

**CITY OF LUCEDALE, MISSISSIPPI**  
**SUBDIVISION REGULATIONS**

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**ROBERT L. BARBER AND ASSOCIATES**  
Community Design and Planning  
5895 Southridge Drive  
Olive Branch, Mississippi 38654  
RLBNet.com  
Bobbarber@rlbnet.com

AN ORDINANCE REQUIRING SUBDIVISION PLATS AND ADOPTING SUBDIVISION REGULATIONS FOR THE CITY OF LUCEDALE, MISSISSIPPI, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH:

WHEREAS, the Statutes of the State of Mississippi, Sections 2890.5, 3374—123 and 3374—123.5 of the MISSISSIPPI CODE OF 1942, as amended and recompiled, empower the city to enact subdivision regulations and provide for their administration, enforcement, and amendment, and

WHEREAS, the Mayor and Board of Aldermen deem it necessary, for the purpose of promoting the health, safety, morals, and general welfare of the city, to enact such an ordinance, and

WHEREAS, the Mayor and Board of Aldermen have prepared such regulations designed to set forth certain procedures and standards to be followed in the development or redevelopment of land subdivisions in the City of Lucedale to assure that development of the city is orderly, healthful, efficient, and economical, and

WHEREAS, the Mayor and Board of Aldermen have given due public notice of hearings relating to such subdivision regulations and have held such public hearings in accordance with Sections 3374-71 and 3374-72 of the MISSISSIPPI CODE OF 1942, as amended and recompiled;

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LUCEDALE, MISSISSIPPI:

## SECTION 1 GENERAL PROVISIONS

- 1.1 Title - These regulations shall be known as the “Subdivision Regulations, Lucedale, Mississippi” and may be so cited.
- 1.2 Scope - It shall be unlawful for any person or entity to lay out, subdivide, resubdivide, plat, or replat any land into blocks, lots, or streets within the City of Lucedale or to sell property herein, which has not been subdivided, resubdivided, platted, or replatted according to this ordinance.
- 1.3 The City of Lucedale will withhold improvement of any nature whatsoever, including the maintenance of streets and the furnishing of water or sewer facilities, until a plat of the subdivision has been approved by the Mayor and Board of Aldermen and recorded in the Chancery Clerk’s office.
- 1.4 All land subdivision shall require a plat to be filed with and approved by the Mayor and Board of Aldermen.

## SECTION 2 PLAT PROCEDURE

- 2.1 Preapplication Conference - Prior to filing of an application for conditional approval of the preliminary plat (Paragraph 2), the subdivider may submit to the City Engineer and Planning Commission plans and data as specified in Section 4.
  - 2.1.1 The purpose of the preapplication conference is to afford the subdivider an opportunity to avail himself of the advice and assistance of the Planning Commission and City Engineer before preparation of the preliminary plat and before formal application for its approval, in order to save time and money and to make the most of his opportunities.
  - 2.1.2 He should also consult with other parties potentially interested in the development, such as lending and mortgage insurance institutions, with a view to reaching, at this initial stage, firm conclusions regarding the suitability of the location of the proposed subdivision, the most advantageous subdivision plan, and the arrangement of streets, lots and other features of the proposed development.
- 2.2 Procedure for Approval of Preliminary Plat - On reaching conclusions regarding his general program and objectives, the subdivider shall have a preliminary plat prepared, together with improvement plans and other supplementary material as specified in Section 4.
  - 2.2.1 Four (4) copies of the preliminary plat and supplementary material as specified in Section 4 shall be submitted initially to both the Planning Commission and the City Engineer with a letter requesting approval. These data shall be submitted at least fifteen (15) days prior to the Planning Commission meeting at which they are to be considered. The plat shall contain the following information:
    - 2.2.1.1 The proposed name of the subdivision.
    - 2.2.1.2 North point, scale, and date.
    - 2.2.1.3 The names and addresses of the subdivider and the engineer or surveyor.
    - 2.2.1.4 The boundary lines of the tract to be subdivided.
    - 2.2.1.5 The location, widths, and names of all existing or platted streets or other public ways within

