

## **SECTION 1. GENERAL PROVISIONS**

### **1.1 TITLE**

These regulations shall hereafter be known as the Subdivision Regulations of the City of Sand Springs, Oklahoma, and referred to as “Regulations” in this text.

### **1.2 AUTHORITY**

The Sand Springs Planning Commission (hereafter referred to as “Planning Commission”) pursuant to the powers vested through Title 11, Oklahoma Statutes, Section 45, does hereby exercise the power and authority to review, approve and disapprove plats for the subdivision of land within the City of Sand Springs.

### **1.3 PURPOSE AND INTENTION**

The purpose and intention of the Sand Springs Subdivision Regulations is as follows:

1. To provide for the physical development of the City of Sand Springs in accordance with the Comprehensive Plan and the Major Street and Highway Plan;
2. To provide for the most beneficial relationship between the development of land and buildings, and the circulation of traffic throughout the City of Sand Springs, particularly regarding, but not limited to, the following: Avoidance of congestion of streets and highways; providing for the movement of traffic and pedestrians appropriate to the various uses of land; and providing for the proper location of streets and of building lines;
3. To secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or to the Comprehensive Plan or plans for the area; for adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, police and other emergency vehicles, parking lots, parks, light and air; and for the avoidance of the congestion of population;
4. To establish a subdivision process that is as expeditious, efficient and cost effective as possible, while providing for the public health, safety, convenience and general welfare;
5. To ensure that proper legal descriptions monumenting of land and adequate and accurate records of platting and land subdivision are kept in conjunction with the subdivision process;
6. To insure that public facilities and utilities are available that will have sufficient capacity to serve the proposed subdivision while providing for the orderly development of the general community;

7. To consider the natural beauty and topography of the City of Sand Springs and to encourage appropriate development with regard to all natural features; and

8. To provide that the costs of improvements which primarily benefit the tract of land being developed be borne by the owners and developers of the tract.

#### **1.4 JURISDICTION**

These Regulations shall apply to the subdivision of all land within the corporate limits of the City of Sand Springs as established by law now in effect or as may be amended from time to time. These Regulations shall apply to the following forms of land subdivision:

1. The division of land into two or more tracts, lots, sites, parcels, units, plots, or interests for the purpose of sale, lease or development, any one of which when subdivided shall contain five (5) acres or less in area;

2. The division of land previously subdivided or platted into tracts, lots, sites, parcels, units, plots, or interests of five (5) acres or less in area; and

3. The dedication of any street or alley through any tract of land.

#### **1.5 CONFLICT WITH PUBLIC OR PRIVATE PROVISIONS**

1. Public Provisions. These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation or statute, or other provision of law. Where any provision of these Regulations imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive shall control.

2. Private Provisions. These Regulations are not intended to interfere with, abrogate, or annul any easement, covenant, or any other private agreement or restriction, provided that where these Regulations are more restrictive, or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these Regulations shall control.

#### **1.6 SEVERABILITY**

If any part or provision of these Regulations or the application thereof shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other part, section, clause, paragraph, portion or provision of these Regulations.

## **1.7 SAVING PROVISION**

These Regulations shall not be construed as abating any action now or pending under, or by virtue of, prior existing Regulations, or as discontinuing, abating, or modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the City, except as expressly provided in these Regulations.

## **1.8 AMENDMENTS**

For the purposes of providing for the public health, safety, convenience and general welfare, the Planning commission may, from time to time, recommend amendments to the provisions of these Regulations. Public hearings on all proposed amendments shall be held by the Planning Commission in the manner prescribed by law. The recommendations of the Planning Commission on amendments to these Regulations shall be forwarded to the City Council for final approval and adoption.

## **1.9 CONDITIONS OF APPROVAL**

The regulation of the subdivision of land and the attachment of reasonable conditions of approval to the regulation of land, is a valid exercise of the police power delegated to the City of Sand Springs by the State of Oklahoma. The subdivider has the duty to comply with said reasonable conditions laid down by the Planning Commission for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economic development of the City of Sand Springs and to the safety and general welfare of future owners of realty in the subdivided land and the community at large.

## **1.10 SUBDIVISION REQUIREMENT AND WAIVER**

For any land which has been rezoned upon application, no building permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, as the case may be submitted to and approved by the Planning Commission and City Council and filed of record in the office of the County Clerk where the property is located. The Planning Commission, upon a showing that the purposes of these Regulations have already been achieved by a previously approved subdivision or would not be achieved by a plat or replat, may waive the requirements for a plat or replat.

## **1.11 MODIFICATIONS**

1. General. The design requirements of these Regulations may be modified by the Planning Commission where unusual topographic or other exceptional conditions require such modification, to the extent that the Planning Commission determines that

the purpose of these Regulations may be served by an alternative proposal. The Planning Commission shall not approve any procedural requirement of these Regulations or other such modification where the granting of such will be detrimental to the public safety, health, general welfare, or be injurious to other public or private property or improvements, or where the granting of such modification will diminish in any way the intent of any governing zoning code or the Comprehensive Plan.

2. Conditions. In approving modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the intent, objectives, standards and requirements of these Regulations.

3. Procedure. A request for such modification shall be submitted to the Planning Commission in writing by the subdivider at the time when the preliminary plat is submitted for consideration of the Planning Commission. The request for modification shall state fully the grounds for the application and all facts relied upon by the subdivider.

4. Approval. Such modification may be granted only by the affirmative vote of two-thirds (2/3) of the members of the Planning Commission subject to the approval of the plat and acceptance of the dedications shown thereon by the City Council.

## **1.12 TENSE AND DEFINITION**

For the purpose of these Regulations, certain terms and words are to be used and interpreted as defined in Section 7 herein. Words in the present tense shall include the future tense, words in the singular shall include the plural and words in the plural shall include the singular, except where the construction of the writing indicates otherwise. The words "should" and "may" are directory and not mandatory. The word "shall" is mandatory and not directory.

## **1.13 PENALTY**

Any person, firm or corporation, who shall violate any of the provisions of these Regulations, or shall fail to comply therewith, shall be deemed guilty of an offense and shall be liable for a fine as provided by City ordinance. Each day of such violation shall constitute a separate offense. In addition to the remedies provided herein, the City may institute any other action or proceeding to enforce these Regulations.

## **1.14 TECHNICAL ADVISORY COMMITTEE**

1. General. There is hereby created a subdivision Technical Advisory Committee (TAC). The TAC shall be responsible for coordinating review and comments, and making reports and recommendations to the Planning Commission on all matters pertaining to the subdivision of land.

2. Committee Membership. The TAC shall be composed of representatives from departments, agencies and offices involved in the subdivision process including, but not limited to the following: City and County Planning, City and County Engineering, City Water and Sewer Department, Police Department, Fire Department, City-County Health Department, School Board, City and County Park Department, Federal Housing Administration, utility companies, and the U.S. Soil Conservation Service. The Sand Springs City Planner or the City Planner's designee shall serve as the Chairperson of the TAC and be responsible for calling meetings, and preparation of the minutes and record of all proceedings.

3. Meeting Dates. The TAC shall schedule meetings prior to the Planning Commission meeting and shall otherwise meet upon the call of the Chairperson. Schedules of all TAC regular meeting dates and cutoff dates for filing plats to be reviewed by the TAC will be posted and available in the Planning Commission offices.

4. Recommendations. It shall be the responsibility of the TAC to meet together on the call of the City Planner, who shall serve as the Chairperson, to review and study all preliminary plats, final plats and lot splits and to submit its findings and recommendations to the Planning Commission.

#### **1.15 COMPUTER AIDED DRAFTING OF PLAT AND RECORD DRAWINGS**

Subdividers with the capability of generating computer layouts and system drawings for plats, water, sewer, street, drainage, grading, etc., shall provide the City Engineer's office with computer files of such drawings.

#### **1.16 FILING FEES**

1. Application for preliminary approval of a subdivision plat shall be accompanied by a fee of \$200.00.

2. Application for final approval of a subdivision plat shall be accompanied by a fee of \$200.00 plus a fee of \$1.00 per lot over 20 lots.

3. For each lot divided through lot split procedure or for each document or instrument upon which the Commission is required or requested to affix its approval, there shall be charged a fee of \$5.00. This fee shall be waived on instruments of dedication to, or acquisition by, the public.

4. The fees herein provided for may be modified from time to time upon motion therefore by the City Council.

## **SECTION 2. APPLICATION PROCEDURES**

The procedure for processing a subdivision plat under these Regulations is shown in Figure 1. A detailed description of this process is included in this section.

### **2.1 SKETCH PLAT**

1. Discussion of Requirement for a Sketch Plat. Before preparing the preliminary plat for a subdivision, the subdivider is encouraged to and at the option of the City of Sand Springs may be required to prepare a sketch plat after a conference with the Planning Commission Staff. If a sketch plat is required, the subdivider will be advised of the following:

- a. The procedure for approval of a subdivision plat;
  - b. the provisions of the Comprehensive Plan, Zoning Code, these Regulations and other development related regulations;
  - c. the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection and similar matters;
  - d. Availability of existing services and utilities; and
  - e. Where appropriate, to discuss the proposed subdivision with those officials and departments which must eventually approve those aspects of the subdivision plat coming within their jurisdiction.
2. Procedures. The following procedures must be followed in the processing of a sketch plat:
- a. A minimum of ten (10) copies of the sketch plat shall be submitted to the Planning Commission Staff at least ten (10) working days prior to the meeting of the Technical Advisory Committee;
  - b. The Planning Commission Staff shall transmit the sketch plat for review to the appropriate officials or agencies and notify any city, town or county within three mile of the proposed subdivision;
  - c. The Technical Advisory Committee shall review the sketch plat and make a report and recommendation to the Planning Commission at the next regular meeting;
  - d. At the subdivider's request, the Planning Commission will review the sketch plat and the report and recommendation of the Planning Staff and Technical Advisory Committee;

- e. After the Planning Commission meeting at which the sketch plat is first reviewed, the Planning Commission, if necessary, may schedule a field trip to the site of the proposed subdivision, accompanied by the Planning Staff, and the subdivider or subdivider's representative;
- f. After review and discussion of the sketch plat, the recommendations and reports of the Planning Commission Staff and Technical Advisory Committee, the Planning Commission shall advise the subdivider of any specific changes or additions that will be required in the layout and character and extent of required improvements and reservations that will be required as a prerequisite to approval of the subdivision plat. The Planning Commission may also require additional changes to the proposed subdivision in later stages of the review and approval process as a result of further study and review of the subdivision plat; and
- g. The Planning Commission shall approve or disapprove the sketch plat at its next regularly scheduled meeting.

## **2.2 PRELIMINARY PLAT AND PRELIMINARY CONSTRUCTION PLANS**

- 1. Application Procedures and Requirements. The subdivider shall submit a preliminary plat for approval. A minimum of twenty-five (25) copies of the preliminary plat shall be submitted for review and approval and shall:
  - a. Be accompanied by an application, a list of all abutting property owners of record in the office of the County Clerk in which the property being subdivided is located, a minimum of three (3) copies of the preliminary construction plans, and a filing fee as established by the Planning Commission;
  - b. Comply in all aspects with the approved sketch plat, if applicable; and
  - c. Be filed with the Planning Commission at least ten (10) days prior to the Planning Commission meeting at which it will be considered
- 2. Review
  - a. The Planning Commission Staff shall:
    - (1) Distribute copies of the preliminary plat to appropriate officials, agencies, or departments, and if a sketch plat was not processed notify any city or town within three (3) miles of the proposed subdivision and the county in which the plat is located;
    - (2) Field check the area being platted;

(3) Review the preliminary plat for conformance with the Comprehensive Plan, Zoning Ordinance, Planned Unit Development conditions, Board of Adjustment actions, and these Regulations and prepare the appropriate report and recommendations. This report shall include specific recommendations on any modifications of these Regulations requested by the subdivider; and

(4) Send written notice of the application to all abutting property owners at least seven (7) days prior to the Planning Commission meeting.

b. The subdivider shall submit preliminary construction plans for the proposed improvements at the time of application for approval of the preliminary plat to the following departments and/or agencies as applicable:

(1) City Engineer shall review and approve the preliminary construction plans for improvements regarding drainage, storm sewers, streets, sidewalks and pedestrian ways, in accordance with the adopted Engineering Design Criteria;

(2) County Engineer which has jurisdiction shall review and approve preliminary construction plans for improvements regarding drainage, storm sewer, streets, sidewalks and pedestrian ways in accordance with adopted standards;

(3) City Water and Sewer department and/or appropriate water or sewer authority shall approve preliminary sanitary sewer and water improvement plans in accordance with the adopted Engineering Design Criteria; and

(4) City-County Health Department shall approve preliminary plans for water and sanitary sewer improvements in accordance with adopted standards if the subdivision is to be served by private water or sewer disposal systems.

c. The Technical Advisory Committee shall review the preliminary plat and make a recommendation to the Planning Commission at the Planning Commission's next regularly scheduled meeting. This recommendation shall include specific recommendations on any modifications of these Regulations requested by the subdivider.

### 3. Hearing and approval.

a. The Planning Commission shall hold a hearing on approval of the preliminary plat. Notice of such hearing shall be given to all abutting property owners and to the subdivider by mailing a written notice at least seven (7) days prior to the hearing before the Planning Commission.

b. After the Planning Commission has reviewed the preliminary plat, the report and recommendations of the Planning Staff and



Technical Advisory Committee and any other municipal recommendations, testimony and exhibits at the hearing, the subdivider shall be advised of any changes and/or additions required in order to comply with these Regulations.

- c. The Planning Commission shall approve, conditionally approve, or disapprove the preliminary plat at such meeting or within thirty (30) days (including the hearing date) after the date of the regular meeting of the Planning Commission at which the hearing on preliminary approval was held and closed.
- d. If the preliminary plat is approved with a modification of any requirements of these Regulations, the reasons therefore shall be noted in the record of the review and approval proceedings of the Planning Commission.
- e. If the preliminary plat is approved with conditions, the Planning Commission may require the subdivider to submit a revised preliminary plat.
- f. If the preliminary plat is disapproved, the reasons for disapproval shall be recorded in the review and approval proceedings of the Planning Commission.
- g. One copy of the proposed preliminary plat as acted upon by the Planning Commission with the date of the approval, conditional approval, or disapproval and the reasons therefore shall be retained in the Planning Commission offices.
- h. One copy of the proposed preliminary plat as acted upon by the Planning Commission shall be returned to the subdivider with the date of approval, conditional approval, or disapproval with the reasons therefore accompanying the plat.
- i. The approval of a preliminary plat shall be effective for a period of one year from the date of the approval by the Planning Commission unless otherwise approved by the Planning Commission for an extended period of time at the end of which time approval of the final plat must have been obtained from the Planning Commission and City Council. Any preliminary plat not receiving approval within the period of time set forth herein, including any extensions approved by the Planning Commission, shall be null and void.
- j. Every plat shall conform to the existing Regulations applicable at the time of approval of the preliminary plat unless modifications

have been granted by the Planning Commission and/or City Council.

- k. Subsequent to approval of the preliminary plat, the subdivider may commence construction of the public improvements in accordance with final construction plans approved by the appropriate governing authority after arranging for inspection of said improvements during construction by the responsible public body.

## **2.3 FINAL CONSTRUCTION PLANS**

The subdivider shall submit a minimum of three (3) copies of the final construction plans for proposed improvements prior to or simultaneous with the application for approval of the final plat. The plans shall be submitted to the following departments and/or agencies as applicable and in form and content as required by that agency or department for review as follows:

1. The City Engineer shall review and approve the final construction plans for improvements regarding streets, sanitary sewer and water improvements, drainage and storm sewers located within a public right-of-way and sidewalks and pedestrian ways in accordance with the adopted Engineering Design Criteria; and

2. The City-County Health Department shall review and approve final plans for improvements if the subdivision is to be served by private water or sewage disposal systems in accordance with adopted standards and regulations.

## **2.4 FINAL PLAT**

1. Application Procedure and Requirements. Following approval of the preliminary plat, the subdivider shall file with the Planning Commission an application for final approval of the subdivision plat. The application for approval of the final plat shall:

- a. Be made as prescribed in these Regulations;
- b. Comply in all respects with the preliminary plat as approved by the Planning Commission;
- c. Be accompanied by a minimum of thirty (30) copies of the final plat as described in these Regulations;
- d. Be filed with the Planning Commission at least ten (10) days prior to the Planning Commission meeting at which it will be heard; and
- e. Include a final plat filing fee as established by the Planning Commission.

2. Review.

a. The Planning Commission Staff and City Engineer shall review the final plat for compliance with the preliminary plat as approved by the Planning Commission.

b. The Planning Commission Staff shall make a recommendation to the Planning Commission on whether:

(1) There has been compliance with all conditions, restrictions and requirements of these Regulations and all other applicable regulations or laws:

(2) All conditions attached to the approval of the preliminary plat have been complied with; and

(3) The Planning Commission should approve or disapprove the subdivision plat.

3. Planning Commission Review and Determination.

a. The final plat shall be submitted for final approval of the Planning Commission.

b. The Planning Commission shall at that submittal meeting or within thirty (30) days thereafter:

(1) Review the final plat and report of the Planning Commission Staff; and

(2) Approve the plat if the conditions of approval of the preliminary plat have been met, or disapprove the plat if the conditions of approval of the preliminary plat have not been met and state in the record of the meeting, in detail, any reasons for disapproval.

c. If the governing body of any city or town in the County protests against a subdivision plat of any land lying within three (3) miles of the limits of the incorporated area of such city or town, the plat shall be approved by not less than two-thirds (2/3) of the members of the Planning Commission with the reasons therefore stated in the minutes of the meeting.

d. The requirement for approval and certification of the completion of the required public improvements in accordance with the approved final construction plans shall be received by the Planning Commission Staff in the form of release letters from the applicable City Departments or agencies as required in these Regulations prior to approval of the final plat.

#### 4. Endorsement of Approval on the Final Plat

a. No final approval shall be endorsed on the final plat until all requirements of final plat approval have been met.

b. When the subdivider has chosen to install improvements prior to endorsement of the final plat, approval shall not be endorsed on the plat until after all conditions of approval have been satisfied and all improvements satisfactorily completed.

c. When the subdivider has chosen to guarantee construction of improvements by written agreement, approval shall not be endorsed on the plat until after the agreement has been executed by the subdivider, delivered to the Planning Commission and City Council for their review and approval, and all other conditions of approval pertaining to the plat have been satisfied.

d. The parties responsible for endorsing approval on the face of the final plat shall be as follows:

(1) The City Manager or the authorized designee of the City Manager;

(2) The Planning Commission Chairperson or Vice Chairperson so authorized to sign for said chairperson; and

(3) The Mayor of the City of Sand Springs upon approval of the City Council.

e. The format of the endorsements on the face of the final plat shall be as specified in Figure 2 of these Regulations.

#### 5. Filing of the Final Plat

The approved original final plat, after being endorsed by all required officials as described in these Regulations, shall be filed in the office of the County Clerk in which the property being subdivided is located.

#### 6. Distribution of the Final Plat

After the final plat has been endorsed by all the required officials as described in these Regulations and filed of record with the County Clerk in the County in which the property is located, the Planning Commission Staff shall distribute copies to the appropriate officials, agencies or departments and the remaining signed copies to the subdivider.

## **2.5 Planned Unit Development**

The platting of a Planned Unit Development (PUD) shall proceed in accordance with these Regulations upon approval of the PUD by the City Council in accordance with the applicable sections of the Zoning Ordinance and the conditions of approval of the PUD. The conditions of approval of the PUD, where appropriate and as required by these Regulations and the Zoning Ordinance, shall be endorsed on the face of the plat and officially made a part thereof.

## **SECTION 3. SPECIFICATION FOR DOCUMENTS**

### **3.1 PLATTING ACCURACY**

Plats shall be prepared with the following accuracy:

1. Sketch plats shall be prepared to the scale specified herein and may be submitted in free-hand form.
2. Preliminary plats shall be drawn to the scale specified herein, with such accuracy as to determine the location of lot, block, property and boundary lines, utility lines and other facilities, to the nearest one-hundredth of a foot.
3. Final plats shall be prepared with a minimum linear closure of 1:20,000. The following information shall be submitted on the final plat:
  - a. Traverse data for the plat, including the coordinates of the boundary of the subdivision with the error of closure;
  - b. The computation of all distances, angles and courses that are shown on the final plat unless measured in the field; and
  - c. All stakes, monuments or other evidence found on the ground in use to determine the boundaries of the plat.

### **3.2 SKETCH PLAT**

1. The subdivider is encouraged and at the option of the City of Sand Springs may be required to submit a sketch plat (see Figure 3) and to receive comments and recommendations from the Technical Advisory Committee, Planning Commission Staff and Planning Commission that will facilitate processing of the preliminary plat.
2. The sketch plat may be drawn in free-hand pencil to a scale of 1"=100', except where the size or amount of detail requires another scale, and may be superimposed over a topographic map or aerial photograph.
3. The sketch plat shall show the following:
  - a. The proposed layout of streets, lots and public areas;
  - b. Boundary lines of the proposed subdivision;
  - c. Location and width of streets adjacent to the property;

d. Existing utilities on or adjacent to the property showing type, location and size;

e. Existing watercourses, floodplains based upon the regulatory flood and storm drainage; and

f. A topographic map of the area proposed to be subdivided with contour lines having two (2) foot contour intervals based on the United States Coastal and Geodetic Survey Datum.

### **3.3 PRELIMINARY PLAT**

1. The preliminary plat (see Figure 4) submitted for approval shall be prepared by a registered professional land surveyor. The application shall include the names and addresses of the abutting property owners to the area being subdivided.

2. The preliminary plat shall be drawn to a scale of 1"=100'; provided that if the property to be subdivided is less than two (2) acres the scale may be 1"=50'. If the property being subdivided exceeds 100 acres, the scale may be 1"=200'.

3. The preliminary plat shall show or be accompanied by the following information:

a. The name and address of the owner or owners of the land to be subdivided;

b. The name and address of the registered professional land surveyor preparing the proposed subdivision;

c. The date of preparation of the plat, north arrow and scale (written in graphic presentation);

d. Key or location map showing the location of subdivisions within the mile section;

e. An accurate legal description;

f. The location and dimensions of all boundary lines of the proposed subdivision to the nearest one-hundredth of a foot;

g. The names of all adjacent subdivisions and the names, locations and widths of all existing and proposed streets, easements, drainage ways and other public ways adjacent to the property;

h. The location and widths of easements of all oil, gas and petroleum products pipelines and the location and widths of easements of existing utilities on or adjacent to the property;

i. The location of oil or gas wells, either existing active or inactive wells, plugged or unplugged abandoned wells, as shown by the records of the Oklahoma Corporation Commission and by such other oil and gas well service records as may be required by the City of Sand Springs, or any planned future well sites as provided for in these Regulations'

j. The location and description of all existing structures, water bodies and watercourses, and other natural or manmade features (including but not limited to mines that are active or abandoned, caves, etc.) on the property being platted;

k. Areas subject to flooding based upon the regulatory flood;

l. Names, locations and widths of all proposed streets;

m. The location of drainage ways, pedestrian ways, bike paths, parks, playgrounds, public ways, or other public or private reservations;

n. All proposed lots consecutively numbered, lot dimensions and building setback lines;

o. All blocks numbered consecutively;

p. A topographic map of the area proposed to be subdivided with contour lines having two (2) foot contour intervals based on the United States Coastal and Geodetic Survey Datum; end

q. Any other information as may be deemed by the Planning Commission as reasonably necessary for the full and proper consideration of the proposed subdivision.

### **3.4 PRELIMINARY CONSTRUCTION PLANS**

The preliminary construction plans for improvements shall be prepared by a professional engineer registered in the State of Oklahoma and shall be submitted in accordance with the requirements and specifications of the department or agency having jurisdiction over the improvements and shall show:

1. The location and proposed width of each street, sidewalk and pedestrian way;
2. The location of proposed sanitary sewers and water distribution systems;



3. The proposed plans and specifications for any privately owned water or sanitary sewage system if such system is to be used;

4. The results of soil percolation tests, if septic tank sewage disposal systems are to be used;

5. A drainage plan indicating the location of proposed storm sewers, location and width of proposed open drainage ways; and

6. The proposed location and size of detention or retention facilities if said facilities are required.

### **3.5 FINAL CONSTRUCTION PLANS**

The final plans for improvements shall be prepared by a registered professional engineer and shall be submitted in accordance with the requirements and specifications of the department or agency having jurisdiction over the improvements and include the following information:

1. Profiles showing existing and proposed elevations along the center lines of each proposed street, with existing and proposed grades;

2. Cross-sections of each proposed street, pedestrian way and sidewalk showing the type and width of pavement;

3. Plans and profiles showing the location of proposed sanitary sewers, with the grades and sizes indicated;

4. Proposed plans and specifications for privately owned water or sewage system, if such a system is to be used;

5. Results of soil percolation tests, if a septic tank sewage system is to be used;

6. Plans and profiles of the proposed water distribution system, showing pipe sizes and the location of all valves and fire hydrants; and

7. A drainage plan showing all existing and proposed storm sewers, manholes, catch basins, retention or detention facilities, watercourses, culverts and other drainage structures within the tract, or adjacent thereto, with pipe sizes, grades and water openings. The drainage plan shall also show the size of dedicated easements or reservations for all detention facilities and drainage ways and whether private or public maintenance is proposed.

### 3.6 FINAL PLAT

1. The final plat shall be at the same scale as the preliminary plat, and include all of the information required as a condition of approval of the preliminary plat and be prepared by a registered professional land surveyor.

2. The final plat shall be drawn in accordance with the requirements of Oklahoma State Law and these Regulations (see Figure 5). The County Clerk may accept variances to these requirements because of the state of the art of reproductive capabilities.

3. The following information shall be required on the final plat:

- a. Name of the subdivision;
- b. The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than the owner and the name and address of the registered land surveyor preparing the final plat;
- c. The date of preparation of the plat, north arrow and scale (written and graphic presentation);
- d. Key or location map showing the location of subdivisions within the mile section;
- e. An accurate legal description of the property;
- f. The total acres and total number of lots in the subdivision;
- g. The names of all adjacent subdivisions and the names, locations and widths of all existing and proposed streets, easements, drainage ways and other public ways, adjacent to the property;
- h. The boundary of the subdivided area, block boundary, street and other right-of-way lines and distances, angles and/or bearings, and where these lines follow a curve, the central angle, radius, points of curvature, length of the curve and the length of intermediate tangents;
- i. The accurate dimensions of all property to be offered for dedication for public use and all property for the common use of the property owners within the subdivision with the purpose of use stated on the plat;
- j. The dimensions of all lots and lot lines and the bearings of all lot lines not parallel or perpendicular to the street right-of-way line;

k. All easements shall be denoted by fine dashed lines, clearly identified and dimensioned, and if already of public record, the recorded reference of such easements, the width of the easement with sufficient ties to accurately locate it with respect to the subdivision must be shown;

l. The boundary lines of the fully urbanized 100 year floodplain shall be delineated on the face of the plat and the following certification shall be placed on the face of the plat: "The contents of the fully urbanized floodplain are contained within the drainage easements and/or reserve areas as shown."

m. Easements located outside the boundaries of the plat and required for plat approval;

n. The deeds of dedication and any deed restrictions applicable to the subdivision shall be shown;

o. The location of every oil or gas well, either existing active or inactive wells, plugged or unplugged abandoned wells, as shown by the records of the Oklahoma Corporation Commission and by such other well service records as may be required by the City of Sand Springs, and the location of any planned future well sites in the unincorporated areas of the County as required herein;

p. The location of any mines (active or abandoned), caves and other similar manmade or natural geological features;

q. Blocks shall be consecutively numbered and all lots within each block shall also be consecutively numbered;

r. The basis of all bearings shall be noted on the face of the plat;

s. The size, location, description and identification of all monuments to be set. The size, location and identification of all monuments found, found and accepted, retagged, recapped and replaced by making the survey shall be shown to assure the perpetuation or re-establishment of any point or line of the survey;

t. Coordinates of all block corners, points of intersection, points of curve, points of tangent, points of reverse curve, points of compound curve, center of the cul-de-sac, and center of the eyebrow;

u. Any other information as may be deemed by the Planning Commission as necessary for the full and proper consideration of the proposed subdivision; and

v. The final plat certificate of approval block shall be marked on the face of the final plat.

4. The following written certifications will be required prior to final plat approval by the Planning Commission and City Council:

a. Certification by the registered professional land surveyor as to the accuracy of the survey and of the plat and that the monuments and bench marks are accurate as to location shown;

b. Certification by a registered professional engineer that the design of the required improvements will be in conformance with the Engineering Design Criteria and other standards, requirements, and provision of the applicable agency or department and these Regulations;

c. Certification by the City Engineer that the subdivision plat conforms to all locally adopted standards, specifications, these Regulations and the Engineering Design Criteria;

d. Certification by the Oklahoma Department of Environmental Quality that the subdivision conforms to the applicable health regulations; and

e. Certification by the City Water and Sewer Department or other appropriate authority that the subdivision conforms to all applicable regulations concerning public water supply and sanitary sewer facilities.

5. The following supplemental information shall be submitted with the final plat:

a. Current certification by a bonded abstractor, attorney, registered professional land surveyor, or title insurance company of the names of the last grantees of record owning the entire interest in the property being subdivided plus holders of mortgages and liens filed of record;

b. The consent of all owners of the subject property to the platting of the property;

c. Certificate of notice as to the platting of the property to the holders of mortgages and liens thereon; and

d. Current certification from the Oklahoma Corporation Commission setting forth the status of all oil and gas drilling and related activity on said property and as otherwise required in these Regulations.

## **SECTION 4. PLANNING DESIGN REQUIREMENTS**

### **4.1 GENERAL**

The design of each subdivision shall be in accordance with the applicable zoning regulations, the policies, goals and objectives of the Comprehensive Plan, these Regulations and the Engineering Design Criteria. Each subdivision shall relate harmoniously to the existing and planned surrounding development and to the community as a whole. The development of each subdivision shall proceed in an orderly, safe, efficient, and attractive manner once construction is started. The following planning and design requirements shall be addressed in each subdivision:

1. Neighborhood Concept

The Neighborhood Concept shall be recognized in the design and development of each subdivision as described in the Comprehensive Plan. This concept is shown graphically in Figure 6.

2. Site Characteristics

Each subdivision plat shall, to the extent practical, be designed to retain the natural topography and vegetation of the site in the building and recreational areas.

3. Parks and Open Spaces

Each subdivision shall contribute to the provision of parks and open spaces (see Figure 7) as required in these Regulations and in accordance with the Comprehensive Plan. Areas purchased or otherwise set aside for public parks and open spaces shall include tracts of land on which unique natural features should be preserved, as well as those lands of suitable size and shape for development as passive and active recreational areas. Environmentally sensitive areas, such as steep slopes, timbered areas, streams and floodplains may, only with the approval of the City of Sand Springs, be designated by the subdivider as public park and/or open space areas and utilized as amenities to the development.

4. Circulation

The street and sidewalk system of a subdivision shall be appropriately designed and related to the proposed land use. The density of the proposed development will determine the size of right-of-way and paving in keeping with the areas being served as well as being in accordance with these Regulations, the adopted Engineering Design Criteria, the Comprehensive Plan and the Major Street and Highway Plan. Residential streets shall be laid out so that their use by through traffic will be discouraged. Arterial streets should serve as the boundaries of neighborhoods.

## 4.2 STREETS

### 1. General

The arrangement, character, extent, width, grade and location of all streets shall conform to these Regulations, the Engineering Design Criteria, the Comprehensive Plan and the Major Street and Highway Plan. Further, the relationship of existing and planned streets, topographic conditions, public convenience and safety, and the proposed uses of the land to be served shall be considered in determining the arrangement, character, extent, width, grade and location of all streets. Where streets are not shown on the Comprehensive Plan or the Major Street and Highway Plan, the arrangement of such streets in a proposed subdivision shall:

a. Provide for the continuation or appropriate projection of existing streets in the surrounding areas; or

b. Conform to a plan for the neighborhood as reviewed by the Planning Commission and approved by the City Council to meet a particular situation in which topographical or other conditions make continuance or conformance to existing street patterns impracticable.

### 2. Access

a. Each lot in a proposed subdivision shall be provided with access to a public street, highway or approved private street or access way to assure the convenience of the lot owner, and including but not limited to access for the following public purposes: For adequate and convenient open spaces for traffic, utilities, solid waste collection, access of firefighting apparatus, police and other emergency vehicles, parking lots, parks, light and air, and for the avoidance of congestion.

b. Reserve strips controlling access to streets shall be prohibited except where the control of such reserve strips is placed with the City of Sand Springs under conditions reviewed by the Planning Commission and approved by the City Council.

c. Where a subdivision abuts or contains an existing or planned arterial street:

(1) Nonaccess provisions controlling ingress and egress to such arterial streets may be required by the Planning Commission in accordance with adopted standards to assure traffic safety and to relieve congestion at intersections.

(2) The Planning Commission may require reverse frontage lots with limits of access or nonaccess reservations along the rear property line or such other treatment as may be necessary for adequate protection of residential properties affording separation of arterial traffic from ingress and egress to individual lots.

3. Border Streets

Where a subdivision borders or contains a railroad right-of-way, drainage way, park, open space area or limited access highway, the Planning Commission may require a street (see Figure 8) approximately parallel to and on each side of such right-of-way or areas at a suitable distance while providing for the appropriate use of the intervening land, such as for park or open space uses in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grade and future grade separations.

4. Marginal Access Streets

Where a residential street abuts or contains an existing or proposed street and the subdivider elects to design lots that front the arterial street, the Planning Commission may require marginal access streets for adequate protection of these properties and to afford separation of arterial traffic from the ingress and egress to individual residential lots.

5. Dedication of Right-of-Way

Whenever an existing major street is located adjacent to the outer edge of a subdivision, one-half (1/2) of the right-of-way shown on the Sand Springs Major Street and Highway Plan shall be dedicated. Half street dedications on minor streets are not permitted.

6. Alignment.

a. The design speed of residential streets and minimum distance between the centerlines of intersecting streets shall be in accordance with the Engineering Design Criteria.

b. The City Engineer may require that streets be connected by a curve or diagonal in such a manner that hazardous turning movements will be eliminated.

7. Right-of-Way Widths

Street right-of-way widths of all proposed streets shall be in accordance with the Sand Springs Major Street and Highway Plan (see Figure 9) and where not designated therein, the minimum width shall not be less than the following:

TYPE OF STREET	RIGHT-OF-WAY
Freeway/Beltway	As per ODOT and City of Sand Springs Standards

Primary Arterial	120' *
Secondary Arterial and Secondary Arterial Alternate	100' **
Commercial Collector/Industrial Collector, Commercial/Industrial Street with Open Drainage, Commercial Business District Street	80'
Residential Collector, Residential Street with Open Drainage, Commercial/Industrial Street	60'
Residential or Minor Street	50'
Alleys Commercial, Industrial and Residential	20'

\* 130' Minimum Right-of-Way is required for a right turn lane at the intersections of all primary arterials to extend a distance of 388' paralleling the right side of said street. See Figure 10.

\*\* 110' Minimum Right-of-Way is required for a right turn lane at the intersections of all secondary arterials to extend a distance of 388' paralleling the right side of said street. See Figure 10.

a. If green ways or drainage ways influenced by topographical features, streams or ponds, ravines, wooded areas or other natural features are to be provided within the proposed plat, then the width and location of the right-of-way shall be ultimately determined by the City of Sand Springs as may be deemed necessary to preserve such features.

b. The pavement width, standards for street surfacing, curb and guttering, storm sewer design or open space drainage shall be in accordance with the Engineering Design Criteria.

## 8. Cul-de-sacs

As a general rule, cul-de-sacs shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turn-around, and shall have a turn-around radius at the property line of not less than fifty (50) feet. When topography or other physically limiting factors and the needs of specific situations make changes to cul-de-sac design standards necessary to secure the best overall design, a variance from these Regulations by the Planning Commission, upon a recommendation from the Technical Advisory Committee, may be allowed.



## 9. Intersections

Street intersections shall be designed as follows:

- a. Streets shall be designed to intersect at right angles as permitted by topography and other limiting factors.
- b. Four-way intersections shall be avoided. Three-way T-intersections shall be used for minor interior streets wherever practicable. Any conflict with other applicable design principles and standards should be avoided. See Figure 11.
- c. Street jogs with centerline offsets of less than 125 feet shall be avoided.
- d. Points of access to arterial streets should be limited in number.
- e. Minor street intersections with arterial streets should be no closer than 600 feet from the intersection of other minor and arterial streets.

## 10. Grades

Street grades shall be designed as follows:

- a. The maximum grade for non-arterial streets shall be in accordance with the Engineering Design Criteria.
- b. All changes in grade shall be connected by vertical curves and designed for safe stopping sight distances and otherwise be in accordance with the Engineering Design Criteria.
- c. The maximum grade of a residential street when intersecting an arterial street shall be in accordance with the Engineering Design Criteria.
- d. The maximum grade of residential streets at intersections with other residential streets shall be in accordance with the Engineering Design Criteria.
- e. Street grades shall be established in such a manner as to avoid excessive grading or removal of tree growth whenever possible.

## 11. Curvature

The radius of curvature on the centerline of all streets shall be designed to reflect the associated design speed and be in accordance with the Engineering Design Criteria.

## 12. Street Names and Numbers

a. No names shall be used that will duplicate or be confused with the names of existing streets. All north and south thoroughfares shall be designated "Avenues," all east and west thoroughfares shall be designated "Streets," and numbering shall be in accordance with the adopted policy of the City of Sand Springs. Where a street or avenue is an extension of an existing street or avenue, new names or numbers may be used subject to the approval of the Planning Commission and City Council.

b. Lot address numbers shall be assigned by the Planning Department and shown on an address plat prepared by the City of Sand Springs.

### 4.3 SIDEWALKS

The relationship to existing and planned streets, topography, public convenience and safety, and the proposed use of the land being subdivided shall be considered in determining the requirement, arrangement, character, extent, width, grade and location of all sidewalks. Sidewalks shall be constructed in accordance with the Engineering Design Criteria and as follows:

1. Sidewalks shall be constructed in accordance with the Engineering design Criteria within the dedicated right-of-way and shall be required in accordance with these Regulations.

2. All sidewalk layouts and designs for primary and secondary arterial streets, the central business district and other commercial and industrial areas shall be furnished by the City Engineer.

3. Sidewalks shall be required on both sides of all primary and secondary arterial streets, commercial and industrial collectors and on both sides of minor and collector streets serving a residential subdivision except where the typical pavement section provides for a shoulder and borrow ditch (no curb) or where Residential Estates (RE) zoning has been allowed.

4. Sidewalks shall provide for safe and convenient access for persons with disabilities, including those persons in a wheelchair. Curb ramps shall be constructed in accordance with standard details provided by the City Engineer.

5. The Planning Commission may require (in order to facilitate pedestrian access to schools, parks, playgrounds) perpetual unobstructed easements of not more than ten (10) feet wide to provide adequate pedestrian circulation. Such easements shall be shown on the plat.

#### **4.4 ALLEYS**

Alleys shall be designed and provided as follows:

1. Alleys shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking, that is consistent with and adequate for the intended uses.

2. The right-of-way width for alleys serving commercial and industrial areas shall be not less than twenty (20) feet.

3. Alleys are not required for residential areas, but when provided, the right-of-way width for residential alleys shall not be less than twenty (20) feet.

#### **4.5 BLOCKS**

The length, width and shape of blocks shall be suited for the planned use of the land, be consistent with zoning requirements and the need for convenient access, control and safety of street traffic and the limitations of the topography. Block length and width shall be designed as follows:

##### **1. Length**

Block lengths in residential areas shall not be greater than fifteen hundred (1500) feet. In those cases where length of the block exceeds one thousand (1000) feet, the Planning Commission may require easements for pedestrian ways through the block which shall have a minimum width of ten (10) feet and a paved sidewalk constructed in accordance with the Engineering Design Criteria and these Regulations.

##### **2. Width**

Blocks for residential areas shall have sufficient width to provide for two (2) tiers of lots of appropriate depth except on the boundaries of the subdivision or as required to separate residential development from other types of through traffic. Blocks intended for commercial or industrial uses should be of a width suitable for the intended use, with due allowance for off-street parking and loading facilities. Blocks for such uses should not normally exceed six hundred (600) feet.

#### **4.6 LOTS**

Lots shall be designed as follows:

##### **1. Configuration**

The size, shape and orientation of lots shall be appropriate for the location of the subdivision and the proposed type of development.

2. Access.

Every lot shall have frontage on and abut a dedicated public street, or abut a publicly approved private street in a Planned Unit Development, or have other publicly approved access.

3. Zoning Requirements

Lot dimensions, yards, building setback lines and lot area shall conform to the minimum requirements of the Zoning Code unless varied by the Board of Adjustment or superseded and specified to be otherwise in a Planned Unit Development.

4. Private Sewer and/or Private Water

Where a proposed subdivision is not served by a public sewer and/or public water system, lot dimensions and area shall conform to the requirements of the Oklahoma Department of Environmental quality.

5. Corner Lots

Lots at the intersections of streets should exceed the minimum Zoning Code lot area requirements to provide adequate building areas and building setbacks from intersecting streets.

6. Lot Depth

Excessive lot depth in relation to lot width is discouraged. A proportion of 1:1 or 2:1 will normally be considered appropriate.

7. Lot Lines

Side lot lines should be at approximately right angles to straight street lines or radial to curved street lines.

8. Parking and Loading

Commercial and industrial lots should be of an appropriate size and shape to provide adequate off-street parking and loading facilities.

## 9. Double Frontage and Reverse Frontage

Double frontage and reverse frontage lots should be avoided except where necessary to provide separation of residential development from through traffic or to overcome disadvantages of terrain and orientation.

## 10. Acre Lot Subdivisions

When land is subdivided into one (1) acre lots or greater, consideration should be given to the opening of future streets and further subdivision.

### **4.7 EASEMENTS**

Proposed subdivisions shall provide for easements (see Figure 12) and right-of-way as follows:

#### 1. General

Easements shall be provided and dedicated in accordance with the Engineering Design Criteria and these Regulations. Regarding the dedication of required easements, the subdivider shall stipulate that no building, structure or other above or below ground obstruction shall be placed, erected, installed or permitted on such easement in a manner that will, in the judgment of the City of Sand Springs, interfere with installation, operation, maintenance, repairing, removing, or replacing of utilities.

#### 2. Width

Easements, where necessary, shall be of a minimum width of twenty-two (22) feet, eleven (11) feet on each side of all rear lot lines and seventeen and one-half (17.5) feet for perimeter easements or of a width and location as specified by the Technical Advisory Committee and when necessary be provided along other lot lines for poles, wires, conduits, sanitary sewers, gas, water, power, communications and other utility lines.

#### 3. Drainage Easements

Suitable drainage easements, as required by the Engineering Design Criteria, shall be required on all proposed subdivisions.

#### 4. Technical Advisory Committee Review

The location, width and alignment of all easements shall be subject to review and recommendation by the Technical Advisory Committee and Planning Commission prior to approval and acceptance by the City of Sand Springs.

## 5. Standard Location of Underground Utilities

The standard location of underground utilities shall be in accordance with Figure 12 of these Regulations.

### **4.8 FLOODPLAIN AREAS**

Lands that are identified on the official maps of the City of Sand Springs 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 of Sand Springs 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

a. The intended use of the land is permitted by the adopted ordinance sand 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

b. The intended use of the land is permitted by a Special Exception, Variance, or by other adopted policy of the City of Sand Springs.

### **4.9 STORMWATER DRAINAGE AND DETENTION FACILITIES**

Stormwater drainage and detention facilities shall be required in accordance with these and other City of Sand Springs regulations and policies as follows:

1. The storm water drainage system shall be designed and constructed in accordance with the standards and requirements of the Engineering Design Criteria to receive and to pass the runoff from a 100-year frequency rainstorm under conditions of full urbanization. Full urbanization is defined as the total development that is anticipated. The entire flow shall be contained within said storm water drainage system.

2. Stormwater detention facilities, when required, shall be designed and constructed in accordance with the Engineering Design Criteria.

### **4.10 PARK AND RECREATION FEE OR AN OPTION TO REQUIRE DEDICATION OF PARK LAND IN LIEU OF PAYMENT OF A FEE**

As land is developed for residential use, the need for additional park land and improved recreational facilities to serve the community is created. In order to provide funds for this need, a Park and Recreation Fee shall be imposed on each residential building permit. Solely at the option of the City of Sand Springs, an option to require dedication

of park land in lieu of payment of the Park and Recreation Fee shall be imposed as specified in the Appendix.

The Park and Recreation Fee shall be assessed and paid as follows:

1. Applicability and Amount of Fee

Before a residential building permit is issued to construct any residential dwelling unit, the Park and Recreation Fee shall be paid with the building permit application in the following amount:

Single-Family Dwellings	\$75.00 + \$25.00 per Bedroom
Duplex Dwellings	\$105.00 + \$25.00 per Bedroom
Multi-Family Units	\$250.00 per Dwelling Unit
Mobile Homes	\$250.00 per Lot or Space

2. Determination of the Fee

a. The number of bedrooms in each proposed dwelling unit shall be determined from the building plans filed with the building permit application and shall include as bedrooms, all rooms however labeled on the plans (other than living rooms, dining rooms, dens, kitchens, and bathrooms) that are suitable for conversion to bedrooms. The number of bedrooms attributable to a unit shall include not only those areas labeled as bedrooms on the plans, but may include any area in the dwelling unit that (because of its size, location, facilities or relationship to other areas of the dwelling unit) is deemed divisible so as to create one or more additional bedrooms.

b. In the case of mobile homes, the \$250.00 fee per lot or space shall be paid at the platting stage of the development. The appropriate fee will be required to be paid before the final plat is signed and released for recording.

c. The total amount of the Park and Recreation Fee shall be determined by the Building Inspector of the City of Sand Springs based upon the plans submitted with the building permit application. If the applicant does not agree with the required fee as determined by the Building Inspector, the decision of the Building Inspector may be appealed to the Board of Adjustment.

3. Exemptions from the Park and Recreation Fee

The fees imposed by the above sections shall not apply to the following types of construction:

a. Reconstruction of a dwelling unit or portion thereof that has been damaged or destroyed by fire, flood or other causes over which the owner has no control; or

b. Expansion, remodeling and/or alteration of a dwelling unit where an additional bedroom is created.

c. Redevelopment/Reconstruction of property zoned and approved for residential development that has previously had a residential structure placed on it.

#### 4. Park and Recreation Fund

The proceeds of the Park and Recreation Fee shall be set aside in a fund entitled the "Park and Recreation Fund" to be used exclusively for the acquisition of new park land and/or improvements thereon as follows:

a. At such time as the City Council, based upon the recommendation of the Park Board (as to the desirability of the tract) and Planning Commission (as to the appropriateness of the intended land use), determines that sufficient funds have been accumulated in the Park and Recreation Fund from and for a certain area for the purchase of new park land and/or to make improvements thereon, the City Council shall initiate the necessary procedures for such expenditures to be made.

b. Expenditures from the Park and Recreation Fund shall be made only to purchase new park land and/or to make improvements thereon that will reasonably serve those areas paying said fees.

#### **4.11 OIL AND GAS EXTRACTION SITES – RESIDENTIAL SUBDIVISIONS**

Subdivision plats shall show the following information as it pertains to oil and gas drilling:

##### 1. Existing operative and inoperative wells:

a. Shall be shown on the face of the plat; and

b. Documentation is required that all abandoned or inactive wells have been properly plugged; and

c. Shall be setback a minimum distance of 300' from a surface property line or structure in existence at the time of commencement of drilling, if applicable, unless the location of the well is approved by the City Council; and

d. Residences shall be setback a minimum distance of 150' from any existing well unless said well is properly plugged, or unless permission is given by the City Council; and

e. Residences shall be setback a minimum distance of 50' from any well that is properly plugged; and



f. All ingress or egress to oil and gas drilling sites shall be from section line roads unless otherwise approved by the City Council; and

g. Oil and gas drilling is not permitted in any City park unless approval of the Sand Springs City Council is given.

2. In any event and at a minimum, a certificate or clearance shall be obtained from the Oklahoma Corporation Commission as to the existence of any wells reflected in their records. Evidence of research of other oil and gas well service records may be required by the City of Sand Springs to properly evaluate and document drilling activity, past and/or present, to protect the public health, safety and welfare in the platting of land under these Regulations.

3. All subdivision plats shall be prepared in accordance with the standards and requirements of the oil and gas drilling regulations of the City of Sand Springs presently in effect and as amended, and be otherwise in compliance with these Regulations, the Zoning Code and all other applicable regulations and requirements of the City of Sand Springs.

#### **4.12 SEWAGE DISPOSAL AND WATER SUPPLY**

##### **1. General Requirements**

a. All subdivisions shall utilize a public water supply approved by the Oklahoma Department of Environmental Quality and the City of Sand Springs or other appropriate authority.

b. All plans pertaining to the collection and treatment of public sewage must be approved by the Oklahoma Department of Environmental Quality and the City of Sand Springs or other appropriate authority.

c. All plans pertaining to the distribution and treatment of drinking water must be approved by the Oklahoma department of Environmental Quality land the City of Sand Springs or other appropriate authority.

d. Proposed subdivisions that seek or require a tie-on to the City of Sand Springs public sewer system must be located within the corporate limits of the City of Sand Springs or be annexed into said corporate limits as a condition of and prior to the initiation of such service.

2. Sanitary Sewage Systems. The subdivider shall provide an internal sanitary sewer collection system that is available to each lot within the subdivision. The system shall be designed and constructed as approved by the Oklahoma Department of Environmental Quality and in accordance with these Regulations, the Engineering Design Criteria and all other applicable regulations of the City of Sand Springs. The following additional requirements shall apply:

a. Where an approved public sanitary sewer system is not available to the subdivision, as determined by the City of Sand Springs regulations, and in order to allow development during the time required to extend the public sanitary system into these areas, a central treatment plant may be allowed on a temporary basis. The plant shall meet all applicable water quality criteria and be designed, constructed and approved by the Oklahoma Department of Environmental Quality and the City of Sand Springs and otherwise meet all other applicable standards and specifications of the City of Sand Springs.

b. In those cases where the development is planned to initially utilize septic tank sewage disposal systems, the developer shall submit soil percolation test results (as required by the Oklahoma Department of Environmental Quality) to the City of Sand Springs for each lot in the subdivision to be served by said system demonstrating a soil percolation test rate in accordance with the regulations of the Oklahoma Department of Environmental Quality.

c. Restrictive covenants shall be approved and filed with the subdivision plat that the use of said systems shall only be in accordance with these Regulations and all other applicable regulations of the City of Sand Springs or other approving authority.

d. Private sewage systems shall be installed and maintained in accordance with the standards and specifications of the Oklahoma Department of Environmental Quality, the City of Sand Springs and other approving authority.

3. Where a public sanitary sewer system is not available to the subdivision, but where plans for the installation of sanitary sewers in the vicinity of the subdivision have been prepared and approved by the Oklahoma Department of Environmental Quality and the City of Sand Springs, the developer shall install such sewers in conformity with the plans. If immediate connection to that system is not possible and until such time as a connection can be made, the use of private sewage systems may be permitted.

#### **4.13 HILLSIDE DEVELOPMENT**

The development of hillside areas or any areas with a slope greater than eight (8) percent shall be designed to minimize grading and filling and in such a manner as to retain the maximum feasible amount of natural ground cover. Areas with slopes in excess of twenty (20) percent shall be utilized as open space or developed as a Planned Unit Development in accordance with the applicable provisions of the Zoning Code and these Regulations.

#### **4.14 PLANNED UNIT DEVELOPMENT**

1. When a subdivision is to be developed as a Planned Unit Development (see Figure 13) in accordance with the applicable provisions of the Zoning Code and these Regulations, the Planning Commission and the City Council may vary the requirements of these Regulations in order to allow the subdivider more freedom in the arrangement of the subdivision. However, all such development must be done in a manner so as to protect the public health, safety and welfare and future residents of the area, while being consistent with the spirit and intent of these Regulations and the Comprehensive Plan. Any and all variances from these Regulations shall only be granted in accordance with the procedural requirements as provided herein.

2. Private streets and mutual access easements may be allowed in Planned Unit Developments. All such streets shall be reviewed, inspected and built to the same standards as public streets and be maintained by the owners of land within such subdivisions. Private streets and mutual access easements shall always remain open to police, fire, and other official vehicles of all municipal, county, state and federal agencies. The following additional requirements shall apply:

a. Prior to the sale of any land within subdivisions where private streets and mutual access easements have been approved, the subdivider shall erect signs and otherwise assure the maintenance of said signs at all entrances to the subdivision and within the private drive and street right-of-way and mutual access easement indicating that said street is a private street. The manner in which the sign is constructed and installed shall be subject to the approval of the City Engineer.

b. No deed of conveyance shall ever be filed of record for any land within said subdivision unless said deed clearly states that "all property owners within this subdivision shall automatically become a member of a Homeowners Association, whose responsibility shall include development, complete maintenance and replacement of all private streets and common areas within the Planned Unit Development."

c. In order to assure that private streets and common areas are properly installed and inspected, no building permit shall be issued for any lot in said subdivision until all improvements, public and private, have been installed in compliance with the approved plan or said installation is assured to the satisfaction of the City Council.

#### **4.15 MONUMENTS**

Monuments must be set in sufficient number and be of such durability as not to be readily disturbed, to assure that together with monuments already existing, the perpetuation or re-establishment of any line or point in the survey. Monuments shall be constructed of material capable of being detected with conventional instruments for finding ferrous or magnetic objects. Monuments shall further be in accordance with the following standards and criteria:

1. Be placed at each point in the boundary of the subdivision and be a minimum of fifteen (15) inches long with a minimum diameter of one-half (1/2) inch and be made from iron pipe or bar or be made of such other materials and be of a size as approved by the City Engineer.

2. Be placed at the corner of each lot in the subdivision and be a minimum of fifteen (15) inches long with a minimum diameter of three-eighths (3/8) inch and be made from iron pipe or bar or be made of such other materials and be of a size as approved by the City Engineer.

3. Be placed along the centerline of each street at all street intersections, points of curve, points of tangency, points of compound curve, points of reverse curve, center of cul-de-sacs and center of an eyebrow.

4. In such cases where the placement of a required monument at the required location is impractical as determined by the City Engineer, a witness corner or reference monument must be placed, preferably on a line of survey, with the data given to show its location upon the ground in relation to the subdivision boundary or lot corner.

5. Benchmarks for vertical control shall be established in accordance with the provisions of the Engineering Design Criteria. Vertical control monuments must be placed at an interval of one brass cap per 20 acres or part thereof and spaced proportionately throughout the subdivision.

#### **4.16 CHANGES OF LIMITS OF ACCESS**

1. Intent

When land has been platted under these Regulations, or under other applicable law, and the owner of all land affected by the proposal seeks to add limits of access to the plat, or to remove or otherwise alter said limits of access on the plat, such action shall not require replatting nor shall it require vacation of the existing plat.

2. Application

The property owner or the owner's agent with written permission from the owner shall submit the change of limits of access application which shall include, at a minimum, the following information:

a. Drawings

Ten (10) copies of a scaled drawing which should not be of a greater size than 8½" X 11" and be drawn on forms provided with the application.

b. Specifications

The drawing shall include the proposed changes and all existing curb cuts, drives, parking areas, easements, buildings and other relevant information with the distances and dimensions shown from lot lines and adjacent streets.

3. Processing

a. Planning Staff Review

The Planning Commission staff and the City Engineer shall review and evaluate the impact of the proposed changes on traffic flow, utility easements, and the implementation of the various plans as adopted by the City, or on the flow of traffic on private streets and adjacent or abutting property owned by persons other than the applicant. Staff comments shall be forwarded to the Technical Advisory Committee.

b. Technical Advisory Committee Review

The Planning Commission staff shall present the application to the Technical Advisory Committee for review and comment. The recommendation of said Committee shall be compiled with that of the Planning Commission staff and City Engineer and transmitted to the Planning Commission.

c. Planning Commission Review

The Planning Commission shall review the proposed change and either recommends approval, approval with conditions, or denial. The recommendation of the Planning Commission shall be subject to final approval by the City Council.

d. City Council Review and Approval

The City Council shall review the proposed change of access and either approve, approve with conditions or disapprove the application.

e. Filling of the Final Document

The owner or the owner's agent, upon satisfaction of any conditions of approval, or upon receiving an unconditional approval from the City Council, shall file the approved documents with the County Clerk of the county in which the property is located and return a certified copy of the filed document to the City Clerk of the City of Sand Springs.

## **SECTION 5. REQUIREMENT FOR IMPROVEMENTS AND STANDARDS**

### **5.1 GENERAL REQUIREMENTS FOR IMPROVEMENTS**

#### **1. Installation of Improvements**

Following the approval of the final construction plans, and prior to approval of the final plat, the subdivider shall complete in a manner satisfactory to the City Engineer, all improvements required, and said improvements shall be free and clear of all liens, claims and encumbrances.

#### **2. Assurances Guarantying Installation of Improvements.**

In lieu of the installation of the required improvements prior to the final plat approval, the subdivider shall agree in writing with the City to complete all required improvements in a manner satisfactory to the City. To evidence this agreement, the subdivider shall execute a document entitled "Agreement Guarantying Installation of Improvements" as required by the Engineering Design Criteria.

#### **3. Time Limit**

Prior to granting approval of the final plat, the subdivider and Planning Commission shall agree upon a deadline for the completion of all required improvements. The period within which required improvements must be completed shall be specified by the Planning Commission in the action approving the final subdivision plat and shall not exceed two (2) years from date of final approval, unless extended by the Planning Commission. Such an extension shall be granted by the Planning Commission for good cause as determined by the Planning Commission.

#### **4. Vacated Plats**

Vacation of the plat, as provided by State Statute, shall remove the obligation to construct improvements.

### **5.2 IMPROVEMENTS REQUIRED**

#### **1. Street Improvements**

The subdivider shall design, grade, oversee, test and otherwise improve all streets which are designated on the approved plat or which directly serve the subdivision in accordance with the Engineering design Criteria as directed by the City Engineer.

## 2. Street Traffic Control Devices, Signs and Names

The City shall provide the initial street name identification signs and poles and install all traffic control devices and signs. Street names shall be subject to the final approval of the City Council after review and recommendation from the Planning Commission.

## 3. Street Lights

The subdivider shall provide adequate street lighting in the subdivision in accordance with the specifications of the Engineering Design Criteria.

## 4. Monuments and Markers

Permanent reference markers shall be placed according to the specifications of the Engineering Design Criteria and as provided in these Regulations. The location of brass caps shall be shown on the face of the final plat.

## 5. Public Water Supply

Where an approved public water supply is reasonably accessible, as determined by the City of Sand Springs, the subdivider shall install water lines and fire hydrants to connect with such water supply and make it available to each lot within the subdivided area. The final plat shall not receive City Council approval until it is certified by the City-County Health Department that there has been compliance with the regulations of the Oklahoma Department of Environmental Quality and where indicated, meets other jurisdictional governing body requirements.

## 6. Stormwater Drainage and Detention Facilities

The subdivider shall provide a stormwater drainage system that is designed and constructed in accordance with the Engineering Design Criteria.

## 7. Sanitary Sewer System

a. Where a public sanitary sewer is reasonably accessible as determined by the City of Sand Springs, the subdivision and each lot within said subdivision shall be provided with a connection thereto. All connections shall be subject to the approval of the City Engineer and be in accordance with the regulations of the Oklahoma Department of Environmental Quality and the Engineering Design Criteria.

b. Where a public sanitary sewer system is not reasonably accessible but where plans for the installation of sanitary sewers in the vicinity of the subdivision have been prepared and approved by the Oklahoma Department of Environmental Quality, the subdivider shall install sewers in conformity with such plans. Where immediate connection is not possible and until such connection with the sