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**AGENDA - REGULAR MEETING
COWETA PLANNING COMMISSION
COWETA CITY HALL, 310 S. BROADWAY
MONDAY, JULY 20, 2026 6:00 PM**

MEETING PROCEDURE: Comments on all scheduled agenda items will be heard immediately following the presentation by staff or the petitioner. Please wait until you are recognized by the Chair and keep your comments as brief as possible. Individuals addressing the Commissioners must identify themselves by name prior to making any comments. The Commission will consider, discuss, and may take action on, approve, adopt, amend, reject, deny, table, or not take action on any item listed on this agenda after comments from staff and the Commission have been heard.

I. CALL TO ORDER

II. ROLL CALL

Jessica Morris ____ Joanna Jones ____ Linda Dyer ____ Tim Ahlstrom ____ Jennifer Curtis ____

III. CONSENT

(All matters under the "Consent Calendar" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from consent by request.)

1. MINUTES OF REGULAR MEETING

Approval of the minutes of the Coweta Planning Commission Meeting held on June 15, 2026.
[Meghan Bendabout_ Community Development Administrative Assistant]

IV. CONSIDER, DISCUSS AND TAKE ACTION ON ITEMS REMOVED FROM CONSENT

V. ADMINISTRATION

1. PROPOSED UPDATE OF THE CITY OF COWETA SUBDIVISION REGULATIONS

Consider, discuss, review, and make revisions, if necessary, to the proposed update of the City of Coweta Subdivision Regulations, and make a recommendation to the City Council regarding adoption of the regulations.

Jessica Gough, Community Development Director

VI. ADJOURNMENT

If you wish to speak during this meeting, please sign in before the meeting begins using the sign-up sheet located on the table near the podium. Speakers may address only those items listed on the posted

*agenda. All cell phones and electronic devices must be turned **off** or **set to silent** for the duration of the meeting.*

Persons who require a special accommodation to participate in this meeting should contact the Coweta City Clerk, 310 South Broadway, P.O. Box 850, Coweta, Oklahoma, 74429, 918-486-2189 or via Email: cityclerk@cityofcoweta-ok.gov, as far in advance as possible and preferably at least 48 hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353; voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.



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**REGULAR MEETING - MEETING MINUTES
COWETA PLANNING COMMISSION
COWETA CITY HALL, 310 S. BROADWAY, COWETA, OKLAHOMA
MONDAY, JUNE 15, 2026 6:00 PM**

COMMISSIONERS PRESENT: Jessica Morris, Joanna Jones, Linda Dyer, Tim Alhstrom, Jennifer Curtis

COMMISSIONERS ABSENT: None

I. CALL TO ORDER

The meeting was called to order by Chairman Jessica Morris at 6:00 PM

II. PLEDGE OF ALLEGIANCE GIVEN

III. ROLL CALL

Roll call taken. Board Members were present as shown above.

IV. CONSENT

Consideration of the minutes of the regular meeting held on May 18, 2026.

Jessica Morris made the motion to approve with Tim Alhstrom seconding.

Aye: Jessica Morris
Joanna Jones
Linda Dyer
Tim Ahlstrom
Jennifer Curtis

V. PUBLIC HEARING(S)

Jessica Morris made motion to open the public hearing at 6:01pm. Tim Alhstrom seconded.

Aye: Jessica Morris
Joanna Jones
Linda Dyer
Tim Ahlstrom
Jennifer Curtis

1. CZ 26-03 REZONE FROM AGRICULTURE (AG) TO COMMERCIAL GENERAL (CG) FOR PROPERTY LOCATED AT 28349 EAST 131ST STREET SOUTH

A public hearing to receive public comment on CZ 26-03, a request by applicants and property owners, Randall and Fayette Wiley, to change the zoning on described property from Agriculture (AG) to Commercial General (CG), Located at 28349 East 131st Street South, Lot Sixteen (16), Block Nine (9), Skyview Addition, City of Coweta, Wagoner County, State of Oklahoma.

No Public Comment.

Jessica Morris made a motion to close the public hearing at 6:03 p.m. with Joanna Jones seconding.

Aye: Jessica Morris
Joanna Jones
Linda Dyer
Tim Ahlstrom
Jennifer Curtis

VI. ADMINISTRATION

1. CZ 26-03 REZONE FROM AGRICULTURE (AG) TO COMMERCIAL GENERAL (CG) FOR PROPERTY LOCATED AT 28349 EAST 131ST STREET SOUTH

Discuss and consider possible action on the recommendation of approval, approval with conditions, or denial of CZ 26-03, a request by applicants and property owners, Randall and Fayette Wiley, to change the zoning on described property from Agriculture (AG) to Commercial General (CG), Located at 28349 East 131st Street South, Lot Sixteen (16), Block Nine (9), Skyview Addition, City of Coweta, Wagoner County, State of Oklahoma.

City Planner Skylar Marlow- Fuson read the staff report.

Jessica Morris asked if it was not Wagoner County but in city limits, Skylar Marlow- Fuson responded with correct. Jessica Morris asked what business it would be, Skylar Marlow- Fuson told her it was up for sale. Jessica Morris said to make it easier to sale, seems reasonable because it is by the casino and residential probably wouldn't want to buy.

Jessica Morris made the motion to approve. Linda Dyer seconded

Aye: Jessica Morris
Joanna Jones
Linda Dyer
Tim Ahlstrom
Jennifer Curtis

The meeting was adjourned at 6:06 p.m. by Chairman Jessica Morris.

Chairman

Date

Secretary

Date



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Memorandum

To: Honorable Chair and Planning Commissioners

From: Jessica Gough, Community Development Director

Re: **PROPOSED UPDATE OF THE CITY OF COWETA SUBDIVISION REGULATIONS**

Date: July 20, 2026

BACKGROUND

The City's current Subdivision Regulations have not undergone a comprehensive update in several years and no longer fully reflect current development practices, engineering standards, state law, or the City's long-term growth objectives. Staff has completed a comprehensive review and revision of the regulations to modernize the subdivision process, improve clarity, eliminate outdated provisions, and better align the regulations with the City's adopted Comprehensive Plan, zoning regulations, and current development standards.

The Planning Commission's role is to review the proposed Subdivision Regulations, discuss any recommended modifications or revisions, and forward a recommendation to the City Council regarding adoption of the updated regulations. Any changes recommended by the Planning Commission will be incorporated into the final draft presented to the City Council for consideration.

STAFF RECOMMENDATION

Staff recommends the Planning Commission review the proposed Subdivision Regulations, consider any desired revisions, and forward a recommendation to the City Council for consideration.

ATTACHMENTS

1. Coweta Draft Subdivision Regulations with changes 6-22-26



SUBDIVISION REGULATIONS

Adopted by the Coweta City Council

By Ordinance No. 912

On January 5, 2026

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CHAPTER 13-4 DEFINITIONS

CHAPTER 13-1 GENERAL AND ADMINISTRATIVE PROVISIONS

13-1-1 Citation and Authority

These regulations shall hereafter be known, cited and referred to as the "Subdivision Regulations of the City of Coweta, Oklahoma".

These regulations, governing the subdivision and development of land within the jurisdiction of the Coweta Planning Commission, have been prepared, adopted, and enacted by Ordinance No. 912, pursuant to authority granted by Title 11, Oklahoma Statutes, § 45-104 et seq., as amended..



13-1-2 Purposes

These regulations are designed, intended, adopted and should be administered for, the following purposes:

- A. To protect and provide for the peace, health, safety and general welfare of the present and future residents of the city;
- B. To guide the future growth and development of the city, in accordance with the implementation of the Comprehensive Plan;
- C. To ensure the provision of adequate light, air, privacy and fire protection for current and future residents of the city;
- D. To encourage orderly and beneficial development of all parts of the city;
- E. To protect and conserve the value of land throughout the city, as well as the value of buildings and improvements upon the land;
- F. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewer, parks, schools and other public requirements and facilities,
- G. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the city through proper location, width, design and construction of streets;
- H. To establish reasonable standards of design and procedures for subdivisions, resubdivisions, lot line adjustments and lot-splits, in order to further the orderly layout and use of land and the development of adequate, accurate and accessible public records and monumenting of subdivided land;
- I. To equitably distribute the costs involved in land subdivision;
- J. To aid in the prevention of pollution of air, streams and other bodies of water;

- K. To safeguard the area's water table;
- L. To encourage the wise use and management of natural resources in order to preserve the integrity, ecological stability and the beauty of the city, as well as the value of the land;
- M. To provide for open spaces through the most efficient design and layout of the land;
- N. To assure the adequacy of drainage facilities; and
- O. To minimize flood losses resulting from periodic inundation through:
 - 1. Restriction or prohibition of subdivision of lands for uses which are dangerous to health, safety or property in times of flood, or which, with reasonably anticipated improvements, will cause excessive increases in flood heights or velocities;
 - 2. Requirements that each subdivision lot in an area vulnerable to flooding be provided with a safe building site, with adequate access and that public utilities and facilities which serve such uses be installed with protection against flood damage at the time of installation; and through
 - 3. Protection of individuals from purchase of lands unsuitable for intended purposes because of flood hazards, through the prohibition of unprotected flood hazard lands subdivision, requirements for delineated flood hazard areas on the final plat, and suitable uses provided for areas unsuitable for residential development.

13-1-3 Jurisdiction

These regulations shall govern the subdivision of land within the jurisdictional area of the Planning Commission of the City of Coweta, Oklahoma.

These subdivision regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the 5th Day of January, 2026. Provided that if such land is re-platted, the re-plat will comply with these regulations. Nor is it intended by these regulations to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed, or with private restriction placed upon property by deed, covenants, or other private agreement, or with restrictive covenants running with the land to which the city is a party. Where this regulation poses a greater restriction than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of these regulations shall control.

13-1-4 Statement of Policy

- A. It is hereby declared to be the policy of the city to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of said city pursuant to the Comprehensive Plan, once prepared and adopted, for the orderly, planned, efficient and economical development of said city.
- B. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Land shall not be subdivided until available public facilities and improvements exist and proper provision has been made for drainage, water, sewer and capital improvements such as schools, parks, recreation facilities, transportation facilities and other related improvements.
- C. Existing and proposed public improvements shall conform to, and be properly related to, the proposals shown in the Comprehensive Plan, and it is intended that these regulations shall supplement and facilitate the enforcement of the policies, provisions and standards contained in the Building Code, Zoning Ordinance, Code of Ordinances and Comprehensive Plan.

13-1-5 Official Recording

- A. No land shall be subdivided or a plat filed within the jurisdictional area of the Planning Commission, until the subdivider (or their agent) shall obtain the recommendation of the Planning Commission and an approval from the City Council, for the preliminary plat and the final plat of the proposed subdivision.
- B. No plat or other land subdivision instrument shall be filed in the office of the Wagoner County Clerk until it shall have received approval,  as hereinabove required, and consistent with current State Law.
- C. All plats of record (i.e. final plats) shall be filed within two (2) years of the date of final approval by the City Council, and no lot shown on a final plat shall be transferred (or recorded) by the Wagoner County Clerk until such plat is filed, consistent with current State Law
- D. Failure to record the plat within two (2) years of said date of approval shall void all approvals thereto received from the city.

13-1-6 Application of Regulations

These regulations shall apply to the following forms of land subdivision and development within the jurisdiction of the Planning Commission:

- A. The division of land or air space into two (2) or more tracts, lots, sites or parcels, any part of which, when subdivided, contains 10 acres or less in area;
- B. The re-division of land, previously divided or platted, into tracts, lots, sites or parcels, of 10 acres or less in area;
- C. 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;
- D. The dedication to the public, or vacation of, any street or alley through any tract of land, regardless of the area involved;
- E. Planned Unit Development (Residential, Industrial or Commercial), as defined in these regulations and the Zoning Ordinance;
- F. Any commercial shopping center or industrial park development which fits the other jurisdictional provisions of these regulations;
- G. Any tract, lot, site or parcel of land, regardless of size, which is to be developed and on which exists, or will exist because of such contemplated development, any topographic feature or improvement requiring the dedication or reservation of any easement, public or private, under the provisions of these regulations;
- H. Any plat or part of a plat which is to be vacated by the owner of the premises or tract of land; and
- I. Lot splits and lot line adjustments, according to the provisions contained hereinafter for "Exceptions to Regulations."

13-1-7 Plat Amendment

- A. Following acceptance of a Final Record Plat by the City Council any changes or amendments to the Final Recorded Plat, except for the correction of errors and defects, lots splits, lot consolidations, or lot line adjustments that do not create any additional new lots, will require approval by the City Council after a new public hearing before the Planning Commission.

- B. An application for a Plat Amendment must be completed and submitted to the Planning Commission for consideration, along with an application fee, as set by resolution of the City Council.
- C. Written Notice is required.
 - 1. Notice shall be mailed to affected owners. If easements are affected, a notice shall be mailed to all easement owners.
 - 2. The written notice shall contain all the following information:
 - a. Legal Description of the property;
 - b. Street Address or the property's location; and
 - c. Date, Time, and Place of the Hearing before the Planning Commission.
 - d. Map of the property.

The Planning Commission shall conduct a hearing and shall review the proposed Plat Amendment to ensure compliance with all design and improvement requirements of these regulations. The Planning Commission shall determine whether the Plat Amendment shall be recommended for approval, recommended for approval with modifications, continued to a date certain, or not recommended for approval, and shall give notice to the subdivider in writing of its recommendation.

If there is not a quorum of the Planning Commission on the date the public hearing is to be held, the Plat Amendment shall be forwarded to the City Council as specified in this section.

The proposed Plat Amendment shall be then forwarded to the City Council to be considered for approval, approval with conditions, or disapproval.

Upon approval, the Planning Commission Chairperson and Mayor shall certify the Plat Amendment. Upon denial, the Planning Commission Chairperson shall submit the reasons for denial, in writing, to the subdivider. The subdivider may elect to appeal to the City Council (for a fee as set by the City Council by resolution).

The subdivider shall be responsible for filing the Plat Amendment with the Wagoner County Clerk within one (1) year of the approval by the City Council.

13-1-8 Vacation of Plats

- A. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein by a written instrument, of which a copy shall be attached to such plat, declaring the same to be vacated, following court action, as required by State Law.
- B. Such an instrument of vacation shall be recommended for approval by the Planning Commission in like manner as plats of subdivisions. The City Council may reject any such instrument which bridges or destroys any public rights in any of its public uses, improvements, streets or alleys.
- C. Such an instrument of vacation shall be executed, acknowledged or approved, and recorded or filed, in like manner as plats of subdivisions; being duly recorded or filed, this shall operate to destroy the force and effect of the recording of the plat so vacated and to divest all public rights in the streets, alleys, public grounds and all dedications laid out or described in such plat.
- D. When lots have been sold, the plat may be vacated in the manner herein provided, by all of the owners of lots in such plat joining in the execution of such writing, subject to court action as required by applicable State Law.

13-1-9 Responsibility For Administration

The primary responsibility for the administration of these regulations shall be with the Planning Commission. The Planning Commission aims to protect the public interest by ensuring all proposed plats undergo thorough review without causing unnecessary delays for subdividers.

13-1-10 Amendment Of Regulations

The City Council may, from time to time, adopt amendments to these regulations. These amendments shall be adopted by said City Council by Ordinance, following at least one review hearing by the Planning Commission.

13-1-11 Agenda

Each plat submitted for preliminary or final review shall be placed on the agenda of the Planning Commission only after fulfilling appropriate requirements of these regulations.

13-1-12 Fees To Defray Costs Of Administration, Engineer Review And Inspection

1. Preliminary Plat. At the time of filing a preliminary plat with the city, the subdivider shall submit all required documents and materials together with a fee in the amounts specified in the city's fee schedule to cover administrative fees.
 - a. For the purposes of computing preliminary plat fees, each phase of a multi-phase subdivision submitted for preliminary plat approval shall be considered a separate subdivision unless multiple phases are included in the same preliminary plat.
2. Final Plat. At the time of filing a final plat with the city, the subdivider shall submit all required documents and materials together with a base final plat filing fee in the amounts specified in the city's fee schedule.
 - a. For the purposes of computing final plat fees, each phase of a multi-phase subdivision submitted for final plat approval shall be considered a separate subdivision unless multiple phases are included in the same final plat submission.
3. The subdivider shall be responsible for the actual cost of engineering review, attorney review, construction inspection (contracted or performed by city personnel), materials testing, and other direct costs the municipality may incur related to the review, inspection, and acceptance of plats, covenants, and infrastructure.
4. The subdivider shall be responsible for the purchase and installation of street signage..

13-1-13 Variances

- A. Where the Board of Adjustment finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these regulations so that substantial justice may be done and the public interest secured; provided, that, such variance shall not have the effect of nullifying the intent and purpose of these regulations. The P Board of Adjustment shall not approve variances unless

it shall make findings based upon the evidence presented to it in each specific case that:

1. The granting of the variance will not be detrimental to the public peace, safety, health or welfare, or injurious to other property in the area where the variance is located, and
 2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to any other property; and
 3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the subdivider would result (as distinguished from a mere inconvenience), if the strict letter of these regulations were to be carried out; and
 4. The variances will not in any manner conflict with, or vary from, the provisions of the adopted Zoning Ordinance or adopted Comprehensive Plan.
- B. In approving variances, the Board of Adjustment requires that the following process take place:
1. An application for a variance must be completed and submitted to the Board of Adjustment for consideration of the requested variance. Such application shall be accompanied by an application fee and shall include a description of the variance and the reason for the request.

13-1-14 Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public peace, health, safety, and general welfare.