- and/or adjacent to the tract, railroad rights-of-way, and other important features, such as section lines, political subdivisions, and corporation lines.
- 2.2.1.6 Existing sewers, water mains, culverts, or other underground structures within the tract and immediately adjacent thereto with pipe sizes, grades, and location indicated.
  - 2.2.1.7 The location of the proposed water distribution system, sanitary sewers, and storm sewers, showing pipe sizes, grades, location of valves, fire hydrants, and fittings along with a plan and profile for each.
  - 2.2.1.8 The layout, number, and exact dimensions of proposed lots.
  - 2.2.1.9 All easements or rights-of—way for public services or utilities.
  - 2.2.1.10 The location of all monuments.
  - 2.2.1.11 Building setback lines.
  - 2.2.1.12 Private restrictions, if any.
- 2.2.2 Following review of the preliminary plat and other material submitted for conformity to these regulations, and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made in the proposed subdivision, the Planning Commission and City Engineer shall express informally their approval and state the conditions of such approval or shall express their disapproval and the reasons therefor.
- 2.2.3 The action of the Planning Commission and City Engineer and any conditions thereof shall be noted on copies of the preliminary plat. Two (2) copies shall be returned to the subdivider, one(l) retained by the Planning Gommfssion and the other retained by the City Engineer.
- 2.2.4 Approval of the preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed as authorization, subject to the issuance of all necessary and proper permits, to proceed with the construction of any improvements subject to the inspection and approval of the City Engineer and with the staking of lots in preparation of the final plat which will be submitted for approval to the Mayor and Board of Aldermen.
- 2.3 Procedure for Approval of Final Plat -The final plat shall not be approved by the Mayor and Board of Aldermen until the subdivider has done one (1) of the following:
- 2.3.1 Actually completed construction of all improvements as required in Section 4, as approved on the preliminary plat; or
  - 2.3.2 Given to the city a performance bond or certified check, or established an escrow account in an amount equal to the total estimated cost of installation of the required improvements, which shall be acceptable by the City.
  - 2.3.3 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 tine, provided that such portion conforms to all requirements of the'se regulations.
  - 2.3.4 In addition to the plats required for recording in the office of the Chancery Clerk, the owner or developer of any subdivision shall file with the City Clerk three (3) prints of the original plat, drawn at a scale of not less than three hundred (300) feet to the inch. The following certificates shall appear on the original tracing of the final plat:
    - 2.3.4.1 Engineer's or Surveyor's Certificate: It is hereby certified that this plat is true and correct and

was prepared from an actual survey of the property made by me or under my supervision on the day of 19\_\_ . By Certificate No.

2.3.4.2 Owner’s Certificate; The undersigned owners of the property shown hereon, hereby adopt this plat as our plan of subdivision and dedicate the street rights- of - way, utilities, and easements as shown to public use forever. Date, /S/ Signed

2.3.4.3 City’s Approval Certificate: I hereby certify that this is a true copy and that this plat was approved by the Mayor and Board of Aldermen in session on this the day of ,20 /S/ Signed

Mayor

City Clerk

2.3.4.4 Upon finding that the plat satisfies the requirements of this ordinance, the Mayor and Board of Aldermen shall have entered into the minutes their approval of such plat. The City Clerk shall sign the approval certificate on the original copy of the plat, after which time the plat may be recorded in the Office of the Chancery Clerk.

SECTION 3 DESIGN STANDARDS

3.1 Subdivision Streets - The arrangement, character, extent, width, and location of all proposed streets shall conform to the general plan of the community, and their relationship shall be considered to that of the existing and planned streets, and to public convenience and safety.

3.1.1 The following street right- of-way and pavement widths shall apply:

Type of Street	ROW	Pavement Width Back of Curb to BOC
Major Thoroughfare	60feet	43feet
Local or Minor	50feet	26feet
Alleys	25feet	18feet

3.1.2 Where not shown in the general plan for the community, the arrangement of streets in a subdivision shall provide for the continuation of appropriate projection of existing major streets.

3.1.3 Streets shall be laid out so as to intersect as nearly as possible at right angles, and the minimum angle of intersection shall be seventy—five (75) degrees.

3.1.4 Dead-end streets (cul—de-sacs) shall provide a turn with. a radius of at least forty (40) feet

- and a right-of-way radius of at least fifty (50) feet.
- 3.2 Lots and Blocks - The lengths, widths, and shapes of blocks shall be determined regarding the provision of adequate building sites suitable to the special needs-of the type of subdivision.
  - 3.3 The lot size, width, area, and building setback lines shall be as prescribed in the zoning ordinance, but in no case shall the lot width at the building setback line be less than sixty (60) feet, the lot area less than seven thousand two hundred (6000) square feet, and the building setback line less than twenty-five (25) feet for residential lots. Commercial and industrial lots shall meet the minimum requirements of the zoning ordinance.

#### SECTION 4 REQUIRED IMPROVEMENTS

- 4.1 Policy - It is hereby declared to be the general policy of the Mayor and Board of Aldermen of the City of Lucedale to require the proprietor or proprietors or their successors in interest of any subdivision in or addition to the City of Lucedale, to pay all costs of improvement made within such subdivision or addition to said city and to pay all costs of the development thereof and expenses incidental thereto, including, but not limited to, the following:
  - 4.1.1 Cost of survey and plat, prepared by a professional engineer registered in the State of Mississippi.
  - 4.1.2 Cost of establishing grades prescribed by the city for streets, alleys, and sidewalks.
  - 4.1.3 Cost of construction of sanitary sewer facilities for the subdivision or addition.
  - 4.1.4 Cost of construction of water facilities for the subdivision or addition.
  - 4.1.5 Cost of construction of curb and gutter and street paving for the subdivision or addition.
  - 4.1.6 Cost of preparation of all maps and plans and specifications for all above improvements. These maps and plans shall be prepared by a professional engineer registered in the State of Mississippi.
- 4.2 Streets - All roadways shall be paved. Pavement widths shall be according to the type of street and the required minimum surfaces as stated in this regulation.
  - 4.2.1 The rights-of-way shall be graded for their full, width to provide suitable finish grades for pavements, sidewalks, and planting strips with adequate surface drainage and convenient access to the lots.
  - 4.2.2 Minimum acceptable pavement width for local streets with curb and gutter shall be twenty-six (26) feet with a two and one-half (2-1/2) inch parabolic crown. Minimum acceptable pavement width for local streets without curb and gutter shall be twenty-two (22) feet with a four (4) foot graded shoulder and a two and one-half (2-1/2) inch parabolic crown. The base for these streets shall be a minimum of six (6) inches in thickness over a suitable subgrade, and consist of clay gravel, oyster shells, soil cement or such other base material as may be approved by the City Engineer. The base shall be compacted to one hundred (100) percent proctor density (MSHD Modifications). Minimum paving shall be asphaltic concrete, hot or cold mix, two (2) inches in thickness.
  - 4.2.3 Concrete sidewalks at least four (4) feet wide and four (4) inches thick shall be constructed on both sides of all major and collector streets within the subdivision. Said sidewalks shall be at least one (1) foot from the property line within the street right-of-way and shall extend along the street frontage.
- 4.3 Monuments - Steel pipe, three-quarters (3/4) of an inch of diameter and twenty-four

(24) inches long, and shall be placed on all boundary corners, block corners, curve points, and angle points.

- 4.3.1 Lot markers shall be one-half (1/2) inch reinforcing bar, eighteen (18) inches long, or approved equal, and shall be placed at all lot corners flush with the ground, or countersunk if necessary, in order to avoid being disturbed.
- 4.3.2 Storm Drainage - Materials and construction shall conform to Mississippi State Highway Department Standard Specifications.
- 4.3.3 Drainage structures shall be sized using Talbot's flow formula for a ten (10) year rain, four (4) inches per hour intensity, and a run-off coefficient (c) of eight one-hundredths (0.81).
- 4.3.4 Reinforced concrete headwalls shall be provided on thirty-six (36) inch pipe and larger. Side-drain pipe shall have a diameter of twelve (12) inches or more, and shall be at least twenty-four (24) feet long. The minimum diameter for cross-drain pipe shall be fifteen (15) inches and the length shall be at least four (4) feet beyond the edge of the pavement.
- 4.3.5 Adequate protection of invert slopes shall be provided to prevent erosion.
  
- 4.4 Sanitary Sewers - Sanitary sewer facilities shall be provided to adequately service the subdivision and conform with the city's sewerage plan.
  - 4.4.1 All sewer pipe shall be vitrified clay sewer pipe or other approved type with preformed factory joints.
  - 4.4.2 All sewer pipe must have at least an eight (8) inch diameter.
  - 4.4.3 All joints shall be sealed with factory cast polyester seal or accepted rubber joint on approved types other than clay pipe.
  - 4.4.4 Sewers shall be located between the edge of the pavement and the street right-of-way where possible. Manholes shall be no further than four hundred (400) feet apart and shall be at each change in alignment or grade and shall be provided with cast iron lids and frames.
  - 4.4.5 House connections shall be at least four (4) inches in size and may be vitrified clay sewer pipe, approved type preformed factory joints, acrylonitrile butadiene styrene (ABS) solid wall pipe or Polyvinyl chloride (PVC) Sewer Pipe. House connections shall be stubbed out to each lot property line before sheet construction, plugged with extended sewer stub marker type from pipe to the ground.
  - 4.4.6 Any sewer lines exposed through ditches shall be Class 150 cast iron for mains or cast iron soil pipe for services.
  - 4.4.7 Infiltration on any section of line shall not exceed three hundredths (0.03) gallons per hour per inch diameter per one hundred (100) feet of pipe.
  
- 4.5 Water Lines - Water systems shall have enough outlets and shall be large enough to furnish an adequate domestic water supply, to furnish fire protection to all lots, and to conform with the City of Lucedale water plan.
  - 4.5.1 Where possible, water mains shall be located in the street right-of-way at least two (2) feet behind the existing or proposed curb line or as approved by the Mayor and Board of Aldermen or the City Engineer.
  - 4.5.2 All water lines shall be six (6) inch minimum diameter, and shall be Class 150 cast iron, Glass 150 asbestos-cement or Class 160 PVC, gasket joint. Eight (8) inch diameter pipe shall be provided on arterial streets and highways or where called for in the City of Lucedale water

- plan. Pipe shall be laid to thirty (30) inch cover or greater.
- 4.5.3 Collision-type fire hydrants with one steamer and two (2) two and one-half (2-1/2) inch openings shall be installed at each block corner, or a maximum of eight hundred (800) feet on centers where blocks are longer than eight hundred (800) feet. A six (6) inch gate valve and box shall be installed between the water main and each fire hydrant.
  - 4.5.4 All fire hydrants shall have a valve opening with a flow equal to a six (6) inch valve opening and shall be placed on mains of not less than six (6) inches in diameter.
  - 4.5.5 A corporation stop shall be provided at the main. Service pipe shall be Type K copper or Class 200 PVC and shall be stubbed out at the property line for each lot prior to street construction.
  - 4.5.6 Hydrostatic test (s) shall be performed on the new water system with a pressure of one hundred fifty (150) pounds per square inch for twenty-four (24) hours. Before any part or all of the work is placed in service, the system shall be thoroughly flushed and sterilized with chlorine. The complete parts shall be reesterilized until two (2) consecutive chlorine-free samples are found by the Mississippi State Board of Health to be free from the Coli-Aerogenes group of bacteria. Samples for the tests shall be taken from remote parts of the system.
- 4.6 Utility Services - All services for utilities shall be made available for each lot in such a manner that it will not be necessary to disturb the street pavement, curb, gutter, and drainage structures when connections are made.
- 4.7 As-Built Plans - Upon completion of construction of utilities or improvements, one (1) set of reproducible tracings of complete final plans, dated, signed, and certified by the engineer in charge, shall be filed with the City Clerk of Lucedale, showing all features as actually installed, including materials, size, location, depth or elevation, numbers, ends of lines, connections, eyes, valves, storm sewer drains, inlets, and all other pertinent information. There shall be no connections made to such utilities serving the subdivision until the foregoing has been complied with.

## SECTION 5 DEFINITIONS

- 5.1 Definitions - For the purpose of interpreting this ordinance, certain words used herein are defined as follows
- 5.2 Alley: A minor way used primarily for vehicular service to the rear or side of properties otherwise abuttii~ on a street.
- 5.3 Board: The duly elected governing body of the city (Board of Aldermen).
- 5.4 Building Line: A line beyond which buildings must be set back from the street or road right-of-way line on which the property fronts.
- 5.5 Collector Street: A street which is continuous through several residential districts and is intended as a connecting street between residential districts and arteries, highways, or business districts.
- 5.6 Conditional: Made or granted on the provisions set forth in this ordinance.
- 5.7 Cul-de-sac: A short minor street having but one (1) vehicular access to another street and terminated by a vehicular turnaround.
- 5.8 Local Street: A street which is intended primarily to serve traffic within a neighborhood or limited residential district and which is used primarily for access to abutting properties.
- 5.9 Planning Commission: The duly appointed planning commission. In the absence of an

- appointed planning commission the Mayor and Board of Aldermen shall act as the planning commission.
- 5.10 Plat: Drawing of any lot, tract, or parcel of land requested to be recorded in the Office of the Chancery Clerk.
- 5.11 Resubdivision: The redividing of any part or all of any block or blocks of a previously platted subdivision, addition, lot or tract.
- 5.12 Shall: To be interpreted in its mandatory sense.
- 5.13 Street: A way for vehicular traffic, whether designated a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or other such term.
- 5.14 Subdivision or Addition: Any division of any lot, tract or parcel of land into two (2) or more lots or sites for the purpose, whether immediate or future, of sale, transfer of ownership or of building development. Also, resubdivision or replatting of land, lots, or tracts. Divisions of land into parcels of three (3) acres or more shall not be included within this definition, unless any such division of three (3) acres or more includes the planning or development of a new street or access easement.
- 5.15 City Engineer: A registered professional engineer employed by the Mayor and Board of Aldermen and designated as the City Engineer.

## SECTION 6 MISCELLANEOUS

- 6.1 Fees and Charges - A filing fee of twenty-five (25) dollars, or three (3) dollars per lot, whichever is greater, shall be paid to the City Clerk when any plat is tendered to the Mayor and Board of Aldermen for review and approval. The fee shall be paid in advance, and no action of the Mayor and Board of Aldermen shall be valid until the fee has been paid to the City Clerk. This fee shall be charged on all plats, whether approved or disapproved.
- 6.2 Variances - Whenever the tract to be subdivided is of such unusual size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustices, the Mayor and Board of Aldermen may vary or modify such requirements so that the subdivider is allowed to develop his property in a reasonable manner, but so, at the same time, the public welfare and interests of the city are protected and the general intent and spirit of this ordinance and the comprehensive plan of the community is preserved. In granting variances and modifications, the Mayor and Board of Aldermen may require such conditions that are necessary, in their judgment, to secure substantially the objectives of the standards or requirements so varied or modified.
- 6.3 Penalties - Violation of any provision or provisions of this subdivision ordinance by any subdivider shall constitute a misdemeanor, and upon conviction of such violation there shall be imposed a fine not exceeding one hundred (100) dollars, and each day that such violation continues shall be a separate offense. In case a corporation is the violator of any provision of this ordinance, each officer, agent and/or employee in any way responsible for such violation thereof shall be individually and severally liable for the penalties herein prescribed.
- 6.4 Validity - If for any reason any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be held invalid, it shall not affect the remaining provisions of this, or any ordinance of the city, to which these rules and regulations relate.
- 6.5 Repealer - All existing ordinances and parts of ordinances in conflict with the provisions of

this ordinance are hereby repealed.

- 6.6 Effective Date and Adoption Clause - This ordinance shall take effect and be in force thirty (30) days from and after its passage. Adopted this, meeting of the Mayor and Board of Aldermen with the following members attending and voting as follows:

Mayor

Attest:

City Clerk