when utilized, shall be a minimum of 4 inches in thickness and shall drain to the street on a slope of 1/4 inch per foot.
 - (9) All streets shall be designed with curb and gutter.
- 804.9: Proposed streets which are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall names of proposed streets duplicate or be confused with existing

street names. Street names shall be subject to the approval of the Site Plan Review Committee and the City Council.

804.10: The main building shall front the street which the lot fronts in all approved and recorded subdivisions unless otherwise approved by the City Council of Jackson, Mississippi, after careful review of the facts involved and the approval of the Site Plan Review Committee. In the cases of corner lots, the main building shall front one or both of the streets that the lot abuts.

Section 805 Storm Drainage Systems

805.1: The design of the storm water drainage systems shall insure adequate control of storm water runoff through the use of properly sized and positioned drainage structures including, but not limited to, curb and gutter, curb and grate inlets, storm sewer pipe, box culverts, intersectional drains, open ditches and bridges. The design of storm drainage system shall be in accordance with generally accepted engineering practice.

805.2: The design of storm water drainage systems shall be compatible with master drainage plans developed for and approved by the City of Jackson.

805.3: Drainage facilities shall be designed to prevent excessive runoff onto adjacent properties.

805.4: Storm Drainage Pipe and Culverts

(1) Pipe and culvert sizes shall be selected by use of computed hydrological and hydraulic data. Design flows shall be based on climatic factors such as rainfall intensity, duration, frequency and distribution and physiographic factors such as size, shape, and slope of drainage area, anticipated land use or cover, surface infiltration condition, soil type and topographical condition. Pipe

selection shall be based on its hydraulic capacity considering size, slope, and roughness characteristics as well as its tendency to become choked and the ability to clean and remove obstructions.

- (2) The minimum storm drainage pipe size shall be 15 inches.
- (3) Cross drains shall be provided to accommodate all natural water flow and shall be of sufficient length to permit construction of a full width roadway including side slopes. Headwalls or flared end section aprons as well as channel bottom and slope protection shall be provided at the upstream and discharge end of the cross drain as required by the City Engineer.

805.5: Streets, Curb and Gutter, and Inlets

- (1) The horizontal and vertical alignment of streets shall be compatible with the storm water runoff system and drainage design.
- (2) Street grades shall be coordinated with lot drainage as proposed in the grading plan, but shall be above the fifty (50) - year frequency flood level.
- (3) The hydraulic capacity of the curb and gutter shall be determined by generally accepted engineering procedure taking into consideration roughness, street cross-slope, and street gradient, and allowable spread of water over the travel line.
- (4) The hydraulic capacity of curb inlets shall be determined by generally accepted engineering procedure taking into consideration inlet geometry and characteristics of the gutter flow. Curb inlets shall be spaced so as to limit the spread of water to not more than one quarter of the street width during a design storm of five (5) year return period and 15 minute duration. Inlets shall also be placed at all low points in the gutter grade, at intersections where necessary to prevent gutter flow from crossing traffic lanes of an intersecting street, or at points of special concern as

designated by the City Engineer.

805.6: The structural design of all box culverts or bridges shall conform to the standard plans of the Mississippi State Highway Department for a load capacity of 20 tons minimum. Bridges, where required, may be constructed of creosoted pile bents and creosoted timber spans up to a maximum of 19 feet center to center of bents. Bridges requiring spans greater than 19 feet shall be constructed of reinforced concrete or structural steel with a reinforced concrete deck. No mud sills or timber grills will be permitted for bridge foundations. All bridges shall be provided with substantial guard rails and sidewalks.

Section 806 Sanitary Sewer System

806.1: Design Criteria

The minimum design standards of the sanitary sewer system for each subdivision shall conform to the following:

- (1) Minimum pipe size - 8 inches
- (2) Minimum pipe slope - 0.400% for 8 inch pipe
- (3) Minimum velocity - 2 feet per second
- (4) Maximum velocity - 9 feet per second
- (5) Maximum depth flow - 2 pipe diameter after multiplying by peak factor
- (6) Waste per person - 120 gallons per day including infiltration
- (7) People per dwelling unit - 4 (four)
- (8) Peak factor - 3.5 minimum
- (9) Maximum manhole separation - 400 feet with manholes required at each grade change and alignment change
- (10) Minimum cover - 3 feet

- (11) Minimum stubout diameter - 6 inch, one stubout per lot
- (12) Top manhole elevation - ground elevation, minimum

806.2 Pump Stations:

The use of sewer lift stations should be minimized. However, when pump stations cannot be avoided, they should be designed for easy maintenance, maximum operating life, and adequate pumping capacity. The designed calculations must show flow rates and velocities for the pump station and force main. Some requirements for pump stations include:

- (1) Minimum of two (2) pumps, each of which has capacity to handle the expected load
- (2) Adequate controls with overload and lightning protection and alternators
- (3) Adequate pump housing and heaters to prevent freezing
- (4) Adequate capacity for not more than 75% duty cycle under peak flow conditions
- (5) Necessary access roads and security fencing
- (6) Minimum flow rate of 4 feet per second in force main, with a maximum of 12 feet per second with dual pump operation
- (7) Adequate vented wet wall

Section 807 Water Supply System

807.1: Water mains shall be designed, constructed and properly connected with the public water supply system in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic and fire prevention purposes, and will adhere to the minimum requirements set forth hereinbelow.

- (1) Water distribution systems shall be designed using the Hardy Cross Method. The Hazen-Williams formula shall be used in

computing head loss.

- (2) Water distribution systems shall be designed for the peak hour flow, or the maximum day flow plus fire flow, whichever is greater. Domestic flows shall be determined based on the following report and any future updates:

“Water Facilities Planning Analysis for the City of Jackson, Mississippi” - July, 1973

Fire flows shall be determined from the following publication and any future updates:

“Guide for Determination of Required Fire Flow” - December, 1974, by Insurance Services Office, 160 Water Street, New York, NY 10038

- (3) The water distribution system shall be designed so that the following range of dynamic pressures are provided: 50 psi to 80 psi for average daily flows; 20 psi to 30 psi for peak hour flows; 20 psi to 50 psi for maximum daily flow plus fire flow. The minimum dynamic pressure at any point shall be 20 psi.
- (4) The maximum design velocity shall not exceed 5 fps.
- (5) Water distribution systems shall be laid out on a grid system with cross connections at cross streets. Dead end pipes shall be avoided whenever possible.
- (6) Valves shall be installed at each intersection or change in pipe size, and shall be placed so that no single case of pipe breakage shall require shutting off from service an artery, or more than 500 feet of pipe in high value districts, or more than 800 feet of pipe in any area.
- (7) The distribution and spacing of hydrants shall be used on the

following table which is subject to periodic update, but in on case shall the maximum spacing exceed 500 feet. Valves shall be installed on each fire hydrant where 10 inch or larger mains are installed.

STANDARD HYDRANT DISTRIBUTION

| Fire Flow Required, | Average Area per gpm Hydrant, square feet |
|---------------------|---|
| 1,000 or less | 160,000 |
| 1,500 | 150,000 |
| 2,000 | 140,000 |
| 2,500 | 130,000 |
| 3,000 | 120,000 |
| 3,500 | 110,000 |
| 4,000 | 100,000 |
| 4,500 | 95,000 |
| 5,000 | 90,000 |
| 5,500 | 85,000 |
| 6,000 | 80,000 |
| 6,500 | 75,000 |
| 7,000 | 70,000 |
| 7,500 | 65,000 |
| 8,000 | 60,000 |
| 8,500 | 57,500 |
| 9,000 | 55,000 |
| 10,000 | 50,000 |
| 11,000 | 45,000 |
| 12,000 | 40,000 |

(8) Mains shall be a minimum of 6" in diameter where lengths is 600 feet or less and must be gridded or looped for more than one source of supply.

Mains installed for distances greater than 600 feet shall be gridded or looped with more than one source of supply. The size shall be determined by using accepted engineering calculation methods as approved by the City of Jackson.

- 807.2: The calculating method for areas of higher density development potential, based upon the zoning of the properties to be served, shall reflect the higher density development and the main size increased, if conditions warrant.
- 807.3: The requirements for water distribution systems serving commercial and industrial developments shall be determined by engineering analysis based on specific water requirements for the type of use intended or those required by the height and density permitted by the zoning classification of the property, whichever is greater.
- 807.4: Newly installed systems shall be pressure tested at 150 pounds for 25 hours under the inspection of City of Jackson's water system inspectors.
- 807.5 All newly installed systems shall be sterilized and must pass bacteriological test to the satisfaction of the City of Jackson's water system chemist, and the Mississippi State Board of Health, prior to placing said system in service, or accepted by the City.
- 807.6: All water used in hydrostatic test shall be potable water; containers holding water shall be sterile.
- 807.7: The City of Jackson water system inspection office shall be notified prior to the beginning of any project in order that the installation can be made under the inspection of the appropriate technical personnel of that office.
- 807.8: It shall be the responsibility of the developer, or his contractor, to reimburse the City of Jackson for tie-ins to existing mains, if made by City, and sterilizing based upon Fee Schedule as established in Section

XIII.

Section 808 Easements

808.1: Utility and/or drainage easements of an appropriate width as required shall be provided.

808.2: Where easements intersect or sharp changes in alignment are necessary, corners shall be cut off sufficiently to permit equipment access, subject to the approval of the City Engineer.

808.3: Buildings, fences, or structures placed within easements may be done so but at the risk of the property owner.

808.4: Any overhanging limbs, shrubbery, or other vegetation forming an obstruction may be moved if necessary from within the limits of a utility easement at the discretion of the maintenance personnel of the utility which has installed or is installing within such easement.

808.5: Easements which do not open at both ends upon a street, alley, or another easement, shall not be permitted. The City Engineer may approve a dead-end easement, but only where such easement cannot be opened at both ends.

Section 809 Alleys

809.1: Alleys may be provided to the rear of lots only in commercial and industrial developments and only where other definite and assured provision cannot be made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed. The use of alleys must be approved by the Site Plan Review Committee.

809.2: If approved, the width of an alley in commercial and/or industrial subdivisions shall be a minimum of thirty (30) feet.

809.3: Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

809.4: Dead-end alleys shall be avoided where possible, but if unavoidable, such alleys shall be provided with adequate turn-around facilities at the dead-ends as determined by the Site Plan Review Committee.

ARTICLE IX PLANNED UNIT DEVELOPMENT

Where a subdivider or developer wishes to develop land in accordance with the provisions set forth in the Official Zoning Ordinance of Jackson, Mississippi, for a planned unit development, the subdivider shall also conform to the provisions set forth in this Ordinance.

Section 900 Submission of Plats, Plans and Data

After the subdivider has received approval of the required site plan of the proposed planned unit development from the Site Plan Review Committee and the City Council as specified in Section 1002 of the Official Zoning Ordinance, the subdivider, if he intends to subdivide the proposed development, shall conform to the procedures and requirements regarding submission, review, and approval and recording of plats, plans and data as specified in this Ordinance. In addition to the final plat specifications set forth in Section 603, the final plat for the planned unit development shall also identify the property to be transferred to public agencies, the common properties to be transferred by the developer to the Homes Association, and any other parcels, such as a church site or shopping center, to be kept by the developer or transferred to others.

Section 901 Homes Association

901.1: A Homes Association for the planned unit development shall be established by the subdivider or developer in accordance with Section 1004.4 of the Official Zoning Ordinance prior to the sale of the first lot to a homeowner. All common properties shall be transferred to the Homes Association. The Homes Association shall be responsible for liability insurance, determination of any assessments, fees or charges required of the home owners, enforcing

the restrictive covenants of the development, and operation and maintenance of all common properties, including open spaces, recreational facilities and private streets.

901.2: In the event that the Homes Association shall at any time after establishment of the planned unit development fail to maintain the common properties in reasonable order and condition in accordance with the plan, the City Council may serve written notice to the Homes Association and/or residents of the planned unit development setting forth the deficiencies to be remedied within thirty (30) days, the City Council shall set a hearing giving special notice of such hearing at least fifteen (15) days before the hearing. At said hearing, the City Council shall determine if the deficiencies have been remedied and may grant an extension of the time to remedy the deficiencies if reasonable cause of extension is presented. If the deficiencies are not remedied within the given time period or extension thereof, the City Council, in order to preserve the taxable value of the properties within the planned unit development and to prevent the common properties from becoming a public nuisance, may enter upon said common properties and maintain the same for a period of one (1) year. Said entry and maintenance shall not vest in the public any rights to use the common properties except with the written consent of the owner, or when the same is voluntarily dedicated to the public by the owners and accepted by the City Council. After the one (1) year period, the City Council shall hold a hearing with the notice being given at least fifteen (15) days before the hearing. At the hearing the Homes Association and/or residents of the planned unit development shall show cause why the City should not continue maintenance of the common properties for a succeeding year. If the City Council determines that the Homes Association is ready and able to maintain the common properties, the City Council shall cease to maintain the said properties. If the City Council determines that the Homes Association is not able to maintain the common properties, the City Council may continue to maintain said properties subject

to a similar hearing and determination in the next succeeding year and in each year thereafter. The cost of such maintenance by the City shall be assessed ratably against the properties within the planned unit development that have a right of enjoyment of the common properties and shall become a tax lien on said properties. The City shall file a notice of such lien in the office of the county recorder upon the properties affected by such lien within the planned unit development.

901.3: The Homes Association shall be governed by restrictive covenants running with the land. The covenants shall establish appropriate land-use restrictions on all the parcels, including the common properties to be transferred to the Homes Association. The covenants shall also include but shall not be limited to, the following:

- (1) The duties and responsibilities of the Homes Association
- (2) Provisions for adequate assessment flexibility for future adjustments to changes in association activities and operating costs
- (3) Any other rights and obligations of the Homes Association needed for effective operation
- (4) Provisions to make membership in the Homes Association automatic and mandatory for each owner of each lot
- (5) Provisions that subject each lot to assessment for its proportionate share of association maintenance and operation costs

Section 902 Common Open Space

902.1: Common open spaces shall be provided within a planned unit development in accordance with the Official Zoning Ordinance of Jackson, Mississippi. The size, shape, dimension and location of the open spaces shall be determined by the Site Plan Review Committee in conjunction with the developer or subdivider with consideration being given to the size and extent

of the proposed development and the physical characteristics of the land being developed. Consideration should also be given in providing parks, recreational facilities, both active and passive, and pedestrian walkways.

902.2: Common open space shall be guaranteed by a restrictive covenant describing the open space and its maintenance and improvement running with the land for the benefit of the residents of the planned unit development. The developer shall file, at the time the approved final plat is filed, legal documents which will produce the aforesaid guarantees and, in particular, will provide for restricting the use of the common open spaces for the designated purposes.

Section 903 Environmental Design

903.1: In order to minimize the disturbance to the natural environment, a general landscaping plan shall be required at the time of preliminary plat submission showing the spacing, sizes, and specific types of landscaping material. The Site Plan Review Committee shall review the landscaping plan in conjunction with the review of the preliminary plat.

903.2: The preservation of the natural amenities within the planned unit development shall be given due consideration which shall include topography, trees, and ground cover, natural bodies of water, and other significant natural features. Existing trees shall be preserved wherever possible. The location of trees shall be considered when planning the common open space, location of buildings, underground services, walks, paved areas, playgrounds, parking areas, and finished grade levels. The Site Plan Review Committee shall inquire into the means whereby trees and other natural features will be protected during construction. Excessive site clearing of top soil, trees and natural features before the commencement of building operations shall be discouraged by the Committee.

Section 904 Traffic Circulation

904.1: The vehicular circulation system shall be designed so as to permit smooth traffic flow with minimum hazards to pedestrian traffic. Minor streets within planned unit developments shall not be connected to streets outside the development in such a way as to encourage their use by through traffic.

904.2: The pedestrian circulation system and its related walkways shall be insulated as reasonably as possible from the vehicular street system in order to provide separation of pedestrian and vehicular movement. This shall include, when deemed to be necessary by the Site Plan Review Committee, pedestrian underpass or overpass in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses which generate a considerable amount of pedestrian traffic.

Section 905 Required Improvements

In the construction and installation of all subdivision improvements in the planned unit development, said improvements shall conform to all requirements and standards as set forth in Articles VII and VIII, unless exception to these requirements is granted by the Site Plan Review Committee.

Section 906 Private Streets

906.1: Private streets and drives of planned unit developments need not meet the requirements of this Ordinance which would otherwise be applicable if the Site Plan Review Committee finds that the design of the proposed streets and common vehicular ways is adequate to protect the public health, safety, and welfare, there is provided adequate off-street parking, separate vehicular and pedestrian traffic, and it will promote the purposes and intent of the Ordinance.

906.2: If the owners in the future should request that the private streets be changed to public streets, the owners do fully agree that, before acceptance of such streets by the City, the owners will bear full

expense of reconstruction or any other action necessary to make the streets fully conform to the requirements applicable to public streets, prior to dedication and acceptance. The owners also shall agree that these streets shall be dedicated to public use without compensation to the owners.

ARTICLE X ADMINISTRATION AND ENFORCEMENT

It is the purpose and intent of this Article to designate and define the responsibility of the various persons, departments, and other groups or bodies which are concerned with the administration and enforcement of this Subdivision Ordinance and matters relating thereto;

Section 1000 Designation and Responsibility of the City Planning Director

The Planning Director is hereby designated as the subdivision administrative officer who shall administer and enforce this Subdivision Ordinance in accordance with the provisions herein, and whose duties shall include, but not necessarily be limited to:

- (1) Coordination of the preliminary plat approval process
- (2) Coordination of the matters before the Site Plan Review Committee
- (3) Coordination of request to vacate platted streets or alleys
- (4) Receive Appeals and various requests as applicable
- (5) Establish procedure of periodic checks to assure compliance with the requirements of this Subdivision Ordinance.

Section 1001 Designation and Responsibility of Site Plan Review Committee

The Site Plan Review Committee, as created by Section 1402 of the Official Zoning Ordinance of Jackson, Mississippi, is hereby designated as the Subdivision Site Plan Review Committee whose additional purpose and responsibility as related to the Subdivision Ordinance shall be to utilize to the fullest extent possible its individual and collective technical expertise, to coordinate and expedite the review, processing and prehearing procedures as they apply to the following:

- (1) Pre-Application Development Layout Review

- (2) Applications for Preliminary Plat Approval
- (3) Applications for Planned Unit Development
- (4) Applications for Variances and Exceptions

Section 1002 Designation and Responsibility of City Engineer

The City Engineer is hereby designated as the authority whose duties, in accordance with the provisions herein, shall include, but not necessarily be limited to:

- (1) Review of preliminary plat and supplementary data
- (2) Review and approval of construction plans and required improvements
- (3) Coordination of the improvement construction process including:
 - a. Determine in conjunction with the subdivider the amount of required improvement guarantees, if any
 - b. Inspection of construction work on the required improvements to determine if the work meets the requirements of all City of Jackson codes and ordinances
 - c. Recommending acceptance of those improvements to be dedicated to the City of Jackson for continued maintenance.
- (4) Making periodic checks for violations of the Subdivision Ordinance improvement requirements
- (5) Coordination of the final plat approval process

Section 1003 City Council Authority

The final authority to approve or deny amendments to this Ordinance and on matters relating to appeals, applications for Variances, Planned Unit Developments; modify or otherwise change applications for Final Plat approval; or any other provisions of this Subdivision Ordinance, and in keeping with all lawful requirements and procedures of law, shall be reserved exclusively to the City Council of Jackson, Mississippi. The City Council may accept, deny or change the findings and recommendations of other person(s) or bodies as provided in this Subdivision Ordinance on matters coming before those

person(s) or bodies for public hearing or other action, and without the necessity for further hearing before the City Council.

Section 1004 Enforcement and Violations

For the purpose of enforcing the requirements and provisions of this Subdivision Ordinance the following regulations are given:

1004.1: The owner of a subdivision shall not transfer title to any lot, in such subdivision until such time as the final plat has been approved by the City Council and duly recorded in the Office of the Chancery Clerk of the First Judicial District of Hinds County.

1004.2: The Chancery Clerk of Hinds County shall not receive, file or record a plat of a subdivision within the jurisdiction of this Subdivision Ordinance without prior approval of the City Council.

Section 1005 Notification of Violation and Penalties

Should the Planning Director or City Engineer respectively determine that a violation does exist, he shall notify in writing by U. S. Certified Mail - Return Receipt Requested, the person(s) responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct said violation.

Section 1006 Penalties for Violation

1006.1: Violations by any person of the provisions of this ordinance, or failure to comply with any of its requirements, including any additional requirements or conditions which may have been granted or imposed, after having been duly notified shall, upon conviction thereof, constitute a misdemeanor and any person convicted of such a misdemeanor shall be fined not more than one hundred (100) dollars and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall constitute a separate offense.

1006.2: The owner or subdivider of any land, premises or part thereof, and any

builder, contractor, agent or other person who knowingly commits, participates or assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

ARTICLE XI AMENDMENTS AND VARIANCES

Section 1100 Amendments

The regulations, conditions, specifications and procedures set forth in this Subdivision Ordinance may from time to time require amendment. The City Council after receiving the recommendation of the Planning Board may amend the provisions of this Ordinance after due public notice and hearing as required by law.

Section 1101 Variances

Where there are specific circumstances peculiar to the property being subdivided and where the application of specific provisions of this Ordinance would, in fact, unnecessarily restrict the development of property, the subdivider may request a Variance from the specific provisions of this Ordinance. The City Council may grant the Variance requested, provided that such Variance will not have the effect of nullifying the intent and purpose of the Subdivision Ordinance.

1101.1: The application requesting a Variance from the requirements of this Ordinance shall include a description of the property, the exact nature of the proposed Variance, the grounds upon which it is requested, and shall further demonstrate that the granting of such Variance will not adversely affect the surrounding properties nor otherwise be detrimental to the public welfare.

1101.2: The Variance request shall further demonstrate the following:

- (1) That special conditions and circumstances exist which are peculiar to the land involved which are not applicable to other lands in the same general area.
- (2) That literal interpretation of the provisions of this Subdivision Ordinance would deprive the applicant of rights commonly enjoyed by other properties

in the same area under the terms of this Subdivision Ordinance.

- (3) That the special conditions and circumstances do not result from the actions of the applicant.
- (4) That granting the Variance requested will not confer on the applicant any special privilege that is denied by this Subdivision Ordinance to other property, developed or subject to development.

1101.3: The application shall be presented to the Planning Director if it involves circumstances relating to the preliminary platting or design considerations as outlined in this Ordinance. Said application shall be filed at least five (5) full working days prior to the next regular meeting of the Site Plan Review Committee. Upon receiving an application for a Variance, where all required information is supplied and for which the applicable fee has been paid, the Planning Director shall cause the request to be discussed by the Site Plan Review Committee at its next regularly scheduled meeting. If it deems necessary, the Committee may require the applicant to be present to further document the request.

101.4: Within three (3) working days after the Committee meeting, the Site Plan Review Committee shall forward its recommendation on the Variance request to the City Council. If no action is taken, the City Council shall consider the Variance without delay. The City Council shall grant or deny the Variance sought within fifteen (15) days after receipt of the recommendation of the Site Plan Review Committee. Failure to take action on the request for the Variance by the City Council within the specified time period shall be deemed as granting the Variance.

1101.5: If it involves design circumstances relating to the requirements of the construction plans as outlined in ARTICLE VIII or if during the construction phase, such request for a Variance shall be presented to the City Engineer. He shall present his findings and recommendation to the Site Plan Review

Committee at its next regular scheduled meeting. The Committee shall proceed without delay as set forth in Sections 1101.3 and 1101.4.

ARTICLE XII APPEALS

Section 1200 Appeal Provided

There is hereby established provision for appeal to the City Council of Jackson, Mississippi from any decision, order, requirement, or any other action or alleged action by the Planning Director, City Engineer, or the Site Plan Review Committee acting in an official capacity and so related to this Subdivision Ordinance and the requirements herein.

Section 1201 Procedures

1201.1: The person or party claiming to be aggrieved by the action of any of the aforementioned shall give written notice to the Planning Director if said appeal involves circumstances relating to the requirements of the preliminary plat or design considerations outlined in Articles IV and VIII or Section 601 and to the City Engineer if said appeal involves circumstances (1) relating to the requirements of the construction plans outlined in Section 403, (2) during the construction of the improvements or (3) relating to the requirements of the final plat outlined in Article V, and Section 602. An appeal from the action of the Site Plan Review Committee shall be filed with its Chairman (Planning Director). This written notice shall be submitted within ten (10) days from the date of such alleged action or decision. Said notice of appeal shall specify the grounds or reasons for the appeal and the nature of the alleged action or decision appealed from.

1201.2: An appeal shall stay all proceedings furtherance of the action appealed from, unless in the opinion of the Planning Director or the City Engineer, whichever is applicable, such stay would cause imminent peril to the life and property. If such case exists, proceedings shall not be stayed except by a restraining order which may be granted by the City Council or by a court of records on application and for due cause shown.

1201.3: The Planning Director or the City Engineer, whichever is applicable, shall

advise the City Council of the notice of appeal within three (3) days after receipt of such notice. The City Council shall set a date to review all related facts pertaining to the appeal and render its decision.

ARTICLE XIII SCHEDULE OF FEES

Section 1300 Schedule of Fees Established

The City Council may establish a schedule of fixed fees and a collection procedure covering the processing of the subdivision development. This fixed fee schedule shall cover the processing of preliminary plats, construction drawings, inspection of improvements, final plats, and any other matters pertaining to this Subdivision Ordinance. Payment of the applicable fees shall be made to the Planning Director or the City Engineer depending upon which is responsible for administering the action requested by the applicant, as set forth in this Ordinance. The fixed schedule may be altered or amended only by the City Council.

Section 1301 Collection Office

The schedule of fees shall be posted in the Offices of the Planning Director and the City Engineer, who, as applicable, shall be responsible for their collection. Until all applicable fees have been paid in full, no action will be taken on any application, appeal or other processing of subdivision matters.

ARTICLE XIV REQUIREMENTS DECLARED TO BE MINIMUM

Section 1400 Declaration

It is the purpose and intent of this Subdivision Ordinance that the interpretation and application of the provisions given herein shall be held to be the minimum requirements necessary for promotion of the public health, safety, morals and general welfare, and that in no case should they be regarded as advocated standards.

Section 1401 Most Restrictive Law or Requirement to Apply

Whenever the requirements of this Ordinance or of any other lawfully adopted rules, regulations, codes, ordinances, deed restrictions or covenants are in conflict with the

provisions of this Ordinance, the most restrictive law or requirements shall govern.

ARTICLE XV OMISSION, SEPARABILITY, AND CLARITY CLAUSES

Section 1500 Omission Provision

The omission of any specific use, dimension, word, phrase or other provision from this Subdivision Ordinance shall not be interpreted as permitting any variation from the general meaning and intent of this Subdivision Ordinance as commonly inferred or interpreted and should occasion arise as to such intent or meaning, the interpretation of the City Council shall hold.

Section 1501 Provisions Separable

Should any section or provision of this Subdivision Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Subdivision Ordinance as a whole, or any part thereof, other than the part so held to be unconstitutional or invalid.

Section 1502 Clarity Provision

Before entering this Ordinance on the minutes, the Clerk is authorized to make any correction therein regarding spelling, punctuation and grammar in order to more clearly state the purpose thereof.

ARTICLE XVI INTERPRETATION AND DEFINITION OF TERMS

The purpose of this Article is to minimize and to eliminate, to the extent possible, misinterpretation and other confusion as to the meaning of terms.

Section 1600 General Interpretation of Words

For the purposes of this Subdivision Ordinance, words used in the present tense include the future tense, the singular number includes the plural, and vice versa, the word Aperson@ includes a corporation, company, organization, firm, association, partnership, trust, foundation or other groups as well as an individual, the word Ashall@ is mandatory and not directory, the word Amay@ is permissive. Any term not defined within this Article shall be construed to be used in this Ordinance as defined by the latest edition of Webster

Unabridged Dictionary.

Section 1601 Specific Definitions

For the purpose of this Subdivision Ordinance, certain words and terms are hereby defined in this Article.

1601.1 Alley: A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

1601.2 Block: A parcel of land intended to be used for urban purposes which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or greenstrips, rural land or drainage channels, or a combination thereof.

1601.3 Building: Any enclosed structure having a roof and intended for shelter, housing or enclosure or persons, animals or chattel. The main building is that building which contains the principal use of a lot.

1601.4 Building Line, Building Setback Line, or Setback: A line delineating the minimum allowable distance between the street right-of-way and the front of a structure within which no building or other structure shall be placed. (The building setback line is parallel to or concentric with the street right-of-way line.)

1601.5 Building Permit: A permit which a person shall obtain from the Building and Permit Department granting permission to said person to construct or build any structure.

1601.6 City: The City of Jackson, Mississippi.

1601.7 City Council: The governing body of the City of Jackson, Mississippi.

1601.8 City Engineer: The administrative head of the City of Jackson's engineering staff and the chief technical engineering advisor to the City Council and other City related offices, or his designated agent.

1601.9 Comprehensive Master Plan: The officially adopted plan that contains the elements that provide long range development policies for the areas subject to

urbanization in and around Jackson, Mississippi.

1601.10 Cul-de-sac, Court, or Dead-End Street: A short street having one end open to traffic and the other permanently terminated by a vehicle turn-around.

1601.11 Curb Line Radius: The radius used to join two (2) intersecting streets.

1601.12 Density: The intensity of the use of land observing all yard, height and lot coverage provisions of the Zoning Ordinance.

1601.13 Developer: Any person engaged in developing or improving a lot or group of lots of placing structures thereon for use of occupancy.

1601.14 Drainage System, Storm: The facility to carry off large amounts of water produced from rain.

1601.15 Easement: A grant by the Property owner of the use of a strip or area of land by the public, a corporation or persons for specified purposes.

1601.16 Fill: The placing, storing or dumping of any material such as earth, clay, sand concrete, rubble or non-decomposable waste of any kind upon the surface of the ground which results in increasing the natural surface elevation.

1601.17 Flood Plain: The relatively flat area or low lands adjoining the channel of a river, stream or watercourse, lake or other body of standing water, which has been or may be covered by flood water.

1601.18 Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street. If the street is dead-ended, then all of the property abutting one side between an intersecting street and the dead-end of the street.

1601.19 Grade and Grade Level: The finished elevation of land either horizontal or sloping, after completion of site preparations for the construction of structures.

1601.20 Ground Elevation: The height of the ground above the sea expressed in terms of Mean Sea Level or the City of Jackson Datum.

1601.21 Lot: For the purpose of this Ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and open spaces as required. Such lot, existing or after the subdivision is approved, should have frontage on an improved public street or on an approved private drive, the use of which has been approved by the Site Plan Review Committee. It may consist of a single lot of record, a portion of a lot of record, a combination of complete lots of record, or of complete lots of record and portions of lots of record, or of complete portions of lots of record, or a parcel of land described by metes and bounds provided that in case of division or combination no lot or parcel shall be created which does not meet the requirements of the Zoning Ordinance or this Subdivision Ordinance.

1601.22 Lot, Corner: A lot of which at least two (2) adjoining sides abut for their full length on public streets.

1601.23 Lot, Double Frontage: A lot which runs through a block from street to street, having two opposite sides abutting on two or more streets.

1601.24 Lot Frontage: The front of a lot shall be construed to be the portion nearest the street extending from lot line to lot line. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage and yard shall be provided as indicated in this Subdivision Ordinance.

1601.25 Lot Line, Side: The side lot line is the property boundary line between the front and rear lot lines.

1601.26 Lot of Record: A lot, either residential, commercial or industrial, which is part of a subdivision recorded in the Office of the County Chancery Clerk, or a lot or parcel of land described by metes and bounds, the description of which has been recorded.

1601.27 Official Map (Of The Street System): That part of the Comprehensive Plan now or hereafter adopted which includes the adopted Major Streets Plan, and which sets forth identification, location, dimensions and classifications of existing and proposed public streets, highways and parkways.

1601.28 Open Space, Common: A parcel or parcels of land not occupied by dwellings or other buildings, driveways or parking areas, which is available to, accessible to, and maintained in a suitable state for the shared use and enjoyment by the owners and/or occupants of individual dwelling units within a particular development.

1601.29 Owner: Any person having a sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide same according to the provisions specified in this Subdivision Ordinance.

1601.30 Planned Unit Development (PUD): A land tract in which a multiplicity of land uses may be permitted including a single-family residential, multi-family residential, public use and compatible commercial use, and in which land not used by residential or commercial structures and yards but required by basic zoning of the site shall be reserved collectively in continuous units accessible to all the building sites in the development as open space for the purpose of providing recreational facilities and pedestrian circulation.

1601.31 Planning Department: The staff of Jackson City Planning Board

1601.32 Planning Director: The administrative head of the City Planning Department and the chief technical planning advisor to the City Planning Board and to the City Council, or his designated agent.

1601.33 Plat: A map, plan or layout of a subdivision showing the information required by this Subdivision Ordinance.

1601.34 Private Drive: A right-of-way which has the characteristics of a street as defined herein, except that it has not been dedicated and accepted for public use. A driveway located on a lot which serves only that lot is not considered a private drive.

1601.35 Public Uses: Public parks, schools, hospitals, administrative cultural and service buildings.

1601.36 Public Utility: Any person, firm, corporation, municipal department or board duly authorized under state or municipal regulations to furnish such public services as

electricity, gas, water, sewer, telephone, telegraph, transportation or other public services to its subscribers or customers.

1601.37 Public Works Department: The major department of the City of Jackson that is charged with the operation of the physical facilities of the City and that contains those departments that are concerned with the reviewing and inspecting and approving processes of subdivision improvements under the direction of the City Engineer.

1601.38 Sanitary Sewer: A public sewage disposal system of a type approved by the Mississippi Air and Water Pollution Control Commission, or individual sewage disposal systems of a type approved by the State Department of Public Health or units of such a system acceptable to the City of Jackson.

1601.39 Sidewalk: A paved walk for pedestrians.

1601.40 Site Plan Review Committee: That committee created by the City Council, as provided in Section 1402 of the Official Zoning Ordinance of Jackson, Mississippi, which shall have the duty as specified in this Subdivision.

1601.41 Street: A publicly owned thoroughfare which affords the principal means of access to abutting property.

1601.42: Street, Arterial (Major Thoroughfare): A street providing for through traffic between areas and across the city and direct access to abutting property subject to necessary control of entrances, exits and curb use.

1601.43: Street, Collector: A street designed to facilitate traffic movement between major arteries and main residential streets and direct access to abutting properties.

1601.44 Street, Dedicated: A street with its right-of-way which has been given by the owner for public use and has been accepted by the responsible political entity in which the street is located and is so dedicated and recorded in the Office of the Country Chancery Clerk.

1601.45 Street Grade: The officially established grade of the street upon which a lot fronts; if there is no officially established grade, the existing grade of the street at the

center of the street shall be considered as the street grade.

1601.46 Street, Half: One half of the width of a street.

1601.47 Street, Intersection: The place where a street joins or crosses another street at an angle.

1601.48 Street, Minor (Residential): A street designed primarily to provide access to abutting residential properties.

1601.49 Structure: Anything constructed or erected, the use of which requires a fixed location on the ground, or attached to something having a fixed location on the ground; among other things, structures include billboards, mobile homes, walls, fences, but do not include marques, canopies, service or dispensing facilities, whether free standing or attached.

1601.50 Subdivider: Any person, firm, partnership, corporation or other entity acting as a unit, and subdividing or proposing to subdivide land as herein defined.

1601.51 Subdivision: The division of a lot, tract, or parcel of land into three or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development by means of an appropriately recorded legal document.

1601.52 Surveyor, Registered Land: A person entitled under the laws or constitution of the State of Mississippi to do land surveying.

1601.53 Traffic, Through: The continuous movement of traffic from one general area to another general area.

1601.54 Vicinity Map: A map of the general surrounding area indicating the location of the property being subdivided.

1601.55 Water Supply System: Any approved system which provides a source, means or process of supplying potable water.

ARTICLE XVII REPEAL OF CONFLICTING ORDINANCES AND EFFECTIVE
DATE

Section 1700 Repeal

All ordinances or parts of ordinances of the City of Jackson, Mississippi in conflict herewith or inconsistent with the provisions of this Subdivision Ordinance and including, but not limited to, that subdivision ordinance adopted on July 10, 1962 and recorded in Minute Book NN, Pages 494-495 or prevent the prosecution of any person for any act done or committed in violation of any such ordinances and parts thereof hereby repealed prior to the effective date of this Ordinance.

Section 1701 Effective Date

This Subdivision Ordinance shall take effect and be in force thirty (30) calendar days from and after its adoption this 29 day of June, 1977.

ATTEST:

Mrs. Evelyn Ballard
City Clerk

APPROVED:

Russell C. Davis, Mayor

Thomas B. Kelly, Commissioner

Douglass W. Shanks, Commissioner