13-1-15 Conflicts With Public And Private Provisions

- A. Public Provisions. These regulations are not intended to interfere with, abrogate or annul any other Ordinance, rule, regulation, Statute, or other provision of Law. Where any provision of the regulations imposes a restriction different from those imposed by any other provision of these regulations or any other Ordinance, rule, regulation, Statute or other provision of Law, whichever provisions are more restrictive or impose higher standards, shall control.

- B. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction; provided, that, where the provisions of these regulations are more restrictive or impose standards or regulations higher than such easement, covenant or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant or private agreement or restriction impose duties and obligations more restrictive, or of higher standards than the requirements of these regulations or the determination of the Planning Commission in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

13-1-16 Precedence

Whenever the provisions of the regulations conflict with any other City Ordinance, these regulations shall prevail and take precedence, unless said conflict is with the Zoning Ordinance, in which case the provisions of the Zoning Ordinance shall prevail.

13-1-17 Separability

If any Section, clause, paragraph, provision or portion of these regulations shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of any other Section, clause, paragraph, provision or portion of these regulations.

13-1-18 Conflicting Ordinances Repealed

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

13-1-19 Violations: Penalty

- A. No Building Permit shall be issued nor shall any 911 addresses be issued for any new structure or change, improvement, or alteration or any existing structure on any tract of land in a subdivision filed or recorded after the effective date of these regulations, which does not comply with all the provisions of these regulations.

- B. A Violation of these regulations shall be deemed an offense and shall be punishable by fine. Any person, firm or corporation which violates or refuses to comply with any of the provisions of these regulations shall be fined in an amount specified in the city's fee schedule for each offense. Each day a violation is permitted to exist shall constitute a separate offense.

CHAPTER 13-2 APPLICATION PROCEDURE

13-2-1 General Provisions

- A. Plat Approval. For all cases of subdivision within the scope of these regulations, a plat shall be drawn and submitted to the Planning Commission and the City Council for their approval or disapproval.
- B. Acceptance of Dedications and Easements. All easements and areas dedicated to public use shall be submitted to the City Council for acceptance.
- C. Subdivision Review Process. The subdivision review process required in these regulations shall consist of three (3) phases.
 - 1. Review of the sketch plat - TAC
 - 2. Review of the preliminary plat and Construction Plans by: TAC, Planning Commission, and City Council, and
 - 3. Review of the final plat By TAC, Planning Commission and City Council
- D. Special Procedures. Special procedures for the following types of subdivisions shall be as provided in Sections 13-2-6 and 13-2-7 of these regulations:
 - 1. Minor Subdivisions;
 - 2. Lot Line Adjustments;
 - 3. Planned Unit Development,
 - 4. Re-Subdivision;
 - 5. Undeveloped Plats; and
 - 6. Vacation of Plats

13-2-2 Sketch Plan

- A. Purpose. The sketch plan provides an early opportunity for the subdivider and city officials to identify potential issues related to land use, general design, and the proposed approach to infrastructure improvements. As an initial step in the subdivision process, it plays a critical role in shaping decisions that can significantly impact both the subdivider and the broader community. Another key benefit of the sketch plan is that it can help make the subdivision design process more straightforward and efficient for the subdivider by identifying issues early and reducing the need for major revisions later.
- B. The sketch plan must include all land proposed for subdividing to ensure a complete and cohesive area overview.
- C. A conference between the subdivider and the City Planner will be held to review zoning requirements, subdivision design standards, platting

procedures, and infrastructure improvements. Before this meeting the subdivider must provide the City Planner with a digital copy of the sketch plan. While it may be a freehand drawing, the plan must be clear, legible, and drawn approximately to scale. Certification by an engineer or surveyor is not required at this stage.

- D. The City Planner may schedule a review of the sketch plan with the Technical Advisory Committee (TAC) and the subdivider. Comments from this review are advisory and not binding on any party. The purpose of this step is to guide the subdivider by identifying potential conditions that could apply to the development. Written comments will be provided to the subdivider or their representative within 15 working days of the TAC meeting.
- E. Contents of sketch plan. The sketch plan shall contain the following information:
 - 1. The general topography of the tract.
 - 2. Existing adjoining development.
 - 3. Existing streams, floodplains, and storm drainage, if any.
 - 4. Existing public and private utilities and easements.
 - 5. The proposed land use such as residential, commercial, parks, schools, or drainage detention facilities.
 - 6. The proposed layout of streets, lots and blocks.
 - 7. The proposed subdivision name.
 - 8. The proposed layout of public utilities.
 - 9. The location of every existing or abandoned oil or gas well or dry hole drilled in search of oil or gas as shown by the records of the State Corporation Commission.
 - 10. The name, address and telephone number of the property owner and subdivider.
 - 11. Any other pertinent information.

13-2-3 Preliminary Plat

- A. Purpose. The purpose of the preliminary plat is to provide an interim step in the procedure when the subdivider shall present drawings of the detail features of the subdivision. It is at this point that the items discussed at the sketch plan stage are shown and the development is examined to see if it is technically functional.
- B. Application. The subdivider shall submit two (2) copies, black line or blue line prints, and one (1) electronic copy of the preliminary plat and construction

plans, which have been prepared by a licensed surveyor or Professional Engineer licensed in the State of Oklahoma to the City Planner no later than 30 calendar days prior to the Planning Commission meeting at which the preliminary plat will be reviewed. The preliminary plat shall show all the features needed to enable the Planning Commission to determine whether or not the proposed subdivision layout is satisfactory from the standpoint of public interest. The preliminary plat size shall not be less than 24 inches by 36 inches and folded to 8-1/2 inches by 11 inches, the forms for which shall be supplied by the City Planner and the applicant shall pay an application fee as established by ordinance.

C. Review of Preliminary Plat.

1. Upon filing application, the owner shall pay all fees to the City as defined herein and as established by ordinance.
2. The City Planner, upon receipt of the required plats, construction plans and fees, shall:
 - a. Distribute copies of the preliminary plat and construction plans to TAC.
 - b. Set the plat on the TAC and Planning Commission agendas.
 - c. Review the plat for conformance with the zoning regulations and this title.
 - d. Prepare recommendations for submission to the TAC and Planning Commission.
3. TAC shall review the preliminary plat and construction plans and make recommendations to the Planning Commission.
 - a. After receipt of the recommendations of staff, TAC, other agencies and utility companies, the Planning Commission may tentatively make a recommendation to approve the preliminary plat with any modifications or conditions, noting all such modifications on the plat.
 - b. Upon a recommendation of rejection, or on a recommendation of approval subject to modifications or conditions, the Planning Commission will require the subdivider to submit a revised preliminary plat and another meeting will be scheduled. A recommendation of tentative approval of the preliminary plat shall be deemed to be an approval only of design features of the

tract. The City Engineer or other officials having justification to modify engineering and construction details, may require modifications as necessary for the protection of the public interest.

4. The Planning Commission shall
 - a. Hold a hearing on the preliminary plat.
 - b. Review the preliminary plat for conformity with the comprehensive land use plan of the City and for compliance with the standards requirements and principles hereinafter prescribed; and shall be reviewed by the Planning Commission for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities.
 - c. Make a recommendation to approve, conditionally approve, or disapprove the preliminary plat at such meeting. If the preliminary plat has a recommendation of approval with conditions, the Planning Commission may require the subdivider to submit a revised preliminary plat. The subdivider shall be advised of any amendments required by the Planning Commission to comply with this title. If the preliminary plat is disapproved, the reasons for that action shall be stated.

- D. Approval Period. The approval of a preliminary plat shall be effective for a period of one (1) year from the date of City Council approval, at the end of which time, unless a final plat on the subdivision shall have been submitted to the Planning Commission, the preliminary plat shall be considered null and void. In such cases, the subdivider shall be required to re-submit a preliminary (and final) plat for the subdivision. In reviewing a preliminary plat which has been resubmitted by reason of being voided by the passage of time, the Planning Commission shall not be bound by a previous approval.
- E. Phased Development. A conceptual overall master development plan, representing the entire proposed development (all phases), must be submitted with the preliminary plat submission for review and approval.

Actual phased construction and final platting may be part of the construction plans and final plat reviews.

F. Specifications. Preliminary plats shall be drawn at a scale of 100 feet to 1 inch, and shall bear, or be accompanied by, the following information or materials:

1. Descriptive Margin Data.

- a. Map scale, north arrow and date;
- b. Proposed subdivision name;
- c. Names and addresses of the owners or record, the subdivider, and the Professional Engineer licensed in the State of Oklahoma preparing the plat; and
- d. An inset key map showing the location of the proposed subdivision, reference to existing or major streets and to government section lines or other survey control points.

2. Existing Conditions.

- a. Topography, with contour intervals of two (2) feet or less, referenced to a U.S. Geological Survey or U.S. Coast and Geodetic Survey Benchmark;
- b. Water elevations of adjoining ponds or streams at the date of the survey and the approximate high and low water elevations of such lakes or streams; if any portion of any land within the proposed subdivision lies within the city's designated floodplain, such fact and said land shall be clearly shown on the preliminary plat;
- c. Location, widths, and names of all existing platted or dedicated streets, alleys or other public ways and easements, railroad and utility rights-of-way, parks, water courses, drainage ditches, permanent buildings, bridges and the location, size and type of sanitary and storm sewers, water mains, culverts, power and natural gas lines and other surface and subsurface structures or pipelines; and
- d. Zoning district classification (if there is more than one classification, the dividing lines shall be shown) of land to be subdivided, as well as adjoining lands.

3. Proposed Development.

- a. The boundaries of the proposed subdivision (to the indicated scale), showing the total perimeter; lengths of all lines shall be measured to the nearest foot and bearings of lines shall be given;

- b. The location and width of proposed streets, alleys, easements and sidewalks, conforming to the approved street classification criteria;
 - c. The location of all drainage channels and subsurface drainage structures, the proposed method of disposing of all runoff from the proposed subdivision, and the location and size of all drainage easements relating thereto, whether they are located within or outside of the proposed subdivision;
 - d. Approximate radii of all curves and lengths of all tangents;
 - e. Layout, numbers and approximate dimensions of lots and the number of letters of each block;
 - f. Building setback lines, with dimensions;
 - g. Indication of any lots on which use other than residential is proposed;
 - h. The location, size and type of all proposed public utility lines, including storm and sanitary sewer, water, gas and power lines. If a Community Sewage Treatment Plant, or other type of Community Disposal System is to be installed or constructed to conserve all or certain portions of the proposed subdivision, the general plans for such Community type Sewage Treatment or Disposal System shall be shown (or accompany the plat) and be so identified on the preliminary plat; and
 - i. The location and size of proposed parks, playgrounds, church sites, school sites or other special uses of land to be considered for dedication to public use, or to be reserved by deed of covenant for the use of all property owners in the subdivision, and any conditions of such dedication or reservation.
4. Additional Materials.
- a. Two (2) copies of all required Construction Plans;
 - b. Two (2) copies of the proposed "house numbering system" (by lot), in accordance with the specifications of the City's Code of Ordinances;
 - c. If a residential subdivision, two (2) copies of the proposed Private or Restrictive Covenants. All residential subdivisions in the city are required to have Private or Restrictive Covenants in place prior to the sale of any lots therein;
 - d. If a residential subdivision, one (1) copy of the proposed document establishing a Homeowners Association. All residential subdivisions in the city are required to have an

- established Homeowners Association prior to the sale of any lots therein addressing among other things the maintenance of common areas and other improvements such as street lighting;
- e. If a non-residential subdivision, a description of any proposed deed restrictions or restrictions that will be recorded on the face of the final plat; and
 - f. If a re-subdivision, a copy of the existing plat shall accompany the preliminary plat.
5. Material Required in Floodplain Areas. A Professional Engineer licensed in the State of Oklahoma shall prepare:
- a. Preliminary plan of any on site waste disposal systems, including disposal sites for lands subject to flooding, or sanitary sewers, with grade, pipe size and points of discharge;
 - b. Preliminary plans for the drainage system, with grade, pipe size and location of outlet;
 - c. Preliminary plans for the water supply and distribution system, with pipe sizes and location of hydrants; and
 - d. Proposed fill or other structure elevating techniques, levees, channel modifications or other methods to overcome flood or related hazards and a statement describing their impacts on existing development in upstream and downstream areas.

13-2-4 Construction Plans

A. Application, Review, and Approval

1. The subdivider shall submit the required Construction Plans with the preliminary plat, prepared and stamped by a Professional Engineer licensed in the State of Oklahoma.
2. Review agencies must review proposed infrastructure plans for compliance with the preliminary subdivision plat and all applicable regulations and standards. Applicants must revise and resubmit plans for review, as necessary to address review agency comments.
3. Once all applicable requirements have been met, the proposed infrastructure plans must be approved before any construction occurs.

B. Specifications

1. Plans shall be drawn at a scale of not more than 100 feet to 1 inch, on 24 inch by 36 inch sheets
2. Plan copies:

- a. Two (2) full-size sets,
 - b. Two (2) half-size sets, and
 - c. Digital files to include PDF and CAD or shapefiles of utility lines and other features such as hydrants, valves, and manholes.
3. Construction Plans shall, as required by Law, bear the seal of a Professional Engineer licensed in the State of Oklahoma
4. Overall subdivision layout
5. Streets:
 - a. Plan and profile
 - b. Typical sections including curb and gutter and sidewalks
6. Utilities:
 - a. The location, size, profile and invert elevations of proposed sanitary sewers, including manholes
 - b. The location and size of proposed water mains, valves, fittings and fire hydrants, including service taps underneath proposed streets
 - c. On-site and off-site systems
 - d. Connections to existing facilities
 - e. The location of all existing or proposed easements and rights-of-way and a typical cross-section of the proposed utility installations within said easements.
7. Stormwater
 - a. Drainage structures
 - b. Detention/retention facilities
 - c. Erosion and sediment control
 - d. Site grading plan
 - e. Drainage calculations
8. Landscape
 - a. Stands of existing trees, current location and as they are to be preserved upon project completion, and specifying their locations on the property
 - b. Proposed tree locations in ROW and common areas
9. Construction details and specifications
10. List of construction pay items and estimate of quantities
11. Proposed sequence of work

13-2-5 Final Plat

- A. Purpose. The purpose of the final plat is to create a document for record which accurately describes the subdivided land, both as to accurate dimensions and legal provisions which are pertinent to the subdivision.
- B. Application. Following a recommendation of approval of the preliminary plat by the Planning Commission and approval by the City Council, the subdivider shall file a written application with the Chairperson of the Planning Commission (or their designated representative on the city staff) for final plat approval. The application shall:
1. Be made on forms available in the Office of Community Development ;
 2. Comply in all respects with the preliminary plat, as approved by both the Planning Commission and the City Council;
 3. Be accompanied by at least four (4) paper prints of the proposed plat, with one (1) reproducible original on stable polyester base (mylar) film to be provided upon approval of the final plat. ;
 4. Be accompanied by two (2) copies of the proposed Private or Restrictive Covenants and two (2) copies of the proposed document establishing the Homeowners Association;
 5. Be accompanied by one (1) set of "Record Plans" for improvements completed; and
 6. Be delivered to the City Clerk, not less than 30 days prior to the meeting date at which the plat is to be reviewed, and shall have the checklist completed prior to the submitting the plat for review.
- C. Planning Commission Review. Upon receipt of the final plat application and materials, the City Planner shall set a date for Planning Commission review of the final plat and shall notify the subdivider, in writing, of said review date. The Planning Commission's review shall be in accordance with the following provisions:
1. The final plat of the proposed subdivision shall be submitted to the Planning Commission for final approval within one (1) year of the date on which the preliminary plat was approved by the City Council. If not submitted for final approval within such time, the preliminary plat shall be considered as having been disapproved unless the Planning Commission agrees to an extension of time.

2. The Planning Commission shall act upon the final plat within 60 days after it has been submitted to the Planning Commission Chairperson for final approval. The subdivider shall be notified in writing upon approval or conditional approval of the final plat by the Planning Commission. If no action on the final plat has been taken within the above specified time, and the subdivider does not agree to an extension of time for action, the plat shall be deemed to have been approved. Certification by the City Clerk as to the date of the final plat's submission and the failure of the Planning Commission to act thereon within such time shall be sufficient in lieu of written endorsement of approval.
 3. If the final plat is disapproved by the Planning Commission, the reasons for such disapproval shall be stated in writing, with reference to specific sections of the Comprehensive Plan or those Ordinances or regulations with which the plat does not comply. A copy of this statement shall be sent to the subdivider, along with one of the prints submitted by the subdivider.
 4. If the plat conforms to all of the requirements provided herein, one (1) copy of the final plat shall be forwarded to the City Council for its review, along with the written recommendation of the Planning Commission and the signature of the Chairperson of the Planning Commission on the approved plat.
 5. No vested rights shall accrue to any plat by reason of preliminary or final approval, until the actual signing of the final plat by the Mayor. All requirements, conditions or regulations adopted by the Planning Commission, applicable to the subdivision (or on all subdivisions prior to the time of signing of the final plat by the Chairperson of the Planning Commission) where the Planning Commission has required the installation of improvements prior to signing of the final plat, said Commission shall not unreasonably modify the conditions set forth in the final approval.
- D. City Council Review. The City Planner shall be responsible for placing the subdivision on the agenda of the City Council and providing written notice of said date to the Chairperson of the Planning Commission and the subdivider (or their agent) of the subdivision. The City Council's review of said subdivision shall be in accordance with the following provisions:

1. The City Council shall approve or disapprove the final plat and notify the subdivider in writing of its action. Such notification shall include specific references to those portions of the plat, which are not in compliance with these, or other regulations, if the plat is disapproved.
 2. After final approval of the plat and the affixing of all required signatures on the original tracing, the subdivider shall provide the Planning Commission with two (2) dark line prints thereof and file with the City Clerk one (1) contact reproducible tracing. The subdivider shall file the original tracing and one (1) print with the Wagoner County Clerk.
 3. Following final approval, the applicant shall provide a digital copy of the subdivision file in GIS format. If GIS data is unavailable, a CAD file containing all subdivision details will be accepted as an alternative.
- E. Approval Period. The final plat shall be filed in the Office of the Wagoner County Clerk within one (1) year after final approval by the City Council; if not filed within such time, said approval shall be considered null and void.
- F. Boundary Traverse Closure. The City Planner will compare the legal description on final plat to the legal description on last recorded deed, confirm bearings and distances..
- G. Specifications. Final plats submitted to the Planning Commission shall be provided on paper at a scale of 100 feet to 1 inch (tracts of land in excess of 40,000 square feet may be platted at a scale of 200 feet to 1 inch), from an accurate survey; the plat shall be prepared on sheets whose dimensions are 24 inches by 36 inches, or which can be folded to these dimensions. The plat shall have a binding margin of two (2) inches on the left side, and minimum margins of one (1) inch on the right side and 1½ inches at the top and bottom. Once approved, the subdivider shall provide the final plat neatly drawn in ink on a tracing cloth or reproducible mylar. The final plat shall bear, or be accompanied by, the following information or materials:
1. Title Data.
 2. Name of the subdivision;
 3. Name of the city, county and state; and
 4. Location and description of the subdivision, referenced to Section, Township and Range.
 5. Margin Data.
 6. Map scale, north arrow and date;

7. Names and addresses of the subdivider and the engineer and/or surveyor;
8. A key map (on the first sheet in a plat series) showing the location of the subdivision referenced to government section corners, section line and major streets; when more than two (2) sheets are required for the plat, the key map shall show the sheet number of the sheet for the area included on the sheet;
9. Owner's Certificate and Dedication, signed;
10. Surveyor's Certificate or Survey, signed and wet sealed;
11. Certificate for Release of Mortgage for any portion dedicated to the public, signed,
12. Reference to any separate instruments, including Private or Restrictive covenants and documents establishing Homeowners Associations, filed or to be filed in the office of the County Clerk, which directly affect the land being subdivided;
13. The proper acknowledgments of owners and the consent of the mortgagee to plat restrictions;
14. County Treasurer's Certificate;
15. Approval certificate of the Planning Commission (and the date) over the signature of the Planning Commission Chairperson;
16. Certificate of the City Council's acceptance of ways, easements and public land dedications; and
17. Certificate of Health Department approval, where sanitary sewers are not proposed, signed.
18. Prior to final plat approval the GIS data, or the georeferenced CAD drawing if GIS is not available, used to create the final plat must be submitted to the City.
19. Existing and Proposed Conditions.
 - a. The length of all required lines dimensioned in feet and decimals thereof, and the value of all required true bearings and angles dimensioned in degrees and minutes, as herein specified;
 - b. The boundary lines of the land being subdivided, fully dimensioned by lengths and bearings, and the location of boundary lines of adjoining lands, with adjacent subdivisions identified by official names;

- c. The lines of all proposed streets, fully dimensioned by lengths and bearings or angles;
- d. The lines of all proposed alleys; where the length or direction of all alley is not readily discernible from data given for lot and block lines, the length and bearing shall be given;
- e. The widths and names, where appropriate, of all proposed streets and alleys, and of all adjacent streets, alleys and easements, which shall be properly located;
- f. The lines of all proposed lots, fully dimensioned by lengths and bearings or angles, except that where a lot line meets a street line at right angles, the angle or bearing value may be omitted;
- g. The outline of any property which is offered for dedication to public use, fully dimensioned and marked "Public";
- h. Blocks numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block, with areas to be excluded from platting marked "reserved" or "not a part";
- i. The location of all building lines, setback lines and easements for public services or utilities, with dimensions showing their location;
- j. The radii, arcs, points or tangency, points of intersection and central angles for curvilinear streets and radii for all property returns; and
- k. The location and description of all Section corners and permanent survey monuments in or near the tract; reference to at least one (1), and preferably two (2), known survey control points shall be shown by angle and distance with two (2) corner points marked on the plat with coordinates..

20. Material Required in Floodplain Areas.

- a. Regulatory flood elevations, boundaries of flood-prone areas, including floodways and floodway fringe areas, fills, flood protection works and areas subject to special deed restrictions;
- b. Proposed fill or other structure elevating techniques, levees, channel modifications or other methods to overcome flood or related hazards and a statement describing their impacts on existing development in upstream and downstream areas;
- c. Final plans for drainage systems, with grading, impacting, storage and regulating structures, pipe sizes and location of outlets;

- d. Final plans of any on site waste disposal systems, including disposal sites for lands subject to flooding; or sanitary sewers, with grade, pipe size and points of discharge;
- e. An acceptable percolation test for the area, using the applicable DEQ criteria for the subdivision; and
- f. Final plans for any water supply and distribution system, with pipe sizes and location of hydrants.

13-2-6 Minor Subdivisions

Whenever there is a tract or previously subdivided parcel of land, under single ownership, which is to be re-subdivided into three (3) or fewer lots, the proposed subdivision may be excepted from the procedural requirements of these regulations (i.e., preliminary and final plats are not required); however, this shall not constitute an exception from the design and improvement requirements herein contained. These exceptions, or minor subdivisions, shall be permitted under the following provisions:

A. Any tract of land twenty (20) acres or larger which has been subject to subdividing over any period of time involving more than three (3) lots shall not be allowed further use of the minor subdivision exception; said tract shall be subject to the standard subdivision procedures contained herein.

B. An application for a minor subdivision shall be submitted to the Community Development Department, along with the applicable processing fee as established by resolution of the City Council. The Community Development Director may require additional documentation from the applicant to ensure compliance with these regulations.

C. An accurate survey, prepared by a land surveyor licensed in the State of Oklahoma, showing the proposed division of the tract, shall be submitted with the application. New deeds for each parcel to be created, along with the remaining parcel, shall also be submitted for review.

D. No publication notice, mailed notice, or public hearing shall be required.

E. The Community Development Director or designee shall review the proposed minor subdivision for compliance with all applicable subdivision regulations, zoning

regulations, engineering standards, the Comprehensive Plan, and other applicable city requirements. Approval may be granted only if all of the following conditions are met:

1. All resulting parcels shall front on an existing public street or approved private street, and no construction or extension of a street or alley is required.
2. All resulting parcels shall comply with the dimensional standards of the applicable zoning district, including minimum lot size, frontage, width, and setbacks.
3. The subdivision shall not require the extension of public infrastructure, utilities, easements, or right-of-way to serve any parcel, unless otherwise approved by the City.
4. Private water wells and private wastewater treatment systems meeting applicable city and health department standards may be considered where public utilities are not reasonably available, unless otherwise prohibited.
5. No parcel shall receive more than one minor subdivision approval within any three-year period.
6. Required drainage, utility, access, or roadway easements may be required as a condition of approval.

F. Upon approval, the Community Development Director or City Manager shall authorize the final survey and associated legal documents for recording.

G. Upon denial, the Community Development Director or City Manager shall provide written notice stating the reasons for denial.

H. Any applicant aggrieved by an administrative decision under this section may appeal the decision to the Planning Commission in accordance with the appeal procedures established by the City.

I. The applicant shall be responsible for filing all approved surveys, deeds, and related documents with the Wagoner County Clerk within one (1) year of approval or it becomes void.

13-2-7 Lot Merges and Lot Line Adjustments

For the purpose of adjusting the size of building sites, merging two or more lots together, or modifying common lot boundaries, Lot Merges and Lot Line Adjustments shall be excepted from the procedural requirements of these regulations, provided such adjustments are not used to accomplish extensive replatting.

A. An application shall be submitted to the Community Development Department, along with the applicable fee established by resolution of the City Council.

B. An accurate survey, prepared by a land surveyor licensed in the State of Oklahoma, showing the proposed adjusted or merged parcels, shall be submitted with the application, along with updated legal descriptions or deeds.

C. No publication notice, mailed notice, or public hearing shall be required.

D. The Community Development Director or City Manager shall approve or deny the application based upon compliance with these regulations.

E. Upon approval, the Community Development Director or City Manager shall authorize the final survey and associated deeds for recording.

F. Upon denial, written notice stating the reasons for denial shall be provided to the applicant.

G. Any applicant aggrieved by an administrative decision under this section may appeal the decision to the Planning Commission.

H. The applicant shall be responsible for filing all approved documents with the Wagoner County Clerk within one (1) year of approval or it becomes void.

I. No additional buildable lot shall be created by a Lot Line Adjustment.

J. All required public improvements shall either be completed and accepted by the City or otherwise secured in accordance with these regulations.

K. All resulting parcels shall abut a publicly dedicated street and have adequate utility access.

L. No unusable or landlocked parcels shall be created.

13-2-7 Lot Consolidations and Lot Line Adjustments

For the purpose of adjusting the size of existing lots, modifying common lot boundaries, or merging two (2) or more lots or parcels under common or separate ownership, Lot Merges and Lot Line Adjustments may be excepted from the procedural requirements of these regulations (i.e., preliminary and final plats are not required); however, this shall not constitute an exception from the design and improvement requirements herein contained. These exceptions shall be permitted under the following provisions:

A. An application for a Lot Consolidation or Lot Line Adjustment shall be submitted to the Community Development Department, along with the applicable processing fee as established by resolution of the City Council. The Community Development Director may require additional documentation from the applicant to ensure compliance with these Subdivision regulations.

B. An accurate survey, prepared by a land surveyor licensed in the State of Oklahoma, showing the proposed adjusted or consolidated lots, shall be submitted with the application. Updated legal descriptions, deeds, or other documents necessary to reflect the proposed changes shall also be submitted for review.

C. No publication notice, mailed notice, or public hearing shall be required.

D. The Community Development Director or designee shall review the proposed Lot Consolidation or Lot Line Adjustment for compliance with all applicable subdivision regulations, zoning regulations, engineering standards, the Comprehensive Plan, and other applicable city requirements. Approval may be granted only if all of the following conditions are met:

All resulting lots shall comply with the dimensional standards of the applicable zoning district, including minimum lot size, frontage, width, and setbacks.

All resulting lots shall front on an existing public street or approved private street and maintain adequate access for intended use.

No unusable, irregularly shaped, or landlocked parcels shall be created.

All resulting lots shall have adequate access to utilities or approved utility easements necessary to serve the property.

All required public improvements shall either be completed and accepted by the City or otherwise secured in accordance with these regulations.

The adjustment shall not be used to circumvent subdivision platting requirements or otherwise accomplish extensive replatting that should be processed under standard subdivision procedures.

E. Upon approval, the Community Development Director or City Manager shall authorize the final survey and associated legal documents for recording.

F. Upon denial, the Community Development Director or City Manager shall provide written notice stating the reasons for denial.

G. Any applicant aggrieved by an administrative decision under this section may appeal the decision to the Planning Commission in accordance with the appeal procedures established by the City.

H. The applicant shall be responsible for filing all approved surveys, deeds, and related documents with the Wagoner County Clerk within one (1) year of approval or the approval shall become void.

CHAPTER 13-3 SUBDIVISION DESIGN AND IMPROVEMENTS

13-3-1 General Design Principles and Standards

- A. The overall and detailed design of each new subdivision shall be prepared in accordance with the principles established by the Comprehensive Plan and with the minimum standards of these regulations and other adopted City ordinances, codes, and standards.
- B. The arrangement of lots, blocks and the street system should be designed to make the most advantageous use of topography and natural physical features. The system of sidewalks, roadways and the lot layout should be designed to take advantage of the visual qualities of the area.

13-3-2 Improvements Required

Plans for the improvements required by this chapter shall be prepared by a Professional Engineer licensed in the State of Oklahoma, as required by State Law. All

improvements shall be designed and installed so as to provide for a logical system of utilities, drainage and streets, and to create continuity of improvements for the development of adjacent properties.

One (1) complete set of record (as-built) plans and specifications, certified and signed by a Professional Engineer licensed in the State of Oklahoma, shall be filed with the City Clerk, prior to the acceptance by the City Council of any improvements installed by the subdivider, consistent with State Law.

The City Council shall formally accept, by resolution or ordinance, any or all improvements before such improvements become public property, provided that all statements and agreements specified within have been received and that as-built construction plans have been submitted. The two (2)-year maintenance bond shall begin with the approval by the City Council and the approval of the as-built plans shall not be construed to mean that the maintenance bond is void. No building construction shall be permitted on any lot to or on which improvements have not been completed in accordance with the provisions of these regulations and no municipal utility service will be furnished to such lot.

If any portion of the required improvements shall fail to be accepted for dedication as outlined above within two (2) years of the recording of the final plat with the County Clerk, either for reasons of incompleteness or for substandard construction, the City Council shall declare whatever security has been pledged as a guarantee to be forfeited. Where the Council is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of the securities, the Council shall use the securities, or the proceeds from their sale, to finance the completion of the subdivision improvements or the rebuilding of such improvements to the proper specifications. Any unused portion of these securities shall be returned to the subdivider, the bonding company, or crediting institution as is appropriate.

13-3-3 Performance Guarantees and Security

Performance Bonds, shall be required to ensure the full and faithful installation and completion of subdivision improvements in a satisfactory and workmanlike manner, and shall:

- A. Be in favor of the city;
- B. Be obtained from a surety bonding company authorized to do business in the State of Oklahoma;

- C. Be in an amount equal to 110% of the cost of the improvements, itemized by improvement type, and certified by the subdivider's project engineer, as approved by the City Council;
- D. Provide conditions satisfactory to the Planning Commission and the City Council; and
- E. Be in force until, and terminate 90 days after the filing with the City Council of a completion affidavit obtained from the Construction Inspector, unless within said 90 days, said Construction Inspector determines that the requirements, standards and specifications of these regulations applicable to the construction, installation and completion of said improvements have not been met. In such case, the Construction Inspector shall notify the subdivider in writing, and the bond shall continue to run until the filing of proof that the deficiencies have been corrected and all standards met.

13-3-4 Maintenance Guarantees and Security

Maintenance Bonds, or other acceptable guarantees, shall be required to ensure that any maintenance on the improvement needed within two (2) years after the date of the release of the Performance Bond and acceptance of those improvements by the City Council, shall:

- A. Be in favor of the city;
- B. Be obtained from a surety bonding company authorized to do business in the State of Oklahoma;
- C. Be in an amount equal to 110% of the cost of the improvements, itemized by improvement type and certified by the subdivider's project engineer, as approved by the City Council;
- D. Provide conditions satisfactory to the Planning Commission and the City Council and be on a form approved by the city.

13-3-5 Perpetual Maintenance of Common Areas and Improvements

- A. The obligation for perpetual maintenance of any common areas and public or private improvements within a development must be established by the developer and approved by the Planning Commission. Such obligation must be provided for in the plat, or for developments not required to be platted, by a

deed restriction or other appropriate document recorded with the County Clerk.

- B. If multiple property owners will be responsible for perpetual maintenance and control of common areas and public or private improvements, a property owners association must be established. Each property owner, by acceptance of a deed to a property within the development, will be deemed to have agreed to be a member of the property owners association and be subject to assessment for maintenance of the common areas and public or private improvements.
- C. If the entire development is to remain under single ownership, the common areas and public or private improvements must be maintained by the property owner.
- D. Declarations and covenants guaranteeing ongoing maintenance of common areas and public or private improvements must be established within a deed of dedication accompanying a plat or, for developments subject to these regulations but not required to be platted, by a deed restriction or other appropriate document recorded with the County Clerk.
- E. The declarations and covenants must expressly authorize the city to correct maintenance deficiencies in areas containing public improvements that the property owner or property owners association is required to maintain, and to recover actual costs and any legal fees from the subject property owner or property owners association if maintenance duties are not carried out, and to establish and enforce a lien against the property in the development for recovery of the costs and fees.

13-3-6 Lots

- A. Lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Ordinance and Health Regulations, and in providing driveway access to buildings on such lots from an approved street. Where possible, options for driveways shall be available so as to avoid requiring vehicles to back into traffic on major streets or collector streets.

- B. Lot dimensions shall comply with the minimum standards of the Zoning Ordinance. Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and these regulations.
- C. In general, side lot lines shall be a right angle to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback from both streets.
- D. In subdivisions where septic tanks or other individual sewer disposal devices are to be installed, the size of all lots included in such subdivision shall be subject to the approval of the County Health Department. and shall comply with all applicable rules of the Oklahoma DEQ (OAC 252:641) regarding design, installation, and maintenance of on-site sewage treatment systems. The Health Department shall notify the subdivider and the Planning Commission in writing of its findings.
- E. In any subdivision where on-site sewage treatment systems (including conventional septic tanks, aerobic treatment units, or alternative systems) are proposed, the design, installation, and operation of such systems must comply with the rules of the Oklahoma DEQ (OAC 252:641). The subdivider shall submit evidence of soil testing, design approval, and a DEQ 'Authorization to Construct' (if required) to the Planning Commission and/or County Health Department before final plat approval.
- F. 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.
- G. Lots shall not be required for subdivisions for commercial and industrial use, but when provided should be of appropriate size and arrangement to provide for the required 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.

- H. Building lines shall be provided for all residential subdivisions, in accordance with the applicable setback requirements of the Zoning Ordinance.
- I. In residential areas, a side yard building line shall be provided not less than five (5) feet back of a crosswalk right-of-way line on the side of a lot abutting a mid-block crosswalk or pedestrian way.
- J. These regulations recognize that it may occasionally be necessary and in the public interest to create lots designated as reserve areas to be occupied by stormwater detention, common recreation, private rights-of-way or other similar uses, subject to common area maintenance provisions. If declared reserved for such purposes as approved by the city, reserve areas are exempt from the lot regulations of this section.
- K. Where there is found to be a producing oil or gas well which is in or within 150 feet of the boundaries of the proposed subdivision, or an abandoned oil or gas well which is not adequately plugged according to the standards established by State Law and the Oklahoma Corporation Commission (and so certified by said Corporation Commission), and which is outside of the boundaries of a proposed subdivision but within 150 feet thereof, there shall be a building setback line so placed on the final plat so as to prevent the erection of any building within 150 feet of such wells. Where there is found to be an abandoned oil or gas well which is adequately plugged according to the standards established by State Law and the Oklahoma Corporation Commission, which well is within the boundaries of a proposed subdivision, certificate or clearance from the Oklahoma Corporation Commission shall be obtained for each such well before the final plat of the subdivision is approved.
- L. No building shall be allowed within 75 feet of any section line.

13-3-7 Blocks

- A. The dimensions and shape of blocks shall consider the following:
 - 1. Provide a well-connected street network. Large blocks with limited connectivity discourage walking, contribute to street congestion, and increase travel distances for emergency services. New streets should be designed to accommodate future development.

2. Facilitate safe and convenient vehicular, bicycle, and pedestrian access within and between developments, reducing congestion and enhancing connectivity. Pedestrian, bike, and vehicular access should be safe, direct, and convenient.
 3. Enable adequate building sites suitable to the special needs of the type of use contemplated;
 4. Zoning requirements (lots sizes and dimensions); and
 5. Limitations and opportunities of topography.
- B. Measurement
1. A block is bounded by a public street or a private street built to public standards (excluding alleys).
 2. Block perimeter is measured from intersecting street centerlines.
- C. Block size requirements
1. Developments must incorporate existing or new streets that terminate at other existing or new streets to form an interconnected network with the maximum block perimeter length of 2,500 feet.
 2. Blocks bounded by one or more State routes may increase their maximum permitted block perimeter lengths by an additional 100 feet for each abutting a State route.
 3. There is no maximum block perimeter length when a block contains a civic space of at least one (1) acre in size and when no other use is located in said block.
 4. Maximum block perimeter length may be exceeded for affected blocks when steep slopes, pre-existing development, tree protection areas, stream buffers, cemeteries, open space, or easements would make the provision of a complete block infeasible.
- D. Sidewalks, not less than five (5) feet wide or more than 10 feet in width, may be required by the Planning Commission, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.
- E. Blocks used for residential purposes should be of sufficient width to allow for two (2) tiers of lots of appropriate depth. Blocks intended for business and industrial use should be of width suitable for the intended use, with due allowance for off-street parking, loading and other service access facilities.

13-3-8 Streets

A. Required Improvements

1. The subdivider of a new subdivision designed to be used for residential, commercial or other purposes, shall lay out, grade and otherwise improve all streets that are designated on the approved plat or that directly serve the subdivision, in accordance with the standards and specifications of these and other applicable regulations.
2. Streets shall conform in design and layout to the standards and principles contained in this chapter and with the technical requirements contained in the Coweta Engineering Design Manual.

B. Street Alignment and Design

1. No subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from, an existing municipal street, unless such street is:
 - a. An existing State or County roadway; or
 - b. A publicly dedicated street shown upon a plat approved by the Planning Commission and recorded in the County Clerk's Office. Such street or highway must be generally improved as required by these regulations and specifications, or be secured by a performance bond required under these regulations, with the width and right-of-way required by these regulations.
2. Wherever the area to be subdivided is to utilize existing road frontage, such road shall be suitably improved as provided herein.
3. The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the Comprehensive Plan and be designed in accordance with the provisions of these and other applicable regulations.
4. Streets shall be related appropriately to the topography. Local roads shall be curved wherever possible to provide topographic compatibility, facilitate good drainage and allow gravity flow sewer. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. A combination of steep grades and curves shall be avoided.
5. Design of the development shall provide for the continuation of streets between adjacent properties, when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient

provision of utilities, and where such continuation is in accordance with the Comprehensive Plan.

6. Street jogs with center line offsets of less than 150 feet shall be avoided.
7. A tangent of not less than 100 feet in length shall be introduced between reverse curves on major streets and collector streets.
8. All thoroughfares shall be properly related to special traffic generators (such as industries, business districts, schools, churches and shopping centers), to population densities, and to the pattern of existing and proposed land uses.
9. For low-density residential areas, a maximum of 40 acres should be served by one collector street. Where more than 40 acres will be served, the Planning Commission may require higher-quality street-improvement standards.
10. Every lot within a subdivision shall have access to a public street or to a private street built to public standards, in accordance with State law.
11. In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, the provision of alleys, truck loading and maneuvering areas, walks and parking areas, so as to minimize conflict of movement between the various types of traffic (including pedestrian).
12. Proposed streets shall be extended to the boundary lines of the tract to be subdivided (unless prevented by topography or other physical conditions), unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout, or the most advantageous future development of adjacent tracts.
13. Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of the proposed future street system for the unsubdivided portion shall also be prepared and submitted by the subdivider.
14. No street name shall be used which will duplicate or resemble the names of existing streets. Street names shall be subject to the approval of the Planning Commission and the City Council.

15. Major streets in the subdivision shall be planned to conform with the Major Street Plan or Comprehensive Plan adopted by the city, and provision shall be made for the extension of major and secondary thoroughfares. Except for courts, places or cul-de-sacs, streets normally shall provide for a reasonable linkage with streets already dedicated in adjoining or adjacent subdivisions, provide for future connections to adjoining unsubdivided tracts, and be a reasonable projection of streets in the nearest subdivided tracts.
16. Whenever a subdivision abuts or contains an existing or proposed major street, the Planning Commission may require service streets, reverse frontage with screened plantings contained in a non-access reservation along the rear property line, deep lots or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
17. Minor streets shall be laid out so that their use by through traffic will be discouraged.
18. Railroad rights-of-way and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:
 - a. In residential zoning districts, a buffer strip at least 25 feet in depth, in addition to the normal depth of the lot required in the district, shall be provided adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated as follows on the plat: "This strip is reserved for screening. The placement of structures hereon is prohibited."
 - b. In commercial and industrial zoning districts, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
 - c. Streets parallel to the railroad, when intersecting a street which crosses the railroad at grade, shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the

minimum distance required for future separation of grades by means of appropriate approach gradients.

19. Reserve strips controlling access to minor streets by parties or persons other than public agencies shall be prohibited.
20. Half-streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of practical to obtain the dedication of the other half of the street easement when the adjoining property is subdivided. Whenever a dedicated half-street is adjacent to a tract to be subdivided, the other half of the street shall be included within the plat for the tract which is being subdivided.
21. Where a major or minor street lies wholly within the proposed subdivision, the full right-of-way shall be dedicated. Where it forms the boundary, one-half may be dedicated if determined equitable and feasible by the Planning Commission..
22. Finished street elevations within any designated floodplain shall be constructed at or above the established base flood elevation (100-year flood) in accordance with FEMA and City floodplain management regulations. The criteria established in the following tables and figures shall be followed in the layout and design of all streets.

Local Street Design Criteria						
Zoning District	AG, RS-1, RMH	RS-2, RS-3	RD, RM-1	O,CN,CG, CH	DT	IL,IM,IH
Speed Limit/Design Speed	30 MPH	25 MPH	25 MPH	30 MPH	25 MPH	30 MPH
Curb Required	No	Yes	Yes	Yes	Yes	No
Horizontal Radius (min)	150 ft	100 ft	100 ft	100 ft	100 ft	100 ft
Profile Grade (min)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Profile Grade (max)	10%	15%	12%	12%	12%	10%
Clear Roadway Width	22 ft	26 ft	27-34 ft	22 ft	38 ft	24 ft
Lane Width	11 ft	n/a	11 ft	11 ft	11 ft	12 ft
No. of Lanes	2	2	2	2	2	2
Left Turn Lane/Median	No	No	No	No	No	No
On-Street Parking	None	One side unmarked	One or both sides marked	None	Both sides marked	None

On-Street Parking Width	n/a	n/a	7 ft	n/a	8 ft	n/a
Bulb-Outs Required	No	No	Yes	No	Yes	No
Sidewalk	One side	Both sides	Both sides	Both sides	Both sides	One side
Sidewalk Width	5 ft	5 ft	6 ft	6 ft	6 ft	6 ft
Sidewalk Buffer Width (min)	8 ft	5 ft	5 ft	6 ft	5 ft	8 ft
Street Tree Spacing	75 ft	50 ft	50 ft	75 ft	30 ft	75 ft
Minimum Right-of-Way Width	60 ft	60 ft	60 ft	60 ft	60 ft	60 ft

Collector Street Design Criteria						
Zoning District	AG, RS-1, RMH	RS-2, RS-3	RD, RM-1	O,CN,CG, CH	DT	IL,IM,IH
Speed Limit/ Design Speed	30 MPH	25 MPH	25 MPH	30 MPH	25 MPH	30 MPH
Curb Required	No	Yes	Yes	Yes	Yes	No
Horizontal Radius (min)	375 ft	250 ft	250 ft	250 ft	250 ft	375 ft
Profile Grade (min)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Profile Grade (max)	10%	10%	10%	10%	10%	10%
Clear Roadway Width	33 ft	33 ft	49 ft	33 ft	38 ft	36 ft
Lane Width	11 ft	11 ft	11 ft	11 ft	11 ft	12 ft
No. of Lanes	2	2	2	2	2	2
Left Turn Lane/Median	Yes	Yes	Yes	Yes	No	Yes
On-Street Parking	None	None	Both sides	None	Both sides	None
On-Street Parking Width	n/a	n/a	8 ft	n/a	8 ft	n/a
Bulb-Outs Required	No	No	Yes	No	Yes	No
Sidewalk	One side	Both sides	Both sides	Both sides	Both sides	One side
Sidewalk Width	5 ft	5 ft	6 ft	6 ft	6 ft	6 ft
Sidewalk Buffer Width (min)	8 ft	5 ft	5 ft	8 ft	5 ft	8 ft
Street Tree Spacing	75 ft	50 ft	50 ft	75 ft	30 ft	75 ft
Minimum ROW Width	60 ft	70 ft	70 ft	70 ft	70 ft	70 ft

Arterial Street Design Criteria						
Zoning District	AG, RS-1, RMH	RS-2, RS-3	RD, RM-1	O,CN,CG, CH	DT	IL,IM,IH
Speed Limit/Design Speed	35 MPH	30 MPH	30 MPH	35 MPH	30 MPH	40 MPH
Curb Required	No	Yes	Yes	No	Yes	No
Horizontal Radius (min)	550 ft	375 ft	375 ft	375 ft	375 ft	375 ft
Profile Grade (min)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Profile Grade (max)	10%	10%	10%	10%	10%	10%
Clear Roadway Width	33 ft	33 ft	49 ft	33 ft	38 ft	36 ft
Lane Width	11 ft	11 ft	11 ft	11 ft	11 ft	12 ft
No. of Lanes	4	4	4	4	4	4
Left Turn Lane/Median	Yes	Yes	Yes	Yes	Yes	Yes
On-Street Parking	None	None	None	None	Both sides	None
On-Street Parking Width	n/a	n/a	n/a	n/a	8 ft	n/a
Bulb-Outs Required	No	No	No	No	Yes	No
Sidewalk	Both sides	Both sides	Both sides	Both sides	Both sides	Both sides
Sidewalk Width	5 ft	6 ft	6 ft	6 ft	7 ft	6 ft
Sidewalk Buffer Width	8 ft	8 ft	8 ft	8 ft	6 ft	8 ft
Street Tree Spacing	75 ft	50 ft	50 ft	75 ft	30 ft	75 ft
Minimum Right-of-Way Width	90 ft	90 ft	90 ft	100 ft	90 ft	100 ft

C. Dead-End Streets

1. The maximum length of a permanent dead-end-street (cul-de-sac) shall normally be 400 feet, including a turnaround which shall be provided at the closed end, with an inside curb radius of at least fifty (50) feet and a right-of-way radius of not less than 60 feet.
2. Temporary dead-end streets (stub streets) must be installed to meet the block standards of Section 13-3-7, with the following provisions:
 - a. The right-of-way and the improvements shall be extended to the property line.
 - b. The stub-out street right-of-way, pavement, and curbing must extend to the boundary of the abutting parcel to the point where the connection to the anticipated street is expected.
 - c. Proper provisions shall be made for adequate storm drainage so that storm water does not collect at the ends of these temporary streets.
 - d. Stub-out streets must be located so that the portion of the block perimeter located on the development does not exceed 50% of the applicable block perimeter maximum.
 - e. If the stub street is greater than 150 ft in length, as measured from the centerline of the intersecting street to the perimeter of the subdivision to which the stub street extends, a temporary turnaround must be provided.
 - f. If a stub-out street exists on an abutting parcel, the street system of any new development must connect to the stub-out street to form a through street.
 - g. A stub-out street may not be required, or provide pedestrian and bicycle-only access, where steep slopes, highways, waterways, tree conservation areas, stream buffers, cemeteries, open space, civic space, or easements would make the provision of a stub-out street infeasible.
3. Where a road does not extend to the subdivision boundary and no continuation is required, its terminus shall not be nearer than 50 feet from the boundary, unless an easement for drainage, utilities, or pedestrian access is reserved.. However, the Planning Commission may

require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length, in accordance with the design standards of these regulations.

D. Intersections

- 1. Streets shall be laid out to intersect at right angles and may be curved, if necessary, in order to make this possible. In no event shall a street intersect any other street at any angle of less than 75 degrees.
- 2. Curb radii for street corners shall be the following dependent on street type and context:

	Residential and Downtown	Commercial	Industrial
Local	15 ft	20 ft	30 ft
Collector	20 ft	25 ft	30 ft
Arterial	25 ft	25 ft	30 ft

- 3. A 25-foot area of clear vision at street intersections in subdivisions shall be provided. This area shall be kept clear of all structures and vegetation exceeding a height of two (2) feet above the established municipal street elevation. Where any street intersection will involve earth banks or existing vegetation inside any lot corner, that would create a traffic hazard by limiting visibility, the subdivider shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way, to the extent deemed necessary to provide adequate and unobstructed vision.
- 4. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of 60 feet, measured from the nearest right-of-way line of the intersecting street.

E. Construction

1. All compaction tests and other compliance testing shall be performed at the cost of the subdivider and at no cost to the city. Paving thickness compliance testing shall require a minimum of one core sample per 500 feet of street length and a minimum of four (4) core samples per subdivision or phase thereof.
2. Mixed material shall be deposited uniformly on the subgrade, in accordance with the grade, lines and sections on applicable plans. Material so deposited shall be manipulated and otherwise aerated for proper compaction. Segregated areas shall be re-mixed to leave the material in an entirely loosened condition prior to the application of rollers. The aerated mixture shall then be spread and rolled in a manner approved by the city. Rolling, measured by the hour, shall be continued until the stabilized material is firmly compacted. Blading, dragging and leveling shall be conducted during the entire process of rolling and compacting, such that the surface, when compacted, shall be smooth and free from roller marks, and high or low spots, and shall conform to the line, grade and cross-section shown on applicable plans. When necessary to eliminate irregularities to meet surface tolerance, the trimming of not more than 0.25inch (6.4mm) average thickness of the base may be permitted.
3. Compaction shall be performed immediately after final mixing, wherein the compaction operation shall be a continuation of the final mixing operation. The target density shall be verified in the field by moisture density tests on representative samples. The mixture shall be compacted without delay and before any appreciable loss of mixing moisture occurs. Mixing and compaction operations shall be performed in such a manner that the mixture will be compacted within plus or minus three (3) percentage points of optimum moisture content. Changes in specified moisture requirements to meet field conditions may be authorized by the city.
4. Compaction shall continue until the entire depth of the mixture is uniformly compacted to not less than 100% of target density. The rate of operation and the number of rollers shall be sufficient to uniformly

compact each section being processed, within two (2) hours of final mixing. All irregularities, depressions or weak spots shall be corrected immediately by scarifying the areas affected, adding or removing material as required, then re-shaping and re-compacting by sprinkling and rolling. In addition to the requirements specified for density, the full depth of the material shall be uniformly compacted to the extent necessary to remain firm and stable under construction equipment.

13-3-9 Alleys

- A. Alleys may be required by the Planning Commission in commercial and industrial subdivisions to provide for service access, such as off-street loading, unloading and parking, consistent with and adequate for the uses proposed.
- B. Alley right-of-way for residential areas shall not be less than 20 feet in width.
- C. Alley right-of-way serving commercial and industrial areas shall not be less than 25 feet in width.
- D. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall permit safe vehicular movement.
- E. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the Planning Commission.

13-3-10 Sidewalks and Trails

- A. As a critical component to the city's transportation system, sidewalks serve to provide for the health, safety, and welfare of the city. Sidewalks provide safe pathways for people to move about the city 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 an additional means of travel.
- B. Developers are required to construct sidewalks for all new subdivisions and fronting site developments, in accordance with the street design standards table in Section 13-3-8.
- C. A sidewalk buffer strip of grassed or landscaped area at least five (5) feet wide shall separate all sidewalks from adjacent curbs or edge of pavement if no curb exists.

- D. Pedestrian way design and construction shall comply with the accessibility standards set forth in the Public Rights-of-Way Accessibility Guidelines (PROWAG), including the design and installation of curb ramps and other features to ensure safe and equitable access for all users, including individuals with disabilities.
- E. Trails shall be located and configured according to the trails master plan and include greenways, separate shared-use paths, and/or bike lanes.
- F. Timing of completion.
 - 1. Unless otherwise stated, all required sidewalks and trail dedications shall be completed prior to acceptance of the public improvements and approval of the final plat.
 - 2. Sidewalk connections, ramps, and crossings at street intersections must be completed by the subdivider prior to the approval of the final plat. The construction of the sidewalk will become the responsibility of the builder issued the building permit. The sidewalk must be completed prior to the issuance of the certificate of occupancy.
 - 3. If any required sidewalks remain incomplete two (2) years after final plat approval—excluding those covered by a fee-in-lieu agreement—the subdivider shall be responsible for constructing all remaining sidewalk gaps.
- G. Sidewalk fee-in-lieu of construction.
 - 1. The city's preference is for all required sidewalks to be constructed at the time of development. However, in certain cases—such as safety concerns, geographic constraints, or situations where construction would result in economic waste—on-site construction may not be practical.
 - 2. In such cases, the Planning Commission may grant an exemption and require the developer to pay a fee in lieu of construction. This fee shall be 115% of the estimated total construction cost, including labor.
 - 3. All private and public entities must either construct the required sidewalks or trails or pay the fee-in-lieu. No exemptions will be granted without satisfying one of the approved conditions and obtaining Planning Commission approval.

13-3-11 Street and Regulatory Signs

The subdivider shall install all traffic-related regulatory and street name signs required by the City Council.

13-3-12 Street Lights

- A. Provisions shall be made by the subdivider for adequate lighting of public streets within the proposed subdivision. The placement of lights shall be approved by the Planning Commission and the City Council on the preliminary plat.
- B. Unless otherwise approved by the City Council, streetlights shall be placed at intersections and at the back of any cul-de-sac, unless the back of the cul-de-sac is located within 150 feet of an intersection, in which case, the light shall be placed at the intersection.
- C. Unless otherwise approved by the City Council, Streetlights will be placed a minimum of 300 feet apart in addition to any intersection or cul-de-sacs.
- D. Street light fixtures shall be approved in advance by the Planning Commission and the City Council and shall conform to the standards and specifications required by the electric utility company that will provide electric service to the subdivision. Generally, these requirements include the use of a fiber glass/concrete pole, with the light fixture set at least 20 feet above the roadway on a three-foot arm.
- E. Unless otherwise approved by the City Council, each fixture shall be a full-cutoff, energy-efficient LED luminaire that provides an equivalent illumination of approximately 100 watts HPS ($\approx 8,000$ lumens) and meets IES (Illuminating Engineering Society) roadway-lighting standards for residential streets. All lighting shall be dark-sky compliant to minimize glare, light trespass, and skyglow.
- F. The cost of installation and maintenance of all light poles (including decorative light poles) and/or any additional lighting requested by the subdivider that exceeds the standards established herein shall be the responsibility of the subdivider or the homeowner's association if the same is not paid by the electric utility company.

- G. Notwithstanding anything to the contrary in the Code of Ordinances and the Subdivision Regulations, the city shall not have any responsibility for any of the costs of maintenance and operation of any street lights in any subdivision until such time that certificates of occupancy have been issued to at least 75% of the total number of lots within said subdivision phase (according to the plat). The City Manager shall have the authority to accept the street lights when presented with sufficient evidence all subdivision requirements have been met. The acceptance of the street lights shall be acknowledged in the minutes of the City Council.

13-3-13 Stormwater

A. Requirements

1. All subdivisions of land shall comply with the stormwater management design and improvement requirements established in Title 14 of City Ordinances and with the technical details and requirements within the Coweta Engineering Design Manual.
2. All stormwater runoff shall be subject to review and approval by the appropriate public authority with regard to analysis, design and construction of drainageway facilities, and the appropriate public authority shall have the right to maintain, or to cause to be maintained, the drainageway system for its intended purposes.
3. All stormwater-discharge points, inlets, manholes, and other system appurtenances shall include GPS coordinates shown on both construction drawings and as-built plans.
4. Drainageway facilities, both public and private, shall consist of all elements necessary to convey stormwater runoff from its initial contact with the earth to its disposition in either the Arkansas River or Coweta Creek. The drainageway system, both public and private, shall consist of storm sewers (which are closed conduits); improved channels constructed in conformity with adopted City Standards; unimproved drainageways left in their natural condition; the areas covered by restricted drainageway easements for the purpose of providing overland flow; and all appurtenances to the above including inlets,

manholes, junction boxes, headwalls, dissipators, culverts, etc. All portions of the drainageway system that exist on dedicated rights-of-way or restricted drainageway easements shall be owned and maintained by the City.

5. All of the plan sheets and the cover sheet of the stormwater calculation report shall be signed, sealed and dated by a Professional Engineer licensed in the State of Oklahoma prior to submitting the plans to the City Engineer for review.
6. Directly above the title block and signature of the Professional Engineer, licensed in the State of Oklahoma, the first sheet of the plans shall contain the following statement: "I hereby certify that I am familiar with the adopted ordinances and regulations of the City of Coweta governing drainage, detention, streets, water, sanitary sewer, and earth change; that these plans have been prepared under my direct supervision; the above and foregoing comply with all governing ordinances and the adopted standards of the City of Coweta pertaining to drainage, detention streets, water, sanitary sewer, and earth change to the best of my knowledge, and belief."
7. All developments with private streets and drainage facilities shall contain the following statement on the first sheet of the plans directly above the title block and signature of the Professional Engineer licensed in the State of Oklahoma. "These plans comply with all governing ordinances and the adopted criteria of the City of Coweta pertaining to drainage, detention and earth change to the best of my knowledge, and information and belief."
8. Bridges, Culverts And Low Water Crossings
 - a. Bridges, culverts and low water crossings of primary benefit to the subdivider, as determined by the Planning Commission, shall be constructed at the full expense of the subdivider without reimbursement from city or county government.
 - b. Bridges, culverts or low water crossings shall be provided where watercourses cross continuous streets or alleys, and shall generally be sized and constructed to accommodate the 100-year frequency rain, based on the drainage area involved.

- c. Design of bridges, low water crossings and culverts shall conform to city construction specifications.

13-3-14 Earthwork and Erosion Control

A. Applicability

1. A Stormwater Pollution Prevention Plan (SWPPP), the Oklahoma Department of Environmental Quality (ODEQ) National Pollutant Discharge Elimination System (NPDES) and Notice of Intent (NOI) submittal documents, and the General Permit OKR10 for stormwater discharges from construction activities, that disturb one (1) or more acre of land, is required to be submitted to the city to review and retain regarding erosion and sediment control at construction site.
2. Earth change permit applications shall be required for areas as determined by the City Engineer
3. All subdivisions of land shall comply with the stormwater management design and improvement requirements established in Title 14 of City Ordinances and with the technical details and requirements within the Coweta Engineering Design Manual.

B. Minimum Approval Requirements

1. The plans and specifications accompanying the permit application shall contain the following data as deemed applicable by the City Engineer:
 - a. A vicinity sketch at the scale of 1 inch to 200 feet indicating the site location as well as the adjacent properties within 500 feet of the site boundaries.
 - b. A boundary line survey of the site on which the work is to be performed.
 - c. A plan of the site at a minimum scale of 1 inch to 100 feet showing:
 - i. Name, address and telephone number of the legal landowner, subdivider and petitioner.
 - ii. A timing schedule indicating the anticipated starting and completion dates of the development's construction sequence and the time of exposure of each area prior to



the completion of effective erosion and sediment control measures.

- iii. Estimate of the quantity of excavation and fill involved.
 - iv. Existing topography at a maximum of 2-foot contour intervals.
 - v. Proposed topography at a maximum of 2-foot contour intervals.
 - vi. Location of any structure or natural feature on the site.
 - vii. Location of any structure or natural feature on the land adjacent to site and within 50 feet of the site boundary line.
 - viii. Location of any proposed additional structures or development on site.
 - ix. Plans of all drainage provisions, retaining walls, cribbing, planting erosion control measures, or other temporary or permanent soil erosion control measures to be constructed in connection with, or as a part of the proposed work together with a map showing the drainage area of land tributary to the site and estimated runoff of the area served by any drains.
- d. The estimated total cost of the required temporary and permanent soil erosion control measures shall be provided.
 - e. Other information or data that may be required by the City Engineer such as a soil investigation report which shall include but not be limited to, data regarding the nature, distribution and supporting ability of existing soils and rock on the site.

C. Principles of Applying Erosion and Sediment Control Criteria

- 1. Plan the development to fit the particular topography, soils, waterways and natural vegetation at a site.
- 2. Expose the smallest practical area of land for the shortest possible time.
- 3. Apply soil erosion control practices as a first line of defense against on-site damage.
- 4. Apply sediment control practices as a perimeter protection to prevent off-site damage.

Provide for routine maintenance, inspections, and corrective actions throughout the construction period to ensure continued effectiveness of all measures.

13-3-15 Floodplain Areas

- A. All subdivisions of land shall comply with the flood hazard prevention requirements established in Title 14 of City Ordinances and all applicable city requirements.
- B. Lands that are identified on the official city flood maps as being subject to flooding hazards and periodic inundation, shall not be subdivided into lots, tracts or parcels for any use which would be incompatible with such flooding hazards except as follows:
 - 1. Improvements meeting the standards and requirements of the city designed to render such land safe for residential or other uses are made, or satisfactorily guaranteed on such land meeting the approval of the City Engineer as being in accordance with the engineering design criteria; and
 - 2. The intended use of the land is permitted by the adopted ordinances and regulations of the city because such use has a low flood damage potential and will not otherwise obstruct the flow of flood water or increase the flooding hazard to property already developed; or
 - 3. The intended use of the land is permitted by a special exception variance, or by other adopted policy of the city.
- C. A dedicated drainage easement shall encompass all land lying below the water surface elevation generated by the 100-year storm event and resulting stormwater runoff. Such easements in developments shall have a maintenance program carried out by the property owner's association. The Planning Commission, at its discretion, may require these dedicated drainage easements to be platted as Common Area.
- D. Site improvement shall provide for the grading of all building pads to an elevation where the lowest finished floor elevations shall be a minimum of one (1) foot above the 100-year storm event. In all developments, surface water from each dwelling lot will flow away from each dwelling in a controlled manner to an approved collection or disposal location.
- E. Utilities: All utilities located within the floodplain or any other open channel or swale shall be designed to prevent infiltration of flood water and to protect against washouts. Location of the utilities shall not restrict flood flows.

- F. Official floodplain designations and delineations of the floodplains and floodways denoting limits of permissible developments shall be shown on all preliminary plans and final plats submitted for approval wherever such plans and plats contain a floodplain segment. In any case in which official floodplains are not delineated, they shall be determined on the basis of these standards and shall be shown on all preliminary plans and final plats submitted for approval.
- G. The limits of the floodplains shown on regulatory floodplain maps are close approximations based on extrapolations made between widely spaced cross sections. Therefore, the actual limits of the floodplain shall be determined by extracting base flood elevations from the stream profile and determining where each elevation intersects the adjacent existing topography. If a conflict exists between the overlay of the regulatory floodplain map and the existing topography, a submittal of a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) by the Subdivider/Owner to the Federal Emergency Management Agency (FEMA) is required when the FEMA Flood Insurance Rate Map (FIRM) conflicts with proposed lots or other proposed structures or improvements.
- H. Floodplain Development Permits and Enforcement
 - 1. No grading, filling, construction, or other development activity shall occur within a designated floodplain without first obtaining a Floodplain Development Permit from the City Engineer or designated Floodplain Administrator, in accordance with Title 14 and FEMA NFIP standards.
 - 2. Permit applications shall include sufficient engineering data to determine compliance with base-flood elevations, floodway encroachments, and compensatory storage requirements.
 - 3. The City Engineer shall have the authority to inspect any site within a flood-hazard area to verify compliance with approved permits, plats, and plans.
 - 4. Violations of this section, an approved floodplain development permit, or any related provision of Title 14 may result in a stop-work order or suspension of building and subdivision approvals until compliance is achieved; Administrative penalties or civil fines as authorized by ordinance; Restoration or removal orders requiring correction of

unauthorized fill, grading, or construction; and referral to the State NFIP Coordinator or FEMA Region VI for enforcement under federal flood-insurance regulations.

5. The City may undertake or contract emergency remediation or removal work if the party responsible fails to act, and may recover all costs, fees, and legal expenses through liens or other lawful means.

13-3-16 Water System

- A. Subdivisions in the city must be served by a public drinking water supply approved by the Oklahoma Department of Environmental Quality.
- B. All water system design elements in subdivisions shall conform to the Coweta Engineering Design Manual and to the most recent requirements of OAC 252:626, Public Water Supply Construction Standards, as adopted and amended by the Oklahoma Department of Environmental Quality.
- C. The subdivider shall install water lines and fire hydrants in accordance with the standards and specifications of these and other applicable regulations, in no case shall the use of flexible PVC pipe or any rigid plastic with a wall thickness and strength of less than ASA Standard Schedule 40, be allowed.
- D. Newly constructed water lines require solid copper tracer wire with magnetic locate tape.
- E. All water valves and fire hydrants require GPS locations be put on the drawings and on all as-builts.
- F. All service line crossovers are to be polyethylene or schedule 40 PVC pipe. No copper piping allowed.
- G. Action shall be taken by the subdivider to provide an adequate supply of potable water to every lot in the subdivision.
- H. Fire hydrants shall be required for all subdivisions except those approved for low density, Residential Estates Zoning Districts in which individual wells are to be used. Fire hydrants shall be located no more than 600 feet apart and within 500 feet of any structure. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements, shall be installed before any final paving of a street shown on the subdivision plat.

- I. Where a city or rural water district water main is accessible, the subdivider shall install adequate water facilities (including fire hydrants), subject to the specifications of city or rural water district requirements, as appropriate or directed. All water mains shall be at least six (6) inches in diameter.
- J. Water main extensions shall be approved by appropriate government agencies.
- K. To facilitate the above, the location of all fire hydrants, all water supply improvements and the boundary lines of proposed district, indicating all improvements proposed to be served, shall be shown on the preliminary plat, and the cost of installing the same shall be included in the improvement bond to be furnished by the subdivider.
- L. In subdivisions approved by the Planning Commission within low-density residential subdivisions, if a city or rural water district system is not reasonably accessible, individual wells or a central water system may be used—provided they ensure an adequate supply of potable water to every lot in the subdivision and comply with regulations of the Oklahoma Water Resources Board and the Oklahoma Department of Environmental Quality. Water samples must be submitted to the State Health Department for approval, and all individual wells and central water systems must be approved by the State.
- M. If the Planning Commission requires that a connection to a public water main be eventually provided as a condition for approval of an individual well or central water system, the subdivider shall make arrangements (including the provision of necessary dedicated easements for future water service) at the time the final plat receives final approval. Improvement or cash bonds may be required to ensure compliance.
- N. Locator wires shall be placed at each meter and valve along all water lines.
- O. Lines shall be buried a minimum depth of 36 inches.

13-3-17 Wastewater System

- A. Requirements
 - 1. All wastewater system design and construction elements in land subdivisions shall meet the technical standards set forth in the Coweta

Engineering Design Manual and the most recent modification of OAC 252:656 of the Oklahoma Department of Environmental Quality.

2. In accordance with the standards and specifications of these and other applicable regulations, the subdivider shall install sanitary sewers whenever a Sanitary Sewer System is within 300', as determined by the City's Code of Ordinances or the Planning Commission. If a city sanitary sewer is placed in a street or alley abutting any property, the subdivider thereof shall be required to connect to said sewer for the purpose of waste disposal, and it shall be unlawful for any such subdivider or occupant to maintain upon any such property an individual sewage disposal system, consistent with City Ordinances.
3. Whenever a city sanitary sewer is not within 300', septic tanks or other unit disposal systems may be used; provided, that, such systems comply with the requirements of the Oklahoma State Department of Health and are not located within 20 feet of the lot line of the lot on which the system is located. Where sanitary sewer systems are not reasonably accessible and will not become available for a period in excess of five (5) years, the subdivider may install sewage systems as follows:
 - a. Medium-density residential subdivisions: central sewer system only; no individual disposal systems will be permitted. Where plans exist for a city sewer system to be built in a greater period than five (5) years, the subdivider shall install all sewer lines, laterals and mains to be in permanent conformance with such plans and ready for connection to such public sewer main.
 - b. Low-density residential subdivisions: Individual disposal systems or central sewer systems may be used; however, easements for future use shall be included on the final plat.
4. All sanitary sewer improvements shall be designed by a Professional Engineer licensed in the State of Oklahoma, and shall be approved by the City Council, the Planning Commission, the Oklahoma Department of Environmental Quality, the State Health Department and other appropriate agencies. Sanitary sewer design shall be in accordance with the design criteria for sanitary sewers in this chapter. In no case

shall the use of flexible PVC pipe or any rigid plastic pipe with a wall thickness and strength of less than ASA Standard Schedule 40, be allowed. All newly constructed sanitary sewer lines require magnetic locate tape placed in the ditch at all main connections.

5. All sanitary sewer manholes require GPS locations put on the drawings and all as-builts.
6. When required, or proposed sanitary sewer improvements correspond with recommended improvements contained in the Comprehensive Plan (or other approved sanitary sewer report or document), said facility shall be designed in accordance with said Plan or report.
7. When an improvement required by the Comprehensive Plan (or other approved sanitary sewer report or document), exceeds the capacity needed to serve the proposed development, the City, may participate in the excess cost of such facility, in accordance with said City's adopted Utility Extension Policies.
8. In low and medium density residential districts where a public sanitary sewer system is reasonably accessible, and will become available within a reasonable time (not to exceed five (5) years), the subdivider may choose one of the following alternatives:
 - a. Central Sewer System: (Maintenance cost to be assessed against each property benefited.) Where plans for future public sanitary sewer systems exist, the subdivider shall install the sewer lines, laterals and mains to be in permanent conformance with such plans and ready for connection to such public sewer mains.
 - b. Individual Disposal Systems: The subdivider shall install sanitary sewer lines, laterals and mains from the street curb to a point in the subdivision boundary where a future connection with the public sewer main shall be made, in addition to allowing the use of individual systems on each site. As a condition of Building Permit approval on each housing unit in such an area, sewer lines shall be placed from the house to the street lines, and a connection shall be available in the home to connect from the individual disposal system to the sewer system when the public sewers become available. Such sewer systems shall be capped

until ready for use and shall conform to all plans for installation of the public sewer system, where such exist, and shall be ready for connection to such public sewer main.

9. Sewage collection and disposal systems in high density residential and nonresidential districts shall connect with public sanitary sewer systems. Sewers shall be installed to serve each lot and to grades and sizes required by local officials and approving agencies. No individual disposal system or treatment plants (private or group disposal systems) shall be permitted. Sanitary sewer facilities (including the installation of laterals in the right-of-way) shall at all times be subject to the specifications, rules, regulations and guidelines of the City, and the State Health Department.

13-3-18 Placement of Utilities

- A. Location of utilities. All authorized public underground utilities, with the exception of power and communications, shall be located within the right-of-way of a public street or within an easement designated for such use. Placement of the various authorized utilities (power, gas, communications, water and sewer) shall conform to the specific locations designated for such use by the City.
- B. 10 foot utility easements shall be required along the front yard of all lots to accommodate power and communications utility placement.
- C. Underground installation of new utilities. Within all new subdivisions utility systems, including water, sewer, gas, communication and electric, along with component parts, structures, appendages and materials, shall be installed underground in a manner approved by the applicable utility provider and in accordance with all City Ordinances. Aboveground utility systems will not be permitted, except where certain appurtenances and accessories must be installed above ground for servicing. Additionally, all existing overhead utilities located along any exterior property lines of the project, except along section line roads, shall be buried.
- D. Service from existing overhead utilities. Lots that abut existing easements or public rights-of-way where overhead utility supply lines and service

connections have previously been installed may be supplied with service from those overhead lines, but the service lines, connections, and drops from the overhead lines shall be installed underground, except to serve single-family residential structures located on agricultural parcels five (5) acres in size or greater. No service connections, lines, or drops shall cross above any roadway or highway. Should a road widening or an extension of service, or other such conditions occur as a result of a subdivision or new commercial/industrial development exceeding 20,000 square feet in floor area and necessitate the replacement or relocation of such utilities, such replacements or relocation shall be underground, except along section line roads.

- E. Compliance with other regulations. Any utility work required in conjunction with an authorized land disturbance permit that must be completed within the right-of-way, a city easement or on other city property shall comply with the requirements of any City Ordinance or policy regarding the installation of utilities on said property. Any installations performed within the state-owned right-of-way or property shall also comply with any applicable rules, regulation and guidelines developed for that use by the state.
- F. Utilities located outside of the right-of-way. When, in the course of development, it becomes necessary to construct utilities outside of the right-of-way or city easements, said development shall conform to this and other applicable ordinances and regulations. Any permanent or temporary easements required for the construction shall be obtained in accordance with applicable ordinances and regulations. The easement area shall be returned to a condition that is equal to or better than the condition that existed prior to construction.

13-3-19 Easements

- A. Street and Alley
 - 1. Where alleys are not provided, easements not less than 10 feet wide shall be provided along each rear lot line, and alongside lot lines where necessary for use by public and private utilities. The Planning Commission may require easements of greater width for the extension

of main storm and sanitary sewers and other utilities, where it is deemed necessary.

2. Right-of-way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of 3 to 1.

B. Utility

1. Dedicated easements centered on rear lot lines shall be provided for utilities (public and private) such easements shall be at least 10 feet wide. Proper coordination shall be established between the subdivider and the applicable utility companies for the establishment of utility easements in adjoining properties.
2. In large-lot or "residential-estates" subdivisions, or where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements at least 10 feet in width shall be provided alongside lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on the final plat.

C. Stormwater

1. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and/or construction as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width, for maximum potential volume of flow.
2. Where topography or other conditions are such as to make the inclusion of drainage facilities within road rights-of-way impractical, perpetual unobstructed easements at least 15 feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the final plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.

3. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights and easements must be secured and indicated on the final plat.
4. The subdivider shall dedicate, either in fee simple title, or by drainage or conservation easement, land on both sides of existing watercourses, to a distance to be determined by the Planning Commission, based on the appropriate Floodway and Floodway Fringe Zoning District delineations.
5. Low-lying lands along watercourses subject to flooding or overflow during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be computed in determining the number of lots to be utilized for average density procedure, not for computing the area requirements of any lot.

13-3-20 Landscaping

- A. Statement of Landscaping Concept. A Statement of Landscaping Concept will be submitted with the planned unit development (or the preliminary plat if not a part of a planned unit development for all residential subdivisions. The Statement of Landscaping Concept will discuss the proposed landscaping vision and requirements for the residential lots in the subdivision. It is the expressed desire of the City for trees to be planted and maintained throughout a subdivision. While this is commonly achieved by requiring the planting of a minimum of one (1) tree per lot in the front yard setback, the City understands there are other creative/unique ways to landscape and achieve a beautiful and desirable neighborhood. The Statement of Landscaping Concept is intended to allow a subdivider to establish the ideal, unique, and specific landscaping vision for their development. Landscaping installed in subdivisions shall contain plants that are native to Oklahoma for 80 percent of installed plants.
- B. Incorporation into Covenants. After Planning Commission approval of the Statement of Landscaping Concept, the subdivider will incorporate the necessary provisions to implement the approved Statement of Landscaping

Concept into the Declaration, covenants, and other necessary documents, with said provisions to be enforced by the required Homeowners Association.

- C. Enforcement. It is the preference of the City for all enforcement matters regarding required landscaping, beyond typical nuisance matters specified in the Coweta Code of Ordinances, to be enforced by the HOA.

13-3-21 Public Areas

- A. Except when a subdivider utilizes planned unit development provisions, whenever a tract to be subdivided includes a school, recreation uses (in excess of the requirements of subsection 13-3-22, below), or other public use as indicated in the Comprehensive Plan or any portion thereof, such space shall be incorporated by the subdivider into their preliminary plat. After proper determination of its necessity by the Planning Commission and the appropriate local official or other agency involved in the acquisition and use of such site, and after a determination has been made to acquire the site by the public agency, the site shall be incorporated by the subdivider into the approved preliminary and final plats.
- B. The Planning Commission shall discuss the proposed site acquisition, and may propose alternate areas for such acquisition; the City Council shall have 30 days for consideration. The final recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired, and an estimate of the time required to complete the acquisition.
- C. Upon development of an affirmative report, the Planning Commission shall notify the subdivider and designate on the preliminary and final plats that area proposed to be acquired by the public body.
- D. The acquisition of land reserved by a public agency on the final plat shall be initiated within 12 months of notification, in writing, from the property owner that he intends to develop the land. Such letter of intent shall be accompanied by a Site Plan of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed 12 months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for development in accordance with these regulations.

13-3-22 Park Land and Trail Dedication

- A. Applicability. This chapter shall apply to all residential subdivision plats having a dwelling density of greater than one (1) unit per 30,000 sq ft, and/or the owners or applicants for approval thereof, pursuant to the authority of the City Council. Anything herein to the contrary notwithstanding all final plats submitted to the city from and after February 11, 2008, shall meet the requirements of this chapter.
- B. Dedication of land
 - 1. Land accepted for dedication under the requirements of this chapter shall be conveyed by dedication within the plat to be filed for record in the office of the County Clerk of Wagoner County, Oklahoma and by warranty deed transferring the property in fee simple to the city; or
 - 2. In the alternative of dedication of park land as described in paragraph (a) herein, land will not be required to be dedicated or conveyed to the city where a private park and/or open space for park and recreational purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision; such areas shall be credited against the requirements of the dedication for park and/or open space and recreation purposes, as set forth in 54-3 hereof, or the payment of fees in lieu thereof, as set forth in section 54-4 hereof, provided the city finds it is in the public interest to do so, and that the following standards are met:
- C. That yards, court areas, setbacks and other open areas required to be maintained by the zoning and building regulations shall not be included in the computation of such private park and/or open space; and
- D. That the private ownership and maintenance of the open space is adequately provided by written agreement; and
- E. That the use of the private park and maintenance of the open space is adequately provided for by written agreement; and
- F. That the proposed private park and/or open space is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access and location of the private open space land; and

- G. Those facilities proposed for the park and/or open space are in substantial accordance with the provisions of the recreational element of the general plan and are approved by the city council.
- H. Reservations of future park and/or open space or the contribution of money.
 - 1. The determination as to whether the subdivider will contribute land or money will be made by the city at the time the preliminary plat application is submitted for review. This decision may be appealed to the city council. In the case of an appeal, the matter shall be presented first to the city and then to the Planning Commission. Upon review, the city and Planning Commission shall make recommendations to the city council.
 - 2. In those cases where a dedication of land is required and no appeal is involved, the city shall forward proposed park sites to the Planning Commission. Consistent with the recommendations of the city the subdivider shall prepare and submit a preliminary plat to the Planning Commission. In those cases where a condition of money is required, no review and recommendation on the part of the city is required.
- I. Standards for determining amount of land/or fee.
 - 1. The acreage to be contributed concurrent with the final approval by the city council of any residential subdivision plat shall be determined by the following formula:
 - a. In subdivisions containing 80 acres, or more, the subdivider shall make a dedication of suitable land for public purposes of not less than two percent (2%) of the total land area of the subdivision.
 - b. In subdivisions containing less than 80 acres, the Planning Commission shall require the dedication of one percent (1%) of the total land area, or shall require the payment of a fee equal to the market value of one percent (1%) of the total land area of the subdivision. Such fee is to be deposited in a fund reserved and expended for park facilities and improvements only.
 - c. In lieu of either of the above standards, the subdivider may elect to retain two percent (2%) of the total land area, to be designated as park or open spaces, such land shall be maintained by the subdivider or by agreement of the purchasers of lots in the subdivision (formal agreement and/or Homeowners' Association formation required.)

13-3-23 Gated Access

- A. Gated access for private streets may be permitted and approved for residential subdivisions, planned unit developments or apartment projects under the terms and conditions set forth in this section and subject to other applicable provisions of this Code and when the City Council determines, at its discretion, that such proposed gated access would not pose a threat to the general health, safety and welfare. The Planning Commission may recommend, and the City Council may require, multiple entrances. Gated access will not be permitted for public streets or roadways.
- B. Conditions and Requirements for Gated Access.
 - 1. The gate shall be located a sufficient distance from a public street to allow four (4) cars to line up at the gate without interfering with vehicles utilizing the public street. The minimum acceptable distance from the gate opening shall be no less than eighty (80) feet from the nearest edge of the traveled public roadway.
 - 2. A turnaround lane shall be provided for vehicles unable to enter the gated development, which shall not interfere with any adjacent public way.
 - 3. Road spikes, barbs or other tire-damaging devices shall not be allowed.
 - 4. Controlled access development shall comply with standards of the city involving engineering requirements, private streets, sidewalks, fire lanes and fire hydrants. In cases of conflict, the provisions of this section shall govern unless the city council specifically determines to the contrary, upon the recommendation of the city engineer.
 - 5. The minimum gate opening width, including clearance for all improvements related to the gate, shall not be less than 20 feet.
 - 6. An entry keypad shall be located on a pedestal near the normal access route. The entry code will be used for non-emergency access and shall be given to the fire department and the police department. If for any reason the entry code is changed, the new entry code shall not be implemented until the fire and police departments have been so notified. Failure to comply with any portion of this subsection shall be considered a violation of this section by the subdivider or the agent of the responsible party.

7. An emergency pull box shall be located on the keypad pedestal. When activated, the pull box will cause the gate to open and stay open until the emergency system is reset by the agent of the responsible party.
 8. An emergency release hitch pin shall be installed on the control arm. This hitch pin, when removed, will detach the control arm from the gate and allow the gate to swing open freely with manual intervention.
 9. A battery backup system shall be provided for each gate. These batteries will be trickle-charged to maintain electrical energy, and in the event of loss of normal electrical current cause the gate to open and remain open until reset by the homeowners' association.
 10. The location of all entrance pedestals, emergency pull boxes, keypads, hitch pins and related equipment, operation of the gate, signage, opening design, swinging or sliding operation of the gate or any other design specification shall be constructed and installed in accordance with the plans approved by the Community Development Director.
 11. All street design, dimensions, standards, width, base and paving requirements as well as cul-de-sac construction, dead-end construction, turnarounds and curb and guttering shall be consistent with the regulations for public streets and roads within developments according to these regulations. The design of all streets, cul-de-sac, dead-ends and turnarounds, and entry of median street curb lines, shall be subject to the approval of the Planning Commission and the City Council.
 12. Should any problem occur in the operation of the gate or any violation of any provision of this section, the gate shall remain open and accessible until the problem is resolved and/or the gate is repaired and tested.
 13. When a covered entry structure is requested, the minimum height shall be no less than 16 feet. The width shall be no less than 20 feet.
- C. Responsible Party.
1. There shall at all times be a responsible party for the gated access, who shall be the subdivider, or property owner, or homeowners' association formed pursuant to the provisions of 60 O.S. § 851 et seq. The name, address and telephone numbers of the responsible party shall be on file

with the city clerk. A copy of the document forming such homeowners' association shall be on file with the city clerk, and a current membership list of the association shall be attached and updated within 30 days of any change. An agent of the association shall be appointed by the association, who shall serve as agent of the association for purposes of this section. The subdivider shall serve as the responsible party until a homeowners' association is formed.

2. The responsible party, as defined in subsection (3)(a) of this section, shall abide by and be responsible for the following:
 - a. Maintenance and repairs of the private streets and/or fire lanes, and the provision of funds for the maintenance and repairs thereof through the use of assessments.
 - b. Maintenance testing and repairs of all functions of the gate.
 - c. Establishing the access code, and ensuring that the city emergency and utility services have the proper code number. Changing the code will not be allowed until all persons having the right of access, including the fire and police departments and utility services, if applicable, have been notified in writing, except that in an emergency all such persons may be notified by telephone with such change confirmed in writing within five (5) days. In no instance shall persons who have a right of access to the property be denied an entrance to or exit from the property caused by failure of notification of a change in the code.
 - d. Accompanying the fire department officer during inspection and testing of the opening systems.
 - e. Maintaining a service agreement with a qualified contractor to ensure maintenance and the availability of instant emergency service.
3. The fire department shall approve an access agreement with the responsible party providing for an annual inspection of each gate to ensure that each gate is tested to meet all of the construction requirements. An inspection shall also be required for continued operation at any time the gate fails to meet the standards set forth in this section or when the fire chief determines that an inspection is in the

interests of the public health, safety and welfare. A copy of the access agreement will be kept on file at the fire department with the maintenance contractor's name, address and 24-hour telephone number. No inspection shall be approved until the requirements for such agreement have been met. The fire chief is granted authority to deny approval for the operation of the gate in the event of failure of an inspection. An inspection will be repeated upon request of the responsible party when the deficiencies have been corrected.

4. Operation and maintenance of the controlled access system shall at all times remain the sole responsibility of the responsible party.

13-3-24 Homeowners and Property Owners Associations

- A. Purpose. The purpose for the establishment of an HOA for residential developments is to create an organization that owns and is responsible for maintaining, among other things, commonly owned properties, amenities, rights-of-way and riparian areas for the communal good of the development's property owners and residents.
- B. Applicability. An HOA shall be established for any development that contains any of the following: an amenity, private street(s), a Major Creek or tributary, thoroughfare screening, or stormwater drainage. For purposes of this section, the terms "Homeowners' Association" and "Association" are interchangeable with the term "Property Owners' Association" for multi-family and non-residential developments.
- C. Procedure. The establishment of a required HOA shall occur in conjunction with the recordation of the subdivision final plat, and shall generally be established as follows:
 1. Documents Submitted for Review. The Declaration, restrictive covenants and other necessary documents establishing the HOA shall be submitted to the City for review by the City Attorney for conformance with this and other applicable ordinances prior to submission of the final plat, and prior to issuance of a Letter of Final Acceptance for the development. HOA documents shall include descriptions of any amenities, private streets, stub streets, thoroughfare screening, Major

Creek(s) or tributary(ies), stormwater drainage structures, and other areas for which the Association is responsible for maintenance, and shall outline the organization of the HOA.

2. Approval by City Attorney. All HOA documents shall be reviewed by the City Attorney prior to the Planning Commission approving the final plat. The subdivider shall reimburse the City for all related legal costs for review of the HOA documents. This reimbursement shall be paid in full prior the Community Development Director giving the subdivider the signed final plat for recordation.
 3. Recordation. All HOA documents shall be recorded at the County prior to the recordation of the final plat. A copy of the recorded documents shall be submitted to Community Development Department for City records within five (5) days following recordation.
 4. Additional Phases. An additional phase to an existing subdivision is not required to establish a separate and distinct HOA, provided that:
 - a. The existing, recorded Association documents are amended to incorporate the area of the new subdivision phase and to adopt the responsibility of its amenities, private streets, Major Creeks and tributaries, thoroughfare screening, stormwater drainage, and other areas for which the HOA is responsible for maintenance.
 - b. The subdivider shall provide a draft of the amended restrictive covenants to the City Attorney for review prior to the Planning Commission approving the final plat.
- D. Notice to Purchasers. The subdivider shall be required to post notice in a prominent place at all model homes and sales offices stating the following:
1. That an HOA has been established for the subdivision;
 2. That membership in the HOA is mandatory for all lot owners; and
 3. That the subdivider is required to provide to any person, upon their request, a complete copy of the Association documents and a five-year projection (at a minimum), of HOA dues, income and expenses.
- E. General Requirements. The following shall be set forth in the HOA documents:
1. A statement that membership in the HOA is mandatory for all owners of property within the subdivision;

2. A listing of all required maintenance responsibilities, and where possible, the lot number(s), legal descriptions, street name(s), etc. as shown on the approved plat for areas to be the responsibility of the HOA;
3. By-laws related to the governance of the HOA;
4. Restrictive covenants for maintenance assessments, which shall run with the land;
5. Responsibility for liability insurance and local taxes;
6. Statement that the authority for enforcement of HOA rules and regulations is solely the responsibility of the HOA and is not, in any way, the responsibility of the City;
7. Authority for the HOA to secure funds from its members sufficient to meet its responsibilities. This authority shall include the ability to collect dues, to increase dues, to charge special assessments, and to place liens against property for failing to pay dues and assessments.
 - a. Dues shall be calculated based on a cost projection for the maintenance of all amenities and based on eventual build-out of the subdivision;
 - b. Dues shall not be based on calculations which include monies from the subdivider which will not be provided following the transfer of the HOA from the subdivider to the lot owners.
 - c. Dues shall be required to be disclosed to all lot owners at the time of property purchase by the lot owners.
8. Provision that no amendment of the HOA documents relating to maintenance of amenities, private streets, Major Creeks and tributaries, thoroughfare screening, stormwater drainage, any other HOA-maintained area or facility, or related reserve funds (as applicable) shall occur without prior City Council approval;
9. Written release of liability for maintenance to benefit the City; written indemnification of the City outlining that under no circumstances shall the City be liable to the HOA or any property owner or their respective heirs, executors, administrators, devisees, personal representatives, successors or assigns for any damages, injuries (including death), and/or liability resulting from any amenity, on the private streets, within

- or adjacent to any Major Creek or tributary, associated with any thoroughfare screening or common landscaping, stormwater drainage, or from any other HOA-owned and maintained area or facility;
10. Written assurance of funds based on an accredited cost projection analysis within a specific reserve account of the HOA for the maintenance and removal of amenities as determined by the City;
 11. Written consent giving the City the authority to take the actions for violations;
 12. A statement that the HOA may not be dissolved without the prior written consent of the City Council; and
 13. Other City requirements as applicable.
- F. Supplementary Requirements. The HOA shall also comply with the following regulations, where applicable:
1. HOA documents shall not overrule the landscaping or other provisions of the Zoning Ordinance by penalizing or restricting water conserving landscapes, or by requiring landscape materials that do not comply with Zoning Ordinance landscape requirements;
 2. Amenities. The following regulations shall apply to any subdivision that includes an amenity:
 - a. Where amenities are proposed in conjunction with a development, the subdivider shall comply with those regulations outlined in this Section.
 - b. All developments that require the provision of common open space shall submit restrictive covenants to maintain open space, recreational areas, and other commonly owned facilities for review with the final plat application.
 3. Private Streets. Whenever a public street becomes private following recordation, an HOA is required to be established, if not already in existence, that would be responsible for owning and maintaining the converted streets and rights-of-way. The following regulations shall apply to any subdivision that includes private streets, except those that exist on January 1, 2020.
 - a. The HOA shall own and be responsible for the maintenance of private streets and appurtenances (such as alleys, storm sewers,

sidewalks, barrier-free ramps, street lights and signs, etc.) and shall provide for the payment of dues and assessments required to maintain the private streets and appurtenances.

- b. The HOA documents shall state that if the specific approval for the Private Street Development is revoked or the private streets are otherwise converted to public streets, the reserve fund shall become the property of the City.
- c. In addition to any other requirements set forth in this Section, the HOA's documents shall specify the following:
 - i. That the streets within the development are private, that they are owned and maintained by the HOA, and that the City has no obligation to maintain, repair or reconstruct the private streets.
- d. A statement that the City may, but is not obligated to, inspect private streets and require repairs necessary to ensure that the same are maintained to City standards.
- e. A statement that the HOA may not be dissolved without the prior written consent of the City Council, which consent shall not be withheld by the City if it determines that an adequate reserve fund exists, and the streets and alleys are in satisfactory condition as determined by the City Engineer.
- f. That failure to bring the subdivision into compliance with the regulations may cause the City to revoke the specific approval for the Private Street Development and take appropriate action.
- g. The HOA's documents shall note that certain City services may not be provided in Private Street Developments. The services that may not be provided include, but are not limited to: police enforcement of traffic and parking ordinances and preparation of accident reports. Depending on the characteristics of the proposed development other services may not be provided.
- h. The HOA's documents shall contain a provision that requires the Association to provide unrestricted access to emergency vehicles, utility personnel, the U.S. Postal Service, and governmental employees, agents or representatives in the

performance of their official duties. All access gates shall be designed and constructed in accordance with emergency access design standards in the Engineering Standards, and shall be equipped with both a Knox Box and an Opticom gate opening system or with another opening system that is acceptable to the Fire Chief.

4. Major Creeks, Tributaries, Lakes, Ponds and Water Features (100-Year Floodplain). For single-family and two-family residential developments, the 100-year floodplain may be owned and maintained by a Homeowners' Association subject to City approval. The final plat shall reflect, and the HOA's documents shall provide:
 - a. City access for emergency vehicles, equipment and personnel and for the improvement and maintenance of the 100-year floodplain in the event they are not being properly maintained, as determined by the City Engineer; and
 - b. That the HOA shall reimburse the City for all costs incurred by the City for maintenance.
5. Thoroughfare Screening. All subdivisions that are required to provide thoroughfare screening shall comply with the following:
 - a. The HOA shall own and be responsible for the maintenance of all required screening walls and fences, landscaping, landscape edges, and landscape irrigation systems, and shall provide for the payment of dues and assessments required to maintain such improvements.
 - b. The HOA documents shall state that the City has no obligation to maintain or reconstruct the screening walls and fences, landscaping, landscape edges, and landscape irrigation systems in the event of damage to such improvements.
 - c. The HOA documents shall state that the City may, but is not obligated to, inspect screening walls and fences, landscaping, landscape edges, and landscape irrigation systems, and that the City may require maintenance and repairs necessary to ensure that such improvements are maintained to City standards.

6. Stormwater Drainage. All subdivisions that are required to maintain stormwater drainage structures shall comply with the following:
 - a. The HOA shall be responsible for the maintenance of all required stormwater drainage systems including, but limited to, roadside ditches (commonly referred to as a “bar ditch”), drainage pipes and culverts (commonly referred to as “tin horns”), drainage channels, detention/retention ponds, stormwater sewers, and levies, and shall provide for the payment of dues and assessments required to maintain such improvements.
 - b. The HOA documents shall state that the City has no obligation to maintain or reconstruct the stormwater systems in the event of damage to such improvements.
 - c. The HOA documents shall state that the City may, but is not obligated to, inspect stormwater drainage structures, and that the City may require maintenance and repairs necessary to ensure that such improvements are maintained to City standards.

G. Violations, Revocations & Liens.

1. The City will notify the HOA of violations of any of the regulations specified within this Section.
2. Failure to bring the subdivision into compliance with these regulations may cause the City to revoke the specific approval of the Association or take other remedies.
3. The City shall have all lien, assessment and enforcement rights granted therein to the HOA, and the City shall have the ability to enforce the liens and assessments, and avail itself of any other enforcement actions available to the City pursuant to State law and/or City regulations.
4. Should the HOA fail to carry out its duties as specified in this Section, the City shall have the right and ability, after due notice to the HOA, to perform the duties required by this or any other Ordinance, regulation or agreement with the City in order to bring the HOA into compliance therewith. The City shall have the right and ability, after due notice to the HOA to assess the HOA, for the full amount owed and/or assess the property owners on a pro rata basis for all costs incurred by the City in

performing said duties if the HOA fails to do so. Said assessment shall constitute a lien, in favor of the City, upon the property for which the assessment is made.

13-3-25 Monuments and Markers

- A. The subdivider of any subdivision shall install, within that subdivision, permanent reference monuments and markers, placed flush with the ground, in accordance with the provisions of this Section.
 - 1. All monuments and markers shall be properly set in the ground and approved by a Registered Land Surveyor, prior to the time the Planning Commission recommends approval of the final plat; a request for a variance from these provisions may be considered by the Planning Commission.
 - 2. Existing monuments or markers shall not be disturbed, unless absolutely necessary, in which case the monuments or markers shall be replaced at the exact spot from which they were removed.
 - 3. The location of all monuments and markers shall be included on the final plat, including existing monuments and markers.
- B. Three types of monuments and markers shall be used for different situations. The following specifications shall be applicable to each type of situation:
 - 1. Type "A". Permanent reference monuments shall be placed at the intersection of the centerlines of rights-of-way, regardless of whether the paving of the street is centered in the right-of-way.
 - a. There shall be a minimum of one such monument in each subdivision, with an additional such monument required for each 20 acres over the first 20 acres.
 - b. If no two of the intersection monuments are within line-of-sight of each other, an additional marker shall be placed on the right-of-way centerline, so as to establish a straight line which can be seen (line-of-sight) from one end to the other.
 - c. An additional such marker shall be placed at the center-point of the turnaround in each cul-de-sac.

- C. These monuments shall be of non-corrosive metal plate, set in accordance with the accompanying diagram, and each shall be stamped with a cross at (lie point of the intersection and the elevation to the nearest tenth of a foot.
- D. Type "B". Permanent reference markers shall be placed at each turning point in the external boundary of the subdivision, to be set in concrete in accordance with the accompanying diagram.
- E. Type "C". Permanent reference markers shall be placed at:
 - 1. Each corner of each block
 - 2. Each corner of each lot
 - 3. The points of curvature and points of tangency of all inside and outside rights-of-way lines
 - 4. The points of intersection of the Outside line of a curve in a street right-of-way
 - 5. On all Quarter Section points within the subdivision or on its perimeter, to be set

13-3-26 Non-Residential Subdivisions

- A. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall be made according to such provisions as the Planning Commission may require.
- B. A non-residential subdivision shall be subject to all of the requirements of the Zoning Ordinance, as well as such additional standards as may be required by the Planning Commission.
- C. In addition to the principles and standards in these regulations, the subdivider shall demonstrate to the satisfaction of the Planning Commission that the street, parcel and block pattern proposed is specifically adapted to the uses anticipated, and takes into account other uses in the vicinity. The following principles and standards shall be observed:
 - 1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated;
 - 2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon;

3. Special requirements may be imposed with respect to street, curb, gutter and pedestrian way design and construction;
4. Special requirements may be imposed with respect to the installation of public utilities, including water, sewer and storm water drainage;
5. Every effort shall be made to protect adjacent areas from the potential nuisance of a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary, and
6. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

13-3-27 Planned Unit Development

Whenever a subdivision is developed as a Planned Unit Development under the appropriate provisions of the Zoning Ordinance, wherein adequate park or recreation area is provided, and street connectivity and block size requirements are met, the Planning Commission may vary the design requirements of these regulations, in order to allow the subdivider more freedom in the arrangement of streets and lots, but at the same time protect the convenience, health, safety and welfare of the entire community. Variance procedures are detailed in Section 13-1-13.

CHAPTER 13-4 DEFINITIONS

For the purposes of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted and defined as hereinafter set forth. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations"; a "person" includes a corporation, a partnership and In incorporated association of persons such as a club; "shall" is always mandatory; a "building it includes a "structure"; a "building" or "structure" includes any part thereof, "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

AIR SPACE. The term "air space" shall mean the space above the land which might be subject to division and sale either with, or separate from, the surface.

AMENITY. Aesthetic or other physical improvements to a development that increase its quality, desirability, and/or marketability to the public, and that are described within Section 77 of this Ordinance.

APPEAL. The word "appeal" means a request for a review of the Building Inspector's interpretation of any provision of the City's Floodplain Management Regulations or a request for a variance.

AREA OF SHALLOW FLOODING. The term "area of shallow flooding" means a designated AO, AH or VO zone on the Community's Flood Insurance Rate Map (FIRM) with a one percent (1%) chance or greater annual chance of flooding to an average depth of one (1) to three (3) feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD. The term "area of special flood hazard" is the land in the floodplain within the community subject to a one percent (1%) or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). (After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A 1 -99, VO, VI-30, VE or V.)

BASE FLOOD. The term "base flood" means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BLOCK. The word "block" shall mean a parcel of land, intended to be used for development purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks, rural lands, or drainage channels.

BOND. The word "bond" shall mean any form of security, including a cash deposit, surety bond, collateral, property or instrument of credit, in an amount and form satisfactory to the City Council, all bonds must be approved by said City Council whenever a bond is required by these regulations.

BUILDING. The word "building" shall mean any structure built for the support, shelter or enclosure of persons, animal's chattel or movable property of any kind (including any structure).

BUILDING CODE. The term "Building Code" shall mean a collection of regulations, adopted by the Coweta, Oklahoma, City Council, setting forth standards for the construction of buildings and other structures, for the purpose of protecting the health, safety and welfare of the public.

BUILDING OR SETBACK LINE. The term "building or setback line" shall mean a line or lines within a lot designating the area outside of which buildings may not be erected.

BUILDING PERMIT. The term "Building Permit" shall mean the permit required before construction can be initiated; building permit provisions are contained in the Code of Ordinances.

CHANNEL. The word "channel" shall mean a natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

CITY. The word "City" shall mean the City of Coweta, Oklahoma.

CLUSTER DEVELOPMENT. The term "cluster development" shall mean a development pattern in which densities and/or uses are "clustered" rather than spread evenly throughout a parcel as in conventional lot-by-lot development. (Cluster development is used to preserve open space, create workable land use mixtures and save money by building fewer streets and shorter utility lines.)

CODE OF ORDINANCES. The term "Code of Ordinances" or "City Ordinances" shall mean the officially adopted "Code of Ordinances" of the City of Coweta, Oklahoma.

COMPREHENSIVE PLAN. The term "Comprehensive Plan" shall mean the officially adopted Comprehensive Plan or Plans for the City of Coweta, Oklahoma, which provide(s) long-range development policies for the area subject to development in the foreseeable future.

CONSTRUCTION PLANS. The term "construction plans" shall mean maps or drawings accompanying a subdivision plat, showing the specific location and design of required subdivision improvements.

CREEK, MAJOR. The term Major Creek shall include the primary channel and all headwaters of those creeks commonly known as Coweta Creek, Cedar Creek, Fife Creek, Gar Creek and Coal Creek, along with other creeks displayed on Exhibit 73-1 in Section 73.

CRITICAL FEATURE. The term "critical feature" means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEDICATION. The word "dedication" shall mean the transfer of property from private to public ownership.

DEDICATION, FEE IN LIEU OF. The term "fee in lieu of dedication" shall mean payments of cash, authorized and provided for in these adopted Subdivision Regulations, when requirements for mandatory dedication of land cannot be met because of site conditions or other reasons.

DENSITY. The word "density" shall mean the average number of families, persons or housing units per acre of land.

DEVELOPMENT. The word "development" means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DRAINAGEWAY. The word "drainageway" shall mean any depression below the surrounding land, serving to give direction to a regular or periodic current of water.

DWELLING UNIT. A single unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EASEMENT. The word "easement" shall mean a grant by the property owner to the public, a corporation or persons, of the use of a strip of land for specific purposes.

ELEVATED BUILDING. The term "elevated building" shall mean a non-basement building (a) built, in the case of a building in Zones AI-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor, or in the case of a building in Zones V 1-30, Ve or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor or the water and (b) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones AI-30, AE, A, A99, AO, AH, B, C, X and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V 1-30, VE or V, "elevated Building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of Section 60.3(e) (5) of the National Flood Insurance Program (NFIP) Regulations.

EROSION. The word "erosion" shall mean the general process whereby soils are removed or moved by flowing surface or subsurface water.

EXISTING CONSTRUCTION. The term "existing construction" means, for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures."

FLOOD OR FLOODING. The words "flood or flooding" shall mean a general and temporary condition of partial or complete inundation of normally dry land areas adjacent to stream channels, resulting from the overflow of such streams, rivers or other inland waterways, or the unusual and rapid runoff or accumulation of surface waters from any source, or as defined by Federal Emergency Management Agency (FEMA).

FLOOD HAZARD AREA. The term "Flood Hazard Area" shall mean the maximum area of the floodplain that, on the average, is likely to be flooded once every 100 years (i.e. that has one percent (1%) chance of being flooded in any given year).

FLOOD INSURANCE RATE MAP (FIRM). The term "Flood Insurance Rate Map (FIRM)" means the latest official Flood Insurance Rate Map of the City of Coweta, Oklahoma, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to said community.

FLOOD INSURANCE STUDY. The term "Flood Insurance Study" is the official report provided by FEMA. The report contains flood profiles, water surface elevations of the base flood, as well as the Flood Hazard Boundary Floodway Maps.

FLOODPLAIN OR FLOOD-PRONE AREA. The term "floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of flooding), or as defined by Federal Emergency Management Agency (FEMA).

FLOODPLAIN MANAGEMENT PROGRAM. The term "Floodplain Management Program" shall mean the full range of Codes, Ordinances and other regulations, project and programs relating to the use of land and construction within the limits of the floodplain; the term encompasses the Zoning Ordinance, Subdivision Regulations, and applicable portions of the Code of Ordinances, including Sanitary and Building Codes, or as defined by Federal Emergency Management Agency (FEMA).

FLOOD PROOFING. The word "flood proofing" means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents, or as defined by Federal Emergency Management Agency (FEMA).

FLOOD PROTECTION SYSTEM. The term "Flood Protection System" means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce

the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a System typically includes dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standard, or as defined by Federal Emergency Management Agency (FEMA).

FLOODWAY (REGULATORY FLOODWAY). The term "Floodway (Regulatory Floodway)" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height, or as defined by Federal Emergency Management Agency (FEMA).

FRONTAGE. The word "frontage" shall mean that side of a lot abutting on a street or Way and ordinarily regarded as the front of the lot, but not the ordinary side of a corner lot.

GRADE. The word "grade" shall mean the slope of a road, street or other public way, specified in percentage (%) terms.

HABITABLE FLOOR. The term "habitable floor" means any floor usable for the following purposes, including working, sleeping, eating, cooking or recreation areas, or a combination thereof, A floor used for storage purposes only is not a "habitable floor".

HIGHEST ADJACENT GRADE. The term "highest adjacent grade" means the highest natural elevation of the ground surface prior to construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE. The term "historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on said National Register; or
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
3. Individually listed on the Oklahoma Register of Historic Places (which State's Historic Preservation Programs has been approved by the Secretary of Interior); or
4. Individually listed on a local inventory of historic places in Communities with Historic Preservation Programs that have been certified either:
 - a. By an approved State program as determined by the Secretary of the Interior; or

- b. Directly by the Secretary of the Interior in States without approved programs.

HOMEOWNERS ASSOCIATION ("HOA"). A community association which is organized in a Development in which individual Owners share common interests in open space or facilities. The Homeowners Association usually holds title to reserves, manages and maintains the common property, and enforces certain covenants and restrictions.

IMPROVEMENTS. The word "improvements" shall mean street pavements, curbs, sidewalks, water mains, sanitary and storm sewers, monuments, trees and other appropriate items for which the city may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which city responsibility is established. All such improvements shall be properly bonded, in accordance with the provisions of these regulations.

INTENSITY. The word "intensity" shall mean the degree to which land is used. (Often used synonymously with "density").

LEVEE. The word "levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM. The term "levee system" means a Flood Protection System which consists of a levee or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOT. The word "lot" shall mean a parcel of land, intended as a unit for the transfer of ownership or for development, of at least sufficient size to meet minimum Zoning Ordinance requirements for use, coverage and area, and to provide such yards and other open spaces as are required. Such lot shall have frontage on a public street and may consist of

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or
4. A parcel of land described by metes and bounds; provided, that, in no case of division or combination shall any lot or parcel be created which does not meet the requirements of these regulations or the Zoning Ordinance.

LOT, CORNER. The term "corner lot" shall mean a lot located at the intersection of, and abutting on, two (2) or more streets.

LOT, DOUBLE FRONTAGE. The term "double frontage lot" shall mean a lot which runs through a block from street to street and has non-intersecting frontage on two (2) or more streets.

LOT, INTERIOR. The term "interior lot" shall mean a lot other than a corner lot.

LOT, REVERSE FRONTAGE. The term "reverse frontage lot" shall mean a double frontage lot which is designed to be developed with the rear yard abutting a major street and with the primary means of access provided on a minor street.

LOT, TOWNHOUSE. The term "townhouse lot" shall mean a lot shown on a townhouse plat and intended as the site of a single, attached, dwelling unit.

LOT AREA. The term "lot area" shall mean the total horizontal area included within lot lines.

LOT DEPTH. The term "lot depth" shall mean the average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

LOT FRONTAGE. The term "lot frontage" shall mean that dimension of a lot, or portion of a lot, abutting on a street, except the side dimension of a corner lot.

LOT LINE ADJUSTMENT. The term "lot line adjustment" shall mean a relocation of the lot lines of two (2) or more lots included in a plat which is filed of record, for the purpose of making necessary adjustments to building sites.

LOT LINES. The term "lot lines" shall mean the lines bounding a "lot," as defined herein.

LOT OF RECORD. The term "lot of record" shall mean a separate and distinct parcel of land, designated on a legally recorded subdivision plat or a legal recorded deed filed in the records of the Wagoner County Courthouse.

LOT SPLIT. The term "lot split" shall mean any division of land by metes and bounds description into two (2) or more parcels for the purpose, whether immediate or future, of transfer of ownership, and which constitutes a "subdivision," as herein defined.

LOWEST FLOOR. The term "lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that, such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program (NFIP) Regulations.

MONUMENT OR MARKER. The words "monument" or "marker" shall mean a subdivision improvement, designed to provide permanent survey reference points within a subdivision, which may be of one of three types:

1. Type "A": A non-corrosive metal plate set in Portland Cement or Asphaltic Concrete;
2. Type "B": Iron bar or pipe set in concrete; or

3. Type "C": Iron bar set in unexcavated soil.

NEW CONSTRUCTION. The term "new construction" means, for Floodplain Management Purposes, structures for which the "start of construction" commenced on or after the effective date of the Floodplain Management Regulations adopted by the city.

ONE-HUNDRED YEAR FLOOD. The term "one-hundred year flood" shall mean a flood of a frequency expected to occur on the average of once every 100 years or a flood magnitude which has a one percent (1%) chance of occurring in any given year.

PARCEL. The word "parcel" shall mean a lot or contiguous group of lots, in single ownership or under single control, and usually considered as one part for purposes of development.

PEDESTRIAN WAY. The word "pedestrian way" shall mean an accessible route, dedicated to public use, intended to facilitate pedestrian access to streets and properties.

PERSON. The word "person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

PLANNING COMMISSION. The term "Planning Commission" shall mean the City Planning Commission of the City of Coweta, Oklahoma.

PLANNED UNIT DEVELOPMENT. The term "planned unit development" (PUD) shall mean a discretionary type of development for a tract of land under single ownership or control, based upon an approved development plan permitting flexibility of principal land uses, lot sizes and accessory uses not otherwise available under conventional development standards.

PLAT, FINAL. The term "final plat" shall mean a map of a land subdivision, and any required accompanying material, prepared in a form suitable for filing of record, 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, PRELIMINARY. The term "preliminary plat" shall mean a map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

PRIVATE OR RESTRICTIVE COVENANTS. The term "private or restrictive covenants" shall mean a private legal restriction on the use of land, contained in the deed to the property, or otherwise formally recorded.

PROGRAM. The word "Program" means the overall National Flood Insurance Program (NFIP), authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001-4128), as amended.

PROPERTY OWNER. A person or any other legal entity having legal title to or sufficient propriety interest in the land sought to be subdivided under this title, or their legally authorized designee

PROPERTY OWNERS ASSOCIATION. A community association which is organized in a Development in which individual property owners, typically for non-residential developments, share common interests in open space or facilities. The Property Owners Association usually holds title to reserves, manages and maintains the common property, and enforces certain covenants and restrictions. (See regulations for Homeowners Associations)

RECREATIONAL VEHICLE. The term "recreational vehicle" means a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

RESTRICTIVE COVENANT. A restriction on the use of land traditionally set forth in a deed. Restrictions are also placed of record by separate instruments including Homeowners Association or Property Owners Association agreements. The Restrictive Covenant usually runs with the land.

RE-SUBDIVISION. The word "re-subdivision" shall mean a change in an approved or recorded subdivision plat, if such change affects any street layout, lot line or area reserved thereon for public use, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivision.

RIGHT-OF-WAY. The term "right-of-way" shall mean a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat, is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

ROADWAY. The word "roadway" shall mean that portion of any street so designated for vehicular traffic; where curbs are in place, that portion of the street between the curbs.

SCREENING. A barrier intended to separate and limit visibility between that which is on either side of the barrier, for example, a thoroughfare and adjacent land uses.

SEDIMENTATION. The word "sedimentation" shall mean processes that operate at or near the surface of the ground to deposits oils, debris and other materials, either on other ground surfaces or in water channels.

SOLAR COLLECTOR. The term "solar collector" shall mean any device or combination of devices or elements which rely upon sunshine as an energy source. The term also includes any substance or device which collects solar energy for use in:

1. The heating or cooling of a structure of building;
2. The heating or pumping of water;
3. Industrial, commercial or agricultural processes; or
4. The generation of electricity.

A solar collector may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member, or part, of a roof of a building or structure and serving as a window or wall.

SOLAR RIGHT. The term "solar right" shall mean a right to an unobstructed line-of-sight path from a solar collector to the sun, which permits radiation from the sun to impinge directly on the solar collector.

START OF CONSTRUCTION: FLOOD-PRONE AREAS. The term "start of construction" as applied in flood-prone areas includes substantial improvement and means the date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred and eighty (180) days of the Permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

START OF CONSTRUCTION: NON-FLOOD-PRONE AREAS. The term "start of construction," as applied in non-flood-prone areas, shall mean the first placement of permanent construction on a site, such as the pouring of footings or any work beyond the stage of excavation. For a structure without a basement of poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof on its pilings or foundation, or the affixing of any prefabricated

structure or mobile home to its permanent site. Permanent construction (except in identified flood hazard areas) does not include: land preparation, land clearing, grading or filling or excavation for basement, footings, piers or foundations; or erection of temporary forms; or the installation of piling under proposed subsurface footings; or installation of sewer, gas and water pipes, or electric or other service lines from the street; or existence on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not a part of the main structure.

STORM CELLAR. The term "storm cellar" means a space below grade used to accommodate occupants of the structure and emergency supplies as a means of temporary shelter against tornadoes or similar windstorm activity.

STORMWATER DRAINAGE. Drainage facilities designed for the conveyance of stormwater runoff received from upstream and from the subject property.

STREET. The word "street" shall mean any public or private right-of-way which affords the primary means of access to abutting property.

STREET, COMMERCIAL OR INDUSTRIAL. The term "commercial or industrial street" shall mean a street which abuts property Zoned for commercial or industrial use and which is designed to provide access to those parcels so designated.

STREET, HALF. The term "half street" shall mean any street platted 25 feet or more in width, where, at the time of the approval of the plat, it is the intent of the City Council that said street dedication shall constitute only a part of the total street easement width.

STREET, MAJOR. The term "major street" shall mean an arterial street which is so designated on the Major Street Plan or Comprehensive Plan, and is designed to carry inter-city traffic and to relate the various neighborhoods or residential areas within the City. Major streets shall be classified as follows:

1. Limited Access Highway. A freeway or expressway providing a trafficway for through traffic, in respect to which owners or occupants of abutting property or lands, and other persons, have no legal right to access to or from the same, except at such points and in such manner as may be determined by the Oklahoma State Highway Department.
2. Primary Arterial or Thoroughfare. A roadway intended to move through traffic to and from major traffic generators or as a route for traffic between communities or employment centers.
3. Secondary Arterial or Thoroughfare. A road intended to collect and distribute traffic in a manner similar to primary arterials, except that these roads service minor traffic generating areas, or a road which may be designed to carry

traffic generating areas, or a road which may be designated to carry traffic from collector streets to the system of primary arterials.

STREET, MINOR. The term "Minor Street" shall mean any street or right-of-way other than one designated as a major street in the Major Streets and Highway Plan; but not including alleyways. Minor streets shall be classified as follows:

1. Collector Street: A street collecting traffic from other minor streets, serves as the most direct route to a major street and should be designed so that no residential properties front onto it.
2. Local Street: A street primarily providing access to and from abutting property and serving, only occasional through traffic.
3. Cul-de-sac: A local street having one (1) end open to vehicular traffic and one (1) closed end, terminated by a turnaround.
4. Court: A secondary local street designation following a street name, used only when street alignment is such that a short street is created that does not warrant a new street name.
5. Place: A secondary local street designation following a street name, used only when street alignment is such that a short street is created that does not warrant a new street name.
6. Dead-End Street: A local street, similar to a cul-de-sac, but providing no turnaround at its closed end.
7. Frontage or Service Street: A street auxiliary to, and located on, the side of a major street for service to abutting properties and adjacent areas and for control of access.
8. Alley: The word "alley" shall mean a minor right-of-way, dedicated to public use, from which a secondary means of access to the back or side of properties otherwise abutting a street is obtained, and which may be used for public and private utility purposes.

STREET, PERIMETER. The term "Perimeter Street" shall mean any existing street which the parcel of land to be subdivided abuts on only one (1) side.

STREET, PRIVATE. A privately-owned street within a subdivision for which the private owners assume full responsibility for maintenance and control and which has not been dedicated to the use of the public. This term is inclusive of related alleys.

STREET CLASSIFICATION. The term "street classification" shall mean that, for the purpose of providing for the development of the streets, highways, roads and rights-of-way in the City, and for their future improvement, reconstruction, re-alignment

and necessary widening (including provision for curbs and sidewalks), each existing street, highway, road and right-of-way has been designated in the Comprehensive Plan, and classified therein. The classification of each street, highway, road and right-of-way is based upon its location in the respective zoning districts of the city, its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan. The required street and sign improvements shall be provided as set forth for each classification in these regulations and the Comprehensive Plan.

STRUCTURE. The word "structure" means a walled and roofed building, including a gas or liquid storage tank that is principally aboveground and shall include a manufactured home.

SUBDIVIDER. The words "subdivider" shall mean any person, firm, partnership, corporation or other entity, or their designee, acting as a unit, subdividing, proposing to subdivide or re-subdividing land as herein defined, including all changes in street or lot lines.

SUBDIVISION. The word "subdivision" shall mean the division or re-division of land (vacant or improved) or airspace, into two (2) or more lots, tracts, parcels, sites, areas, units or plots, any one of which, when divided, has an area of less than 10 acres, for the purpose of transfer of ownership or for development, or the dedication, vacation or re-alignment of any public or private right-of-way easement.

Subdivisions shall be classified as follows:

1. Major: All subdivisions not classified as minor subdivisions, including, but not limited to, subdivisions of four (4) or more lots, or any size subdivision requiring any new street or extension of city facilities, or the creation of any public improvements.
2. Minor: Any subdivision containing not more than three (3) lots fronting an existing street, not involving any new street or road, or the extension of public utilities or facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Ordinance or these regulations. A "Lot Split" or "Lot Line Adjustment" shall be considered a minor subdivision.
3. Non-Residential. A subdivision whose intended use is other than residential, such as commercial or industrial-, such subdivision shall comply with the applicable provisions of these regulations.

SUBDIVISION REGULATIONS. The term "Subdivision Regulations" shall mean the officially adopted Subdivision Regulations for the City of Coweta, Oklahoma, designed to provide standards for the subdivision of land within the city.

SUBSTANTIAL DAMAGE. The term "substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition Would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. The term "substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (a) any project for improvement of a structure to comply with existing State or local Health, Sanitary or Safety Code specifications which are solely necessary to assure safe living conditions, or (b) any alteration of a structure listed on the National Register of Historic Places, the State Register of Historic Places or locally designated as an Historic Landmark; provided, that, the alteration will not provide the structure's continued designation as an Historic structure.

TEMPORARY IMPROVEMENT. The term "temporary improvement" shall mean improvements built and maintained by a subdivider during construction of the subdivision, prior to the release of the performance bond, or its equivalent.

TECHNICAL ADVISORY COMMITTEE. The TAC is a committee composed of public officials and utility company representatives to review and study all plats and minor subdivision proposals and make recommendations concerning those subdivisions to the Planning Commission.

THOROUGHFARE SCREENING. Screening (see definition), both landscaping and screening walls/fences, between lots/subdivisions and major thoroughfares.

TOWNHOUSE. The word "townhouse" shall mean one (1) of a series of two (2) or more attached dwelling units, separated from one another by continuous, vertical walls without openings from basement floor to the roof deck and tight against the same or through the roof, and which are intended to have ownership transferred in conjunction with a lot platted in accordance with State Law.

TREE CROWN. The term "tree crown" shall mean the outside diameter of a tree's branches.

VARIANCE. The word "Variance" is a grant of relief to a person from the requirements of this Ordinance when specific enforcement would result in unnecessary hardship. A

variance; therefore, permits construction or development in a manner otherwise prohibited by these regulations.

WATER SURFACE ELEVATION. The term "water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

WAY. The word "way" shall mean any street, avenue, highway, boulevard, road or alley reserved and/or dedicated for public or private use, chiefly by vehicular or pedestrian traffic.

ZERO LOT LINE. The term "zero lot line" shall mean flexible development approach in which a building is sited on one (1) or more lot lines with no yard (conceivably, three of the four sides of the building could be on the lot lines), in order to allow more flexibility in site design and to increase the amount of usable open space on the lot.

ZONING ORDINANCE. The term "Zoning Ordinance" shall mean the officially adopted Zoning Ordinance for the City of Coweta, Oklahoma.