

Town of Jones City, Oklahoma

Title 13

Subdivision Regulations

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Chapter 1 General Provisions

13-1-1: Authority; Purpose; Applicability; Enforcement

1. *Authority.* The procedures and standards of this chapter are adopted under the authority vested in O.S. §11-47-114, as amended, as well as other applicable statutes, ordinances, or regulations of the Town of Jones City and the State of Oklahoma.
2. *Purpose.* The subdivision of land, as it affects a community's quality of life, is an activity where regulation is a valid and vital function of a municipal government. It is the Town's intention, by implementing subdivision regulations, to provide a mechanism for a fair and rational procedure for developing land within Jones City, which promotes the health, safety, and general welfare of the municipality.
3. The provisions of this Chapter are intended to:
 - a. Promote the development and the use of land in a manner that assures an attractive and elevated quality of community in accordance with the Comprehensive Plan and the zoning regulations of the Town of Jones City;
 - b. Guide and assist Developers in the correct procedures to be followed, and to inform them of minimum standards which shall be required;
 - c. Protect the public interest by imposing standards for the location, design, and types of streets, sidewalks, alleys, utilities, and other essential public services;
 - d. Assist orderly, efficient, and coordinated development within the municipality;
 - e. Integrate the development of various tracts of land into the existing community, and coordinate the future development of adjoining tracts;
 - f. Ensure the most efficient and beneficial provisions of public facilities and services for each tract being subdivided;
 - g. Provide for circulation of vehicular and pedestrian traffic throughout the municipality;
 - h. Ensure that public facilities are available and will have sufficient capacity to serve proposed and future developments and citizens within the community;
 - i. Ensure that each subdivision approved by the Town is designed in such a way as to minimize storm water runoff from the site and to minimize flooding potential downstream from such subdivisions; and
 - j. Securing safety from fire, flood, and other dangers by providing for adequate air, light, and privacy which prevents overcrowding of the land and undue congestion of population.
4. The provisions of this chapter shall be minimum requirements for the platting and developing of a subdivision within the Town of Jones City, as authorized by State law.
5. *Applicability.* These subdivision regulations and development standards shall apply to the following forms of land subdivision within the Town's corporate limits:
 - a. The division of land into two (2) or more tracts, lots, sites, or parcels, any part of which, when subdivided, shall contain less than ten (10) acres in area;

1. The division of land, previously subdivided or platted, into tracts, lots, sites or parcels, of less than ten (10) acres in area;
 2. The dedication, vacation, or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
 3. The dedication or vacation of any street or alley through any tract of land regardless of the area involved. (1984 Code § 12-403)
 4. These regulations and development standards shall apply to the neighborhood unit development type of subdivision. Exempted from these regulations is the Minor Subdivision Plat which is provided for in Section 13-3-7.
6. All types of subdividing shall be required to make application to the Planning Commission and to come before City Council regardless of whether said subdividing may fall within an exception. (Ord. 1-19-05, 1-19-2005)
7. *Enforcement.*
1. The provisions of this chapter apply to any non-exempt (see Section 13-1-1(5)) division of land, combination of separate land parcels, and/or development of land within the municipality.
 2. The Zoning Administrator shall not issue building permits for any structure on a lot in a subdivision for which a final plat has not been approved and recorded in the manner prescribed in this chapter.
 3. The Zoning Administrator shall not issue a permit for the installation of a septic system upon any lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed in this chapter.
 4. The Town shall withhold all public improvements and services of whatsoever nature, including the maintenance of streets, and the furnishing of sewer facilities and water services from all subdivisions which have not been approved, and from all areas dedicated to the public which have not been accepted by the City Council.

Chapter 2 Definitions

The following terms, phrases, words and their derivatives shall have the meaning ascribed to them in this Section. Definitions not expressly described in this section are to be determined in accordance with customary usage in municipal planning and engineering practices.

ACCESS. A means of vehicular or pedestrian approach, entry, or exit from property.

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

AMENITY. Aesthetic or other characteristics of a development that increase its desirability to a community or its marketability to the public.

APPLICANT. The owner of land proposed to be subdivided or the owner's representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises for all applications for subdivision review

BASE FLOOD ELEVATION. The elevations shown on the Flood Insurance Rate Map (FIRM) that indicates the water surface elevation resulting from the flood that has a one (1) percent chance of equaling or exceeding that level in any given year.

BLOCK. An area enclosed by streets and occupied by or intended for buildings as a term of measurement, block shall mean the distance along a side of a street lying between and adjoining two (2) intersecting streets.

BUFFER. A strip of land with a fence, wall or landscaping that provides a visual barrier between uses.

BUILDING LINE. A line parallel to the street right-of-way line designating the minimum distance from the street right-of-way line that a structure may be erected.

BULK STANDARDS. Specifications that provide minimum building setbacks, and maximum building height, building coverage and floor area ratio requirements.

COMPREHENSIVE PLAN. A periodically updated series of documents that unifies all elements and aspects of City planning. This Plan reflects the best judgment of the staff, Planning and Zoning Commission, and the City Council and sets a policy for Zoning and Subdivision decisions. This Plan indicates the general locations recommended for various land uses, transportation routes, public buildings, Streets, parks and other public and private developments and improvements.

CONSTRUCTION PLAN. Detailed final construction drawings indicating street, alley, water, wastewater, drainage or the layout of other installations.

DEDICATION. The transfer in ownership of a parcel of land, right-of-way or improvement to the Town of Jones City or other public entity without compensation.

DEED. A legal document that states conveyance of title to real property.

DENSITY. The average number of housing units per parcel of land generally expressed as "dwellings per acre."

DEVELOPER. Any person, entity, or corporation who subdivides a tract or parcel of land to be sold or handled for his own personal gain or use

EASEMENT. A right held by the Town or its franchised utility companies to be used for access, drainage or the placement of utilities such as water, sewer, gas, telephone, cable television and electrical lines or other facilities.

ENGINEER. A person licensed to practice engineering in the State of Oklahoma.

FINAL PLAT. The map, drawing, or chart on which an owner's plan of subdivision is presented to the Planning Commission and to the City Council for approval, and which, if approved, will be submitted to the County Clerk for recording.

FRONTAGE. Property on (1) side of a street or place measured along the line of the street or place.

IMPROVEMENTS. Grading, street surfacing, construction of curbs and gutters, sidewalks, crosswalks, culverts, bridges, water lines, sanitary sewer lines, force mains and lift stations, booster pump stations, storm sewer lines, detention facilities, other utilities, and other required features.

LOT. A parcel or portion of land in a subdivision or plat of land, separated by other parcels or portions by description as on a subdivision or record of survey map or by metes and bounds, for the purpose of sale or lease to or separate use of another.

METES AND BOUNDS. A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, the corner of intersecting streets or, in rural areas, a tree or other permanent fixture.

MAIN. A water or wastewater line designed and installed to distribute water to or collect sewage from lateral or service lines.

OFFICIAL FILING DATE. The date upon which a development application that contains all necessary elements required by this Chapter is deemed complete by the responsible official.

PARCEL. Same as **LOT**.

PERFORMANCE BOND AND/OR SURETY BOND. A financial guarantee to ensure that all improvements, facilities, or work required by this Chapter will be completed in compliance with the ordinance, regulations, and approved plans and specifications of the development.

PERMITTEE. Any person to whom a permit is issued.

PLANNING AND ZONING COMMISSION. The agency appointed by the City Council as an advisory body to it and which is authorized to act on pats.

PLAT. A map of a subdivision showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys, easements, etc., drawn to scale; also includes minor, replat, and amending plat. Shall refer to Final Plats meeting the requirements of this chapter.

PLAT, FINAL. A map of a land subdivision prepared in a form suitable for filing of record in the office of the county clerk with necessary affidavits, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets and alleys, public areas and other dimensions of land.

PLAT, MINOR. A subdivision plat resulting in four or fewer lots and requires no new streets and minimal infrastructure extension that is processed through an abbreviated process.

PLAT, PRELIMINARY. A map indicating the proposed layout of a subdivision meeting the requirements herein enumerated and showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision to be submitted to the planning commission for consideration and approval.

PRE-APPLICATION CONFERENCE. An initial meeting between developers and the Zoning Administrator which affords the developer the opportunity to present their proposals informally.

PUBLIC IMPROVEMENT. Drainage ways, roadways, parks, utilities, or other facilities which the Town will ultimately assume the responsibility for maintenance and operation, or which may affect an improvement established which affects the health, safety, or welfare of the general public.

REPLAT. The re-subdivision of any part or all of any block or blocks of a previously platted subdivision.

RIGHT-OF-WAY, PUBLIC. Any strip or area of land including surface, overhead or underground space which is used or intended to be used wholly or in part as a public street or alley, or as the location of public walkways and utility or drainage facilities or installations.

SECURITY. The bond, letter of credit, or cash escrow provided by the developer to secure its promise in the Subdivision Improvement Agreement.

SERVICE TAP. A water or wastewater pipe of a design capacity extended from the main to the property line to serve a single lot.

SHALL, SHOULD, MAY. The word "shall" is always mandatory. The word "should" is considered to be advisable usage, recommended but not mandatory. The word "may" is merely permissive.

SIDEWALK. A pedestrianway constructed in compliance with the standards of these regulations, generally abutting or near the curb line of the street.

STREET. The entire width between the boundary lines of every way, other than an Alley, publicly maintained when any part of it is opened to the use of the public for pedestrian and/or vehicular travel.

STREET, ARTERIAL. A fast or heavy traffic street of considerable continuity and used basically as a traffic artery for travel among large areas of the Town. Arterial streets may be further designated as primary or secondary arterial streets.

STREET, COLLECTOR. A street which carries traffic from minor streets to arterial streets or highways, including the principal entrance streets of a residential development and streets for circulation in such a development.

STREET, CUL-DE-SAC OR COURT. A dead-end street providing a turnaround for vehicles.

STREET, DEAD-END. A street, other than a cul-de-sac, with only one (1) outlet.

STREET, INDUSTRIAL. A street intended primarily to serve traffic within an area of industrial development or proposed industrial development.

STREET, LOCAL. A street which is intended primarily to serve traffic within a neighborhood to provide access to residents, businesses, or other abutting property. Service to through movement is deliberately discouraged.

STREET, MARGINAL ACCESS. A local street which is parallel and adjacent to an arterial street or highway and which provides access to abutting property and protection from through traffic.

STREET WIDTH. The shortest horizontal distance between the lines which delineate the Right-of-Way of a Street.

SUBDIVIDER. Same as ***DEVELOPER.***

SUBDIVISION. The division of land into two (2) or more parts, lots, or sites for the purpose of sale, building, development, or division of ownership, whether immediate or future.

SUBDIVISION IMPROVEMENT AGREEMENT. A contract entered into by the developer and the Town by which the developer promises to complete the required public improvements in the subdivision within a specified time period following Final Plat approval.

SUBMISSION DATE. The date an applicant delivers an application or petition under this Subdivision Ordinance to the Zoning Administrator, or the date on which an applicant deposits an application or petition with the United States Postal Service by certified mail addressed to the Zoning Administrator, along with all required fees and documents.

SUBSTANDARD PLATTED SUBDIVISION. A platted area deviating from or falling short of the standards adopted by the Town.

SURETY. A bond, letter of credit, or letter of financial guarantee from a financial institution.

SURVEYOR. A licensed State land Surveyor or a registered professional land Surveyor as authorized by the State statutes to practice the profession of surveying in Oklahoma.

THOROUGHFARE. Same as **STREET**.

TRACT. Same as **LOT**.

UTILITY, PRIVATE. Services, and any related facilities (e.g., distribution lines), not customarily provided by the Town or public entities such as electricity, natural gas, and telecommunications.

UTILITY, PUBLIC. Services, and any related facilities (e.g., distribution lines), typically provided by the Town, County, or publicly owned entity such as potable water distribution, wastewater collection, and storm water management.

VACATE or **VACATION.** To make legally void.

VIOLATION. Any failure to comply with this Subdivision Ordinance.

ZONING. Regulations governing the use of land and buildings and development standards as set forth in Title 12 of this code.

Chapter 3 Platting and Subdividing

13-3-1: General Provisions

1. This section establishes uniform procedures for platting and subdivision requirements as provided in Title 11, Oklahoma State Statutes, Section 47-113 et seq. [11 O.S. § 47-113 et seq.].
 - a. A Final Plat or Minor Plat shall be approved and recorded by the Town prior to any land division that is subject to these provisions and prior to the beginning of any new development within municipal boundaries.
2. *Exemptions.* The following land divisions are exempt from the requirements of this Chapter:
 - a. Use of existing or expanding cemeteries complying with all State and local laws and regulations;
 - b. A division of land created by order of court of competent jurisdiction.
3. *Applications and Procedures.* An application must be completed and accepted for review by the Zoning Administrator. All applications shall be made on forms provided by the Town. To be complete, it must comply with all provisions of this Section and any other Sections pertaining to the application and must contain all required documentation for the application.
4. The proposed subdivision may be processed as a standard subdivision or as a minor plat subdivision as follows:
 1. Standard Subdivision Plat:
 - a. Preliminary Plat (and construction plans for improvements);
 - b. Final Plat;
 - c. Building Permit;
 - d. Occupancy Permit;
 2. Minor Plat Subdivision (as required).
5. Upon initial receipt of a subdivision proposal, the Zoning Administrator shall determine if the proposal shall be classified as a Standard Subdivision Plat or a Minor Subdivision Plat. If a subdivision is determined to be a Minor Subdivision Plat, the Zoning Administrator shall determine what information, drawings and procedure will be necessary for the submission of the minor plat subdivision plat to the Planning Commission in accordance with these regulations and the policies of the Planning Commission.

13-3-2: Types of Plats

Below lists the various types of plats and their purposes:

Table 1: Types of Plats		
Section	Type of Plat	Purpose
13-3-5	Preliminary Plat	As the first stage in the platting approval process, the purpose of a Preliminary Plat is to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of this Subdivision Ordinance
13-3-6	Final Plat	As the second stage in the platting approval process, the purpose of a Final Plat is to ensure that the proposed Subdivision and development of the land is consistent with all standards of this Subdivision Ordinance pertaining to the adequacy of public facilities; that Public Improvements to serve the Subdivision or development have been installed and accepted by the Town or that provision for such installation has been made; and that all other requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded.
13-3-7	Minor Plat	The purpose of a Minor Plat is to provide a limited means for simple land division under certain circumstances, which result in minimal lot creation. In circumstances where adequate infrastructure, easements, and Right-of-Way already exist and the extension of any Town facilities to serve any lot within the Subdivision is not required, then a Minor Plat may be suitable as an instrument to subdivide one (1) lot into four (4) or fewer lots, or combine two (2) or more previously platted lots into a single lot.
13-3-8	Replat	The purpose of a Replat is to resubdivide all or any part of a previously platted subdivision, that is beyond the definition of an Amending Plat and which does not require the vacation of the entire preceding Plat.
13-3-9	Amending Plat	The purpose of an Amending Plat shall be to provide an expeditious means of making minor revisions to a recorded Plat. An Amending Plat does not allow for the creation of new lots and is designed only to modify existing recorded Plats.

13-3-3 Pre-Application Conference

The purpose of a Pre-Application Conference is to provide applicants an opportunity to confer early and informally with Staff and present subdivision and development proposals for comments and advice on the procedures, specifications, and standards required by the Town. This feedback, early in the development process, can help applicants avoid major plan revisions that are more cumbersome to change after land use applications have been submitted.

Applicants should keep in mind that, due to the preliminary nature of information discussed during Pre-Application Conferences, Town Staff reserves the right to determine specific requirements after receiving official land use applications. Information obtained during a pre-application conference is subject to subsequent changes in zoning and other applicable regulations. A Pre-Application Conference does not lock in any fees or development requirements in any way.

13-3-3.1 Scheduling a Pre-Application Conference

1. Pre-Application meetings are scheduled on a first come, first served basis and should be scheduled not less than fourteen (14) days prior to the submittal of a land use development application.
2. *Required Materials:*
 - a. Complete Pre-Application Conference request form;
 - b. Preliminary site-plan drawing;
 - c. Pre-Application Conference fee.
3. Staff will contact applicants by telephone or email to schedule a date and time. Conferences will be scheduled as soon as possible following receipt of completed forms and materials. Please be advised that incomplete information or vague development plans may result in a delay in scheduling Pre-Application Conference meetings.

13-3-5 Preliminary Plat

The purpose of a Preliminary Plat shall be to determine the general layout of the Subdivision, the adequacy of public facilities needed to serve the intended development and the overall compliance of the land division with applicable requirements of this Chapter.

1. *Exceptions.* A Preliminary Plat is not required when a Minor Plat is submitted.
2. *Required.* The subdivider shall prepare a preliminary plat for submission to the Planning Commission. It shall conform to the minimum requirements of these regulations and the zoning code and be in compliance with the Town's Comprehensive Plan. The Preliminary Plat shall include all contiguous land partially or fully owned or under option by the applicant. The applicant must submit all required documents as specified in this division before the Planning Commission can commence Preliminary Plat review.

13-3-5.1 Application and Procedures

1. *Pre-Application Conference.* Prior to a Preliminary Plat submittal, the Developer or his authorized agent is encouraged to meet with the Zoning Administrator who will determine if a Preliminary Plat is required. Should Preliminary Plat approval be required, the relationship of the proposed subdivision to the Town's Comprehensive Plan, Storm Water Management Criteria, Zoning Ordinance, Street requirements, Utility service, and the general character of the development may be discussed to acquaint the Developer with Town platting requirements and procedures.
2. *Fees.* The Developer shall pay a non-refundable application fee of three hundred fifty dollar (\$350.00) for the first acre and an additional ten dollar (\$10.00) per additional acre for each Preliminary Plat submitted.
3. *Application Content.* Applications for a Preliminary Plat shall be submitted on a form supplied by the Town of Jones City with the required information as stated on the application form. When more than one (1) sheet is necessary to accommodate the entire plat area, an index sheet at appropriate scale showing the entire area shall be attached. The date the plat was submitted shall legibly appear on the plat.
4. *Accessories.* An application for a Preliminary Plat may be accompanied by:
 1. An Application for Plat and/or Zoning approval; and
 2. Construction Plans.
5. However, approval of each shall be separate and in accordance with this Chapter and with Chapter 5, Design Standards.
6. *Responsible Official and Initial Review.* The Zoning Administrator shall be the responsible Official and the City Council shall be the official review body for a Preliminary Plat.
7. *Re-Submittal Following Review.* The Zoning Administrator shall review each pending Preliminary Plat application and recommend either:
 - a. Approval of the Preliminary Plat,
 - b. Denial of the Preliminary Plat, or
 - c. Approval of the Preliminary Plat with specific conditions.
8. Necessary revisions and comments shall be forwarded to all individuals listed on the application.
 - a. The Developer shall provide the Zoning Administrator two (2) reproducible copies of the Preliminary Plat with revisions addressed and resolved.
 - b. Once the revisions have been resubmitted, the Zoning Administrator shall then review the Preliminary Plat for compliance with original recommendations.

13-3-5.2 Accompanying Materials

1. *Contents of a Preliminary Plat.* The preliminary plat shall be clearly and legibly drawn by a Surveyor or Engineer licensed in the State of Oklahoma. The dimensions of the plat shall be twenty-four (24) by thirty-six (36) inches or shall be a size that can be properly and conveniently folded to these dimensions and shall be drawn to a minimum scale of one hundred (100) feet to the inch; except that plats in which all lots contain a net area in

excess of forty thousand (40,000) square feet, the plat may be drawn to a scale of two hundred (200) feet to the inch. The drawing surface of the plat shall have a binding margin of two (2) inches at the left side of the plat, a margin of not less than one (1) inch at the right side, and a margin of not less than one and one-half (1 ½) inches at the top and bottom. (11 O.S. 41-108). The preliminary plat shall contain the minimum following information:

- a. The proposed name of the subdivision.
 - b. The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than the owner, and the name and address of the land surveyor.
 - c. The date of preparation of the plat, north arrow and scale.
 - d. Key or location map showing location of subdivisions within the mile section.
 - e. An accurate legal description of the property.
 - f. The location and dimensions of all boundary lines of the proposed subdivision.
 - g. The names of all adjacent subdivisions and the names, location and widths of all existing and proposed streets, easements, drainage ways, and other public ways on and adjacent to the property.
 - h. The locations and widths of all oil, gas, and petroleum product easements and of all existing utilities on or adjacent to the subject property.
 - i. A topographic map of the subdivided area with land contours not having two feet, contour intervals, referenced to a United States Geological Survey or Coast and Geodetic Survey benchmark or monument;
 - j. The location and description of all existing structures, water bodies, and watercourses.
 - k. The location and dimension of all proposed drainage ways, pedestrian ways, bike paths, parks, playgrounds, public ways, or other public or private reservations.
 - l. All proposed lots progressively numbered and building setback lines.
 - m. All proposed blocks progressively numbered.
 - n. When more than one (1) sheet is necessary to accommodate the entire plan area, an index sheet at appropriate scale showing the entire area shall be attached.
 - o. Any other information as may be deemed by the Planning Commission as reasonably necessary for the full and proper consideration of the proposed subdivision.
2. *Current Title Commitment.* The Applicant shall furnish with the application to the Town a current title commitment issued by a title insurance company authorized to do business in Oklahoma, a title opinion letter from an attorney licensed to practice in Oklahoma, or some other acceptable proof of ownership, identifying all persons having an ownership interest in the property subject to the Preliminary Plat.

13-3-5.3 Approval Procedures

1. *Approval Action by the Planning Commission.*

- a. The Commission shall:
 - i. Review the Preliminary Plat application, the findings of the Zoning Administrator, and any other information available.
 1. From all such information, the Commission shall determine whether the Preliminary Plat conforms to the regulations of this Subdivision Ordinance.
 2. Take one of the following actions:
 - a. Approve the Preliminary Plat;
 - b. Approve the Preliminary Plat with conditions, which shall mean the Preliminary Plat shall be considered to have been approved once such conditions are fulfilled; or
 - c. Deny the Preliminary Plat.
2. *Approval Action by the City Council.*
 - a. The City Council shall:
 - i. Review the Preliminary Plat Application, the findings of the Zoning Administrator, decision from the Planning Commission, and any other information available.
 1. From all such information, the City Council shall determine whether the Preliminary Plat conforms to the regulations of this Subdivision Ordinance.
 - ii. Take one of the following actions:
 1. Approve the Preliminary Plat;
 2. Approve the Preliminary Plat with conditions, which shall mean the Preliminary Plat shall be considered to have been approved once such conditions are fulfilled; or
 3. Deny the Preliminary Plat.
3. *Criteria for Preliminary Plat Approval.*
 - a. The following criteria shall be used to determine whether the Preliminary Plat Application shall be approved, approved with conditions, or denied.
 - i. Approval Criteria
 1. The Preliminary Plat is consistent with all zoning requirements for the property, including any applicable Planned Unit Development (PUD) zoning standards;
 2. The proposed provision and configuration of public improvements including, but not limited to, roads, water, wastewater, storm drainage, park facilities, open spaces, easements, and right-of-way are adequate to serve the development and meet applicable standards of this Subdivision Ordinance;
 3. The Preliminary Plat has been duly reviewed by applicable Town Staff;

4. The Preliminary Plat conforms to construction standards and design requirements as set forth in Chapter 4 and 5.
 5. The Preliminary Plat is consistent with the Comprehensive Plan; and
 6. The proposed development represented on the Preliminary Plat does not endanger public health, safety, or welfare.
4. *Effect of Preliminary Plat Approval.*
- a. Continuation of the Development Process
 - i. The approval of a Preliminary Plat by the City Council shall allow the Applicant to proceed with the development and platting process by submitting Construction Plans and a Final Plat.
 - b. General Approval of Layout Only
 - i. Approval of the Preliminary Plat shall be deemed general approval of the subdivision's layout only, and shall not constitute approval or acceptance of Construction Plans or a Final Plat.

13-3-5.4 Expiration and Extension

1. *Preliminary Plat Expiration.*
 - a. Two-Year Validity
 - i. The approval of a Preliminary Plat shall remain in effect for a period of two (2) years following the date of approval, during which period the applicant shall submit and receive approval for Construction Plans and Final Plat for the land area shown on the Preliminary Plat.
 - ii. If Construction Plans and a Final Plat Application have not been approved within the two (2) year period, the Preliminary Plat shall expire.
 - b. Phased Developments – Partial Construction Plans and Final Plat
 - i. If Construction Plans and a Final Plat for only a portion of the land area shown on the Preliminary Plat are approved by the end of the two (2) year period, then the Preliminary Plat for the remainder of the land not included on the Construction Plans or Final Plat shall expire on such date.
 - c. Relationship to Construction Plans
 - i. A Preliminary Plat shall remain valid for two (2) years or the period of time in which approved Construction Plans are valid, whichever is greater.
 - d. Action on Final Plat
 - i. Should a Final Plat Application be submitted within the two (2) year period, but not be acted upon by the City Council within the two (2) year Period, the Preliminary Plat shall expire unless an extension is granted as provided in Section 13-3-5.4(B) Preliminary Plat Extension.
 - e. Void If Not Extended
 - i. If the Preliminary Plat is not extended as provided in Section 13-3-5.4(B), Preliminary Plat Extension, it shall expire and become null and void.

2. *Preliminary Plat Extension.*

A Preliminary Plat may be extended for a period not to exceed one (1) year beyond the Preliminary Plat's expiration date. A request for extension shall be submitted to the Town in writing at least thirty (30) calendar days prior to expiration of the Preliminary Plat, and shall include reasons why the Preliminary Plat should be extended.

1. Preliminary Plat Extension Decision

- a. The Zoning Administrator will review the extension request and shall approve it, approve it with conditions, or deny the extension request within thirty (30) calendar days following the official filing date of the request.
- b. Should the Zoning Administrator fail to act on an extension request within thirty (30) calendar days, the extension shall be deemed to be approved.

2. Extension Considerations

- a. In considering an extension, the Zoning Administrator shall consider whether the following conditions exist:
 - i. A Final Plat has been submitted and/or approved for any portion of the property shown on the Preliminary Plat;
 - ii. Construction Plans have been submitted and/or approved for any portion of the property shown on the Preliminary Plat;
 - iii. Construction is occurring on the subject property;
 - iv. The Preliminary Plat complies with new ordinances that impact the health, safety and general welfare of the community; and/or
 - v. There is a need for a park, school or other public facility or improvement on the property.

3. Extension Conditions

- a. In granting an extension, the Zoning Administrator may impose such conditions as are needed to ensure that the land will be developed in a timely fashion and that the public interest is served.
- b. Any extension may be predicated upon compliance with new development regulations and/or the applicant waiving any vested rights.

4. Appeal of the Denial of the Preliminary Plat Extension

a. Appeal of the Preliminary Plat Extension Decision

- i. The denial of an extension by the Zoning Administrator may be appealed to the Planning Commission.
- ii. A written request for such appeal shall be received by the Zoning Administrator within fourteen (14) calendar days following the denial.
- iii. The Planning Commission shall hear and consider such an appeal within thirty (30) calendar days following the Zoning Official's receipt of the appeal request.

- b. Appeal of the Commission's Preliminary Plat Extension Decision
 - i. The denial of an extension by the Planning Commission may be appealed to the City Council.
 - ii. A written request for such appeal shall be received by the Zoning Administrator within fourteen (14) calendar days following the denial.
 - iii. The City Council shall hear and consider such an appeal within thirty (30) calendar days following Zoning Administrator's receipt of the appeal request.
 - iv. The decision of the City Council is final.

13-3-5.5 Amendments

1. *Minor Amendments to Preliminary Plats.*

- a. Minor amendments to the design of the subdivision subject to an approved Preliminary Plat may be incorporated in an application for approval of a Final Plat without the necessity of filing a new application for re-approval of a Preliminary Plat.
- b. Minor amendments may only include:
 - i. Minor adjustments in street or alley alignments, lengths and paving details, and
 - ii. Minor adjustments to lot lines that do not result in creation of additional lots or any nonconforming lots, provided that such amendments are consistent with applicable approved prior applications.

2. *Major Amendments to Preliminary Plats.*

- a. All other proposed changes (not listed above) to the design of the subdivision subject to an approved Preliminary Plat shall be deemed major amendments that require submittal and approval of a new application for approval of a Preliminary Plat (including new fees, new reviews, new Official Filing Date, etc.) before approval of Construction Plans and/or a Final Plat.

3. *Determination between Minor and Major Amendments to Preliminary Plats.*

- a. The Zoning Administrator shall make a determination of whether proposed amendments are deemed to be minor or major, thereby requiring new submittal of a Preliminary Plat.

13-3-6 Final Plat

1. The purpose of a Final Plat is to ensure:

- a. Consistency with standards. That the proposed subdivision and development of the land is consistent with all standards of development pertaining to the adequacy of public facilities;
- b. Provide for Public Improvements. That public improvements to serve the subdivision or development have been installed and accepted by the Town, or that provisions for such installation has been made;

- c. Other Requirements and Conditions. That all other requirements and conditions have been satisfied or provided for, to allow the Final Plat to be approved recorded; and
 - d. Ensure that the subdivision meets all other standards of development to enable initiation of site preparation activities for any lot of tract subject to the Final Plat.
 2. *Exceptions.* A Final Plat is not required when a Minor Subdivision Plat is submitted (refer to Section 13-3-7, Minor Subdivision Plat).
 3. *Ownership.* Proof of ownership required.
 - a. The Applicant shall furnish with the application a current title commitment issued by a title insurance company authorized to do business in Oklahoma, a title opinion letter from an attorney licensed to practice in Oklahoma, or some other acceptable proof of ownership, identifying all persons having an ownership interest in the property subject to the Final Plat.
 - b. The Final Plat shall be signed by each owner, or by the representative of the owners authorized to sign legal documents for the owners, effectively denoting that they are consenting to the platting of the property and to the dedications and covenants that may be contained in the Final Plat.
 4. *Prior Approved Preliminary Plat Required.*
 - a. The Final Plat and all accompanying data shall conform to the approved Preliminary Plat or as the Preliminary Plat may have been subsequently amended.

13-3-6.1 Review and Approval Action

1. The Zoning Administrator shall:
 - a. Initiate review of the Final Plat and materials submitted;
 - b. Request written comments from other municipal departments and/or outside agencies, if deemed necessary; and
 - c. Upon determination that the application is ready to be acted upon, schedule the Final Plat for consideration on the agenda of the next available Planning Commission meeting.
2. The Planning Commission shall:
 - a. Review the Final Plat Application, the findings of the Zoning Administrator, and any other information available.
 - i. From all such information, the Planning Commission shall determine whether the Final Plat conforms to the regulations of this Subdivision Ordinance.
 - b. Take one of the following actions:
 - i. Approve the Final Plat;
 - ii. Approve the Final Plat with conditions, which shall mean that the Final Plat shall be considered to have been approved once such conditions are fulfilled; or
 - iii. Deny the Final Plat.

3. The City Council shall:
 - a. Review the Final Plat Application, the findings of Zoning Administrator, the decision from the Planning Commission, and any other information available.
 - i. From all such information, the City Council shall determine whether the Final Plat conforms to the regulations of this Subdivision Ordinance.
 - b. Take one of the following actions:
 - i. Approve the Final Plat;
 - ii. Approve the Final Plat with conditions, which shall mean that the Final Plat shall be considered to have been approved once such conditions are fulfilled; or
 - iii. Deny the Final Plat.

13-3-6.2 Criteria for Final Plat Approval and Recordation

The following criteria shall be used to determine whether the Final Plat Application shall be approved, approved with conditions, or denied:

1. *Prior Approved Preliminary Plat.*
 - a. The Final Plat conforms to the approved Preliminary Plat
 - b. All conditions imposed at the time of approval of the Preliminary Plat, if any, have been satisfied;
 - c. The Construction Plans conform to all requirements of Section 3-4-1, Construction Plans and have been approved by the Code Official;
 - d. Where Public Improvements have been installed, the improvements conform to the approved Construction Plans and have been approved by the Code Official;
 - e. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this Chapter;
 - f. The Final Plat conforms to design requirements and construction standards as set forth in this Chapter;
 - g. The Final Plat is consistent with the zoning of the property; and
 - h. The Final Plat conforms to all requirements of this Subdivision Ordinance.
2. *Final Plat Recordation.*
 - a. After approval of the Final Plat, the Zoning Administrator shall procure the appropriate signatures on the plat. The Zoning Administrator shall cause the Final Plat to be recorded with the appropriate County Clerk upon receiving the appropriate signatures.
3. *Revisions to Final Plat.*
 - a. Any Final Plat that has been approved by the City Council, but not recorded with the County Clerk, which is found to contain erroneous descriptions or are otherwise defective, may be corrected by the applicant and approved by the Zoning Administrator.
 - b. Once the Final Plat has been filed and recorded with the County Clerk, revisions may only be processed and approved as a Replat or Amending Plat.

13-3-7 Minor Subdivision Plat

The purpose of a Minor Subdivision Plat is to provide a limited means for simple land division under certain circumstances, which result in minimal lot creation. In agreement with the intent of this Subdivision Ordinance, Minor Subdivision Plats are intended to ensure that public facilities are available and will have sufficient capacity to serve the proposed subdivision. Additionally, Minor Subdivision Plats are intended to ensure the future growth and development of the entire Town by ensuring new development does not hinder the provision of public facilities and services to neighboring and nearby properties.

13-3-7.1 Authority; Purpose and Intent; Eligibility

1. *Authority.* The Planning Commission, pursuant to the powers and jurisdiction vested through Title 11, Oklahoma State Statutes, Section 45, does hereby exercise the power and authority to review, approve, and disapprove transfer of land hereinafter referred to as Minor subdivision plats.
2. *Purpose and Intent.* The purpose of a Minor Subdivision Plat is to simplify the subdivision of land under certain circumstances outlined in State law.
3. *Eligibility.* An application for approval of a Minor Subdivision Plat may be filed only in accordance with State law, when all of the following circumstances apply:
 - a. Whenever a tract of less than five acres comprising the total area of a single ownership is to be subdivided into four or fewer lots, or whenever a proposed subdivision zoned for single-family residential use contains four or fewer lots, a Preliminary and Final Plat will not be required.
 - b. The Minor Subdivision Plat is also used for the combination of two (2) or more previously platted and recorded lots into a single lot.
 - c. The classification of a subdivision as a Minor Subdivision Plat shall not be construed to waive any requirements of these regulations, including the platting requirements of Section 13-3-1, nor the provisions of any other ordinance or statute pertaining to the property.

13-3-7.2 Application for Approval

1. *Application Requirements.* Application for Minor Subdivision Plat approval shall be filed with the Zoning Administrator on forms supplied by the Town. The completed application shall be accompanied with the following:
 - a. A certified survey, prepared by a land surveyor registered in the State of Oklahoma, shall be submitted on the proposed Minor Subdivision Plat. The survey shall show the following:
 - i. Each new lot being formed shall be labeled "Lot 1," "Lot 2," "Lot 3," and/or "Lot 4";
 - ii. The legal description of the original tract of land and each new lot being created by the subdivision shall be shown;

- iii. The scale, north point and date shall be shown;
 - iv. The name and address of the owner of record shall be shown;
 - v. A key map showing the location of the reference to existing and proposed major streets and government section lines shall be included;
 - vi. The location of dedicated streets at the point where they adjoin and/or are immediately adjacent to the subdivision shall be shown;
 - vii. Lot line boundaries with dimensions to the nearest one-hundredth (1/100) foot and proposed location and width of streets, alleys and easements and building setback lines, where applicable, shall be shown; and
 - viii. The original signature and seal of the registered land surveyor preparing the plat of survey, properly notarized, shall be included.
- b. A copy of the original deed showing the legal description of the tract, site or parcel proposed as a short form subdivision shall be submitted.
 - c. Deeds of tracts, parcels or lots bordering the proposed short form subdivision shall be submitted if deemed necessary by the director.
 - d. All instruments for the dedication of required public easements and rights-of-way shall be submitted. This shall mean, in cases where private easements are required, that the applicant must submit certified copies of the instruments filed of record with the county clerk.
2. A fee in the amount set forth in the Fee Schedule set by resolution by City Council shall accompany the Minor Subdivision Plat application. The filing fee is non-refundable.

13-3-7.3 Review and Approval Procedures; Plat Recordation; Revisions

1. *Review.* The Zoning Administrator shall review the proposed Minor Plat Subdivision to ensure compliance with all design and improvement requirements of this chapter. The Zoning Administrator may submit the application for review and comment to other agencies and/or municipal departments as deemed necessary.
2. *Approval Procedure.*
 - a. The Zoning Administrator is the delegated administrative authority to approve Minor Subdivision Plats.
 - b. The Zoning Administrator and the Planning and Zoning Commission, as appropriate, shall decide whether to approve, conditionally approve or deny a Minor Subdivision Plat application based on the following criteria:
 - i. The Minor Subdivision Plat is consistent with all zoning requirements for the property;
 - ii. The final layout of the subdivision or development meets standards in this Chapter;
 - iii. All lots to be created by the plat already are adequately served by all required municipal services and utilities;
 - iv. The ownership, maintenance, and allowed uses of all designated easements have been stated on the Minor Subdivision Plat; and

- v. The Minor Subdivision Plat does not require the extension of any municipal facilities to serve any lot within the development.
3. *Action.*
 - a. *Administrative Approval.*
 - b. *Administrative Denial.*
 - c. *Final Approval.*
4. *Minor Subdivision Plat Recordation.*
 - a. After approval of the Minor Subdivision Plat, the Zoning Administrator shall procure the required signature of the Planning and Zoning Commission chairperson on the plat. The Zoning Administrator shall then cause the Minor Subdivision Plat to be recorded with the County Clerk.
5. *Revisions to a Minor Subdivision Plat Following Approval.*
 - a. Revisions may only be processed and approved as a Replat or Amending Plat, as applicable.

13-3-8 Replats

13-3-8.1 Purpose; Applicability

A Replat of all or a portion of a recorded plat may be approved without vacation of the recorded plat, if the Replat meets the following criteria:

1. Replat Criteria
 - a. The Replat is signed and acknowledged by the owners of the property being replatted; and
 - b. The Replat does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded plat

13-3-8.2 Partial Replat Application

1. If a Replat is submitted for only a portion of a previously platted Subdivision, the Replat must reference the previous Subdivision name and recording information, and must state on the Replat specific lots that are being changed along with a detailed "Purpose for Replat" statement.

13-3-8.3 Review and Approval Process

1. Review Action and Approval Action - Same as Final Plat
 - a. The review and approval processes for a Replat shall be the same as the review and approval processes for a Final Plat per Section 13-3-6.
2. Responsible Official
 - a. The Zoning Administrator shall be the responsible Official.

13-3-8.4 Procedures for Recordation Following Approval; Effect

1. The procedures for recordation of a Replat shall be the same as the procedures for recordation of a Final Plat, as outlined in Section 13-3-6.2, Criteria for Final Plat Approval and Recordation.
2. Upon approval and recording of the Replat, it is controlling over the previously recorded Plat for the portion replatted.

13-3-9 Amending Plats

13-3-9.1 Purpose; Applicability

1. The purpose of an Amending Plat shall be to provide an expeditious means of making minor revisions to a recorded plat. The Amending Plat allows these minor revisions without the need of filing a Plat Correction Certificate. Furthermore, the Amending Plat goes beyond the scope of a Plat Correction Certificate and provides a means to relocate any lot line or to combine lots. An Amending Plat does not allow for the creation of new lots and is designed only to modify existing recorded Plats
2. The procedures for an Amending Plat shall apply only if the sole purpose of the Amending Plat is to achieve one or more of the following purposes:
 - a. Correct an error in a course or distance shown on the preceding plat;
 - b. Add a course or distance that was omitted on the preceding plat;
 - c. Correct an error in a real property description shown on the preceding plat;
 - d. Indicate monuments set after the death, disability, or retirement from practice of the Engineer or Surveyor responsible for setting monuments;
 - e. Show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
 - f. Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
 - g. Correct an error in courses and distances of lot lines between two (2) adjacent lots if:
 - i. Both lot owners join in the application for amending the plat;
 - ii. Neither lot is abolished; and
 - iii. The amendment does not attempt to remove recorded covenants or restrictions.
 - h. Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
 - i. Relocate one or more lot lines between one or more adjacent lots if:
 - i. The owners of all those lots join in the application for amending the plat;
 - ii. The amendment does not attempt to remove recorded covenants or restrictions; and
 - iii. The amendment does not increase the number of lots,

- j. Make necessary changes to the preceding plat to create four (4) or fewer lots in the Subdivision or a part of the Subdivision covered by the preceding plat if:
 - i. The changes do not affect applicable zoning and other regulations of the municipality;
 - ii. The changes do not attempt to amend or remove any covenants or restrictions; and
 - iii. The area covered by the changes is located in an area that the City Council planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area, or
- k. Replat one or more lots fronting on an existing street if:
 - i. The owners of all those lots join in the application for amending the plat;
 - ii. The amendment does not attempt to remove recorded covenants or restrictions;
 - iii. The amendment does not increase the number of lots; and
 - iv. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

13-3-9.2 Notices; Review Action

1. The approval and issuance of an Amending Plat shall not require notice, hearing, or approval of other lot owners.
2. The Zoning Administrator shall:
 - a. Initiate review of the Plat and materials submitted.
 - b. Request written comments from other municipal departments and/or outside agencies, if deemed necessary.

13-3-9.3 Approval Action; Decision

1. The Zoning Administrator shall:
 - a. Determine whether the Amending Plat meets the regulations of this Subdivision Ordinance.
 - b. Take one of the following actions:
 - a. Approve the Amending Plat;
 - b. Approve the Amending Plat with conditions; or
 - c. Defer the Amending Plat to the Planning Commission for consideration.

13-3-9.4 Recordation

After approval of the Amending Plat, the Zoning Administrator shall procure the appropriate signatures on the plat. The Zoning Administrator shall then cause the Amending Plat to be recorded with the appropriate County Clerk.

13-3-10 Vacation of Plats

13-3-10.1 Purpose; Criteria

1. This section is intended to provide a process for the vacation of plats and subdivisions that are no longer viable and to ensure the vacation minimizes any adverse impacts on the applicant, surrounding property owners, and the Town.
2. The vacation of the plat shall conform to the following:
 - a. The Comprehensive Plan and other adopted plans and policies of the Town;
 - b. No parcel shall be landlocked as a result of the vacation;
 - c. Access to any parcel shall not be restricted to the point that access is unreasonable, economically prohibitive, and/or reduces or devalues any property affected by the proposed vacation;
 - d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services); and
 - e. The provision of adequate public facilities and services to any property as required in Chapter 6, Public Improvements, shall not be inhibited by the proposed vacation.

13-3-10.2 Plat Vacation Prior to Recordation

After a final plat has been approved and before it is recorded, the applicant may seek to have the final plat, or any part of the plat, nullified and vacated by executing a written instrument declaring the final plat, or any applicable part of it, to be nullified and vacated, a copy of which shall be attached to said final plat.

1. Review Process
 - a. The Planning Commission and City Council shall review such an instrument in the same manner as platting or subdivision.
2. Review and Approval
 - a. The applicant shall submit the final plat with the attached written instrument nullifying and vacating said final plat, or part of it, for review and recommendation by the Planning Commission and for approval by the City Council.
3. Plat Vacation
 - a. Upon approval of the nullification and vacation of the final plat, the applicant shall record the final plat with the attached written instrument nullifying and vacating it, or part of it, with the County Clerk. Upon such recording, the instrument will operate to destroy the force and effect of the final plat approval and to divest all public rights in the dedications laid out or described in said final plat.

13-3-10.3 Plat Vacation after Recordation

After a Final Plat has been recorded, the applicant may seek to have the Final Plat, or any part of it, nullified and vacated by executing a written instrument declaring the Final Plat to be nullified and vacated and attaching that instrument to the Final Plat.

The procedures for vacating a recorded Final Plat shall meet the following requirements:

1. None of the lots in the subdivision have been sold.
2. If any lots have been sold, the majority of owners of the lots in the subdivision and all owners in the area to be vacated must approve the proposed nullification and vacation in writing, such written approval to be submitted to the Planning Commission.
3. Request for nullification and vacation must be in accordance with Title 11, Oklahoma Statutes, Section 42-101 et seq., as amended. [11 O.S. § 42-101 et seq.].

Chapter 4 Construction Plans and Procedures

13-4-1 Construction Plans

13-4-1.1 Purpose

The purpose of Construction Plans are to require that mandatory public improvements be installed to serve a development in accordance with all the Subdivision Ordinance standards, including all standards within the Town Code of Ordinances.

13-4-1.2 Submitting Plans

Plans shall be submitted in accordance with the requirements provided in the application. Incomplete construction plans shall not be accepted and such plans shall be returned to the Applicant. Construction plans shall be prepared by a Professional Engineer and must be approved in accordance with this chapter prior to the approval and/or recordation of the final plat.

1. *Review and Approval Action.*
 - a. The Code Official shall be the responsible official for review and approval of construction plans.
2. *Decision-Making Options.*
 - a. The Code Official shall approve, approve subject to modifications, or deny construction plans.

13-4-1.3 Criteria for Approval

The Code Official shall approve construction plans if:

1. The plans are consistent with the approved Preliminary Plat; and
2. The plans conform to the subject property's zoning standards and to the standards for adequate public facilities, contained in this Subdivision Ordinance and all other applicable Town Ordinances.

The approval of construction plans shall remain in effect for a period of six (6) months from the date of approval, or for the duration of construction of the project, provided that progress towards completion of the project continues to be demonstrated, unless construction plans are extended in accordance with the following Section 13-4-1.4, Extension of Construction Plans.

13-4-1.4 Extension of Construction Plans

Construction plans may be extended for a period of six (6) additional months beyond the expiration date. A request must be made in writing to the Code Official for such extension prior to expiration of the plans, and shall include reasons why the plans should be extended.

1. *Decision by the Code Official.*
 - a. The Building Official will review the extension request, and shall approve, approve with conditions, or deny the extension request within thirty (30) calendar days following the official filing date.
 - b. Should the Code Official fail to act on an extension request within thirty (30) calendar days, the extension shall be deemed to be approved.
2. *Extension Criteria.*
 1. The Code Official shall extend construction plans approval for a period of six (6) additional months beyond the plans' expiration date if:
 - i. The construction plans comply with new ordinances that impact the health, safety and general welfare of the Town; and
 - ii. Demonstrable progress towards completion has been made to proceed with construction or required improvements.
3. *Conditions.*
 1. In granting an extension, the Code Official may impose such conditions as are needed to ensure that the land will be developed in a timely fashion and that the public interest is served. Any extension may be predicated upon compliance with new development regulations and/or the Applicant waiving any vested rights.

13-4-1.5 Construction Release

Upon approval of the preliminary plat and the construction plans, receipt of all documentation (e.g., insurance information, bonds, etc.) and fees required, the Code Official shall release the plans for construction if all Town requirements pertaining to construction have been met. Expiration, and possible extension, of the construction release shall be the same as for the construction plans.

13-4-2 Timing of Public Improvements

13-4-2.1 Completion Prior to Final Plat Approval and Recordation

Completion of all required public improvements, in accordance with the approved preliminary plat and the approved construction plans, shall occur prior to final plat approval and recordation.

A final plat shall not be accepted for filing, nor shall it be considered for approval, prior to completion of all required public improvements. If the development is being platted and constructed in phases, improvements shall be completed as platted areas are approved and phases are constructed.

13-4-2.2 Necessary Easements

1. *Easements for Utility Providers.*

- a. The Applicant is responsible for contacting all utility providers prior to beginning construction, and for securing all necessary easements prior to final plat approval and recordation.
- b. The Applicant's engineer shall provide the Code Official with written certification that all necessary easements are secured for the various utility providers, and such easements shall be shown on the final plat with the recording information for each.

2. *Off Site Easements.*

- a. All necessary off-site easements required for installation of required off-site Public Improvements to serve the development shall be acquired by the Applicant prior to approval and recordation of the final plat.
- b. Off-site easements shall be conveyed and recorded at the County by an instrument approved by the Town.

13-4-3 Inspection, Maintenance, and Acceptance of Public Improvements

13-4-3.1 Inspection of Public Improvements

1. *Timing.* The Building Official shall inspect the construction of improvements while in progress, as well as upon completion.
2. *Conformance with Construction Plans.* Construction shall be in accordance with the approved construction plans. Any significant change in design required during construction shall be made by the Applicant's engineer, and shall be subject to approval by the Zoning Administrator.
3. *Corrections to Improvements.* If the Zoning Administrator finds, upon inspection, that any of the required public improvements have not been constructed properly and in accordance with the approved construction plans, then the Applicant shall be responsible for completing and/or correcting the public improvements to bring such into compliance.

13-4-3.2 Submission of Recorded Drawings

1. *Certification.*

- a. The Town shall not accept dedication of required public improvements until the Applicant's engineer has certified to the Town, through submission of detailed record drawings of the project and filed copies of any off-site easements that the public improvements have been built in accordance with the approved construction plans.

2. *Acceptance and Recordation of Public Improvements.*
 - a. The Town shall not accept improvements until the final plat is approved by the Town and recorded at the County.
 - b. Each record drawing sheet shall show all changes made in the construction plans during construction and on each sheet there shall be a “record” stamp bearing the signature of the engineer and date.
 - c. Detailed requirements for such drawings are available from the Code Official.
3. *Digital Files.*
 - a. Digital files of all the record drawings shall be submitted by the applicant and received by the Town.

13-4-3.3 Acceptance or Rejection of Improvements

1. *Responsible Official.*
 - a. The Code Official shall be responsible for inspecting all required public improvements shown in the construction plans and for accepting completed subdivision improvements intended for dedication to the Town.
2. *Final Inspection.*
 - a. After completion of all improvements, franchise utilities, grading, and erosion control the Code Official and other designated representatives (as applicable) will perform a final inspection before recommending acceptance of the public improvements.
3. *Letter of Final Acceptance.*
 - a. If all improvements are completed, inspected, tested (if applicable), and determined by the Town to be in conformance with this Subdivision Ordinance, Town standards and specifications, and construction plans, then the Code Official shall issue a letter of final acceptance to the applicant, thereby notifying the Applicant of the Town’s intended acceptance contingent on the approval of the final plat.
4. *Meaning of Acceptance.*
 - a. Acceptance of the improvements shall mean that the Applicant has transferred all rights to all the public improvements to the Town for title, use, and maintenance.
5. *Rejection.*
 - a. The Code Official shall reject those improvements that fail to comply with the construction plans and Town’s standards and specifications. The Town shall enforce the guarantee provided by the maintenance bond(s).

Chapter 5 Design Standards

13-5-1 Streets

1. The arrangement of streets in a subdivisions shall, except for cul-de-sacs, connect with streets already dedicated in adjoining subdivisions or provide for future connections to adjoining tracts. Streets shall be arranged so as to cause no undue hardship on the

subdivision of adjacent unplatted tracts and the Planning Commission and City Council may require the dedication of street rights-of-way to facilitate the subdivision of such properties. No development approval shall be granted where adequate off-site transportation is not available at the time of development approval or contained within a fully funded capital improvement program or plan.

2. *Streets.*

- a. Collector streets shall be provided for the circulation of traffic through a Subdivision and the connection thereof to arterial streets. Adequate local streets shall be provided to accommodate access within the subdivision.
- b. Residential Streets shall be so laid out that their use by through traffic will be discouraged.
- c. Street intersections:
 - i. More than two (2) Streets intersecting at a point should be avoided; and
 - ii. Where two (2) or more Streets converge at one (1) point, or acute intersection angles occur, setback lines or special rounded or cutoff corners, or both, may be required to ensure public safety and to facilitate orderly traffic movements; and
 - iii. Streets should intersect at a ninety-degree angle, and in no case should the angle be less than seventy-five (75) degrees; and
 - iv. Streets should have at least a fifty-foot tangent section of roadway approaching an intersection.
- d. Dead end streets shall not be permitted except where same will be eventually extended in adjacent unplatted areas. Such temporary dead end streets shall terminate with a turn-around.
- e. No street names shall be used which will duplicate or be confused with the names of existing streets in the Town of Jones or neighboring communities. Street names shall be subject to approval by the Planning Commission and City Council and shall be shown on the final plat.
- f. Pedestrian walk Rights-of-Way not less than ten (10) feet wide shall be required where deemed necessary to provide access to schools, playgrounds, shopping centers, transportation and other community facilities.

3. The minimum right-of-way widths of proposed streets shall be as follows:

Table 3: Street Right-of-Way Widths	
Type of Street	Right-of-Way Widths
Freeway or Expressway	As required by the Oklahoma Department of Transportation
Primary Arterial	100'
Secondary Arterial	80'
Residential Collector	60'

Local Streets	50'
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4. Access.

- a. Each lot shall be provided with access to a public street, approved private street or highway.
- b. A shared access easement may be required between adjacent lots fronting on any street section in order to minimize the total number of access points along those streets and to facilitate traffic flow between lots.
 - i. Said dedication shall be provided on the final plat of the subject properties, or be filed by separate instrument and filed with the County.
- c. Non-access provisions controlling ingress and egress to streets may be required by the Planning Commission and City Council to assure traffic safety and to relieve congestions at intersections.
- d. The minimum distance between access points are as follows:

Table 4: Street Minimum Distance Between Access Points	
Type of Street	Minimum Distance Between Access Points
Freeway or Expressway	Limited by the Oklahoma Department of Transportation
Primary Arterial	No limits of access
Secondary Arterial	No limits of access
Residential Collector	No limits of access

13-5-2 Alleys

- 1. *Commercial and Industrial.* Alleys may be required by the Planning Commission and City Council in commercial and industrial zoned properties to provide service access, off-street loading and unloading, parking and access for police and firefighting services. Alleys serving commercial and industrial zoned properties shall not be less than thirty (30) feet in width of right-of-way.
- 2. *Residential.* Alleys in residentially zoned properties shall be not less than twenty (20) feet in width of right-of-way.
- 3. *Alignment.* Horizontal changes in alignment shall be gradual and at intersection corners and shall have a radius of twenty (20) feet to permit safe vehicular turning movements.
- 4. *Dead End.* Dead end alleys shall be avoided where possible, but where unavoidable, shall be provided with an adequate vehicle turn-around at the terminus as determined by Planning Commission and City Council.
- 5. *Obstructions.* No obstructions shall be permitted in areas reserved for alleys.

13-5-3 Sidewalks

As a critical component to the Town’s transportation system, sidewalks serve to provide for the health, safety, and welfare of the Town. Sidewalks provide safe pathways for people to move

about the Town and reduce the potential for pedestrian-automobile collisions. Furthermore, sidewalks can serve both residential and nonresidential uses by increasing connectivity (i.e., points and types of access to an area) and providing additional means of travel.

13-5-3.1 Sidewalks Required

1. *Requirement.*

- a. Sidewalks shall be constructed on both sides of all streets, unless the Planning Commission waives or modifies this requirement, including allowing the developer to contribute funds-in-lieu of construction.
- b. Within all residential developments, sidewalks shall be a minimum of four (4) feet in width.
- c. The design and installation of all sidewalks shall meet all state and federal requirements, including but not limited to the Americans with Disabilities Act.
- d. All subdivisions, site developments, or sections thereof shall have installed in them sidewalks and/or trails to serve each lot or parcel therein.

2. *Responsibility.*

- a. The Developer shall install sidewalks within the development along street Right-of-Ways and along the existing streets fronting the development

3. *Construction Materials.*

- a. Sidewalks shall be concrete, shall conform to the applicable standards contained in these regulations and shall be a minimum of 48" wide and a minimum of 4" thick with handicapped access at all intersections. Sidewalks shall normally be separated from the edge of the street by a grassy strip 24" wide. All non-paved right-of-way shall be either sodded or seeded.

4. *Location.*

- a. Sidewalks and trails shall be located in the Right-of-Way of the street and shall extend across the entire dimension of each lot or parcel side adjacent to a public street.

5. *Timing of Completion.*

- a. All required sidewalks and trail dedications shall be completed prior to occupancy and before any public utility connection occurs.

6. *Sidewalk Fee in Lieu of Construction.*

- a. It is the desire of the Town to have required sidewalks built at the time of and congruent with development. However, there may be circumstances regarding safety, economic waste and geographical features that preclude such construction.
- b. The Zoning Administrator has the authority to approve construction exemptions and collect a fee in lieu of 115 percent (115%) of the estimated total construction cost (i.e., labor included).

- c. In no instance will a private or public entity not build or pay a fee in lieu of sidewalk or trail construction.

13-5-4 Easements

1. *Utility Easements.* Where alleys are not provided, the Planning Commission and City Council may require easements of a minimum width of ten (10) feet along each rear lot line and along each side lot line where necessary for use by public and private utilities.
2. *Drainage Easements.* The Planning Commission and City Council may require drainage easements as recommended by the Town Engineer. All drainage easements for facilities shall be of such dimensions so as to allow equipment access for construction and maintenance of the facility.

13-5-5 Blocks

1. The lengths, widths, and shapes of blocks shall be determined with due regard for the following:
 - a. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
 - b. Zoning requirements as to lot sizes and dimensions;
 - c. Need for convenient access, circulation, control and safety of street traffic; and
 - d. Limitations and opportunities of topography.
2. Blocks for residential use shall not be longer than 1,800 feet or less than 500 feet measured along the centerline of the block. Wherever practical, blocks along primary arterial and secondary arterial streets shall be not less than 1,000 feet.
3. When a block exceeds 600 feet in length, the Planning Commission may require a dedicated easement not less than 15 feet in width and a paved crosswalk not less than four feet in width to provide pedestrian access across the block. Such pedestrian walkways or crosswalks may be required by the planning commission if deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.
4. Blocks used for residential purposes shall be of sufficient width to allow for two tiers of lots of appropriate depth, but shall not be less than 220 feet in width except where otherwise required to separate residential development from through traffic. Other exceptions to this prescribed block width shall be permitted for blocks adjacent to major streets, railroads or waterways. Such exceptions are allowed provided other applicable provisions of this chapter are met.
5. Blocks intended for business and industrial use shall be of a width and depth suitable for the intended use, with due allowance for off-street parking and loading facilities.

13-5-6 Lots

13-5-6.1 Generally

The lot arrangement shall be such that there will be no foreseeable difficulties for reasons of topography or other conditions in securing a building permit. All lots shall be arranged to comply with the Comprehensive Plan, the Zoning Ordinance, all drainage ordinances and building codes and all other ordinances of the Town, and to provide access from an approach street.

13-5-6.2 Dimensions

1. Lot dimensions shall comply with the minimum standards of the zoning ordinance. Additional requirements shall be as follows:
 - a. Lots shall have a width, depth and area of not less than that required by the Zoning Ordinance. Lots, tracts or parcels created for a particular commercial or industrial use shall have sufficient area and dimensions to provide for off-street parking and loading facilities as required by the Zoning Ordinance for the type of use and development proposed.
 - b. Corner lots shall have an extra width that is adequate to permit building setbacks from side streets and front streets.
 - c. Side lot lines shall be at right angles to street lines or radial to curving street lines.
 - d. Corner lot lines shall be cut with a chord to provide a sight triangle with legs of 25 feet from the point of intersection of the property lines along both property lines. The triangle shall be dedicated to the Town and be included in the street right-of-way easement.

13-5-6.3 Lots Under One Ownership; Lots for Commercial and Industrial Uses

1. Where a block is to be developed and retained under single ownership, it is not required that the block be subdivided into lots; however, the block must meet all requirements of this chapter and other applicable regulations for lots and blocks, including lot sizes and dimensions.
2. All lots proposed for commercial or industrial use shall abut upon a dedicated street, and shall be of appropriate size and arrangement to provide for adequate off-street parking and loading facilities based on the intended use. No individual parcel shall be created for a particular commercial or industrial use that has an area, width or depth that is less than is required for the permitted use under the applicable provisions of the Zoning Ordinance.

13-5-6.4 Double Frontage and Reverse Frontage Lots

1. Double frontage and reverse frontage lots shall be avoided, except where they are needed to provide for the separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. In all cases, a sight-proof screening shall be provided and shall not be less than six feet in height. The sight-proof screening shall be provided along the rear portion of the lots abutting such a traffic

artery. There shall be no right of access to the rear or side portion of any lot abutting such traffic artery.

13-5-6.5 Street Access

1. Low or medium density residential lots shall not derive access from a major street. Lots facing collector streets should be minimized to the fullest extent possible. Where a lot borders a collector street and a local street, access shall be gained from the local street only. If lots have access on local streets, the planning commission shall require on the face of the final plat a note limiting access for lots that back or side onto a collector, arterial or other major street. Where driveway access from a major or arterial street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards. Driveways should be designed and arranged so that vehicles avoid backing into major or arterial streets. It is encouraged that driveways should be designed and arranged so that vehicles avoid backing into collector streets.

13-5-6.6 Drainage

1. Lots shall be laid out so that drainage flows away from all buildings. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

13-5-7 Public Areas and Open Space

The purpose of this section is to provide the amount of land to be dedicated for parks and open space. Parks and open space are essential in providing for the public welfare of the community. These areas benefit residents by providing recreational opportunities and are considered elements that contribute to the quality of life found in the community. The amount of land for parks and open space and its distribution contributes to citizens' quality of life.

13-5-7.1 Applicability

It shall be a condition of a final plat of all residential subdivisions having a dwelling unit density of greater than one (1) unit per net acre, that each subdivider, developer, or owner will be required to make to and at the discretion of the City Council either:

1. Land donation; or
2. Cash in lieu of land donation.

13-5-8 Building and Setback Lines

1. Building lines shall be shown on all plats intended for residential use of any character, as follows:
 - a. In residential districts, a front yard setback shall be provided on every lot. The depth of such front yard setback line shall be at least twenty five feet (25').

- b. On any corner lot to be used for residential purposes, the setback line on the intersecting street shall be located not less than fifteen feet (15') from the right of way line, in case such lot is back to back with another lot, and twenty five feet (25') in every other case; and
- c. Restrictions shall be made requiring that all buildings to be used for residential purposes be set back from side lot lines at least five feet (5') on all interior side lot lines.
- d. Where crosswalks are provided or required, a side yard building line shall be provided not less than ten feet back of a crosswalk right-of-way line on the side of a lot abutting a midblock crosswalk.

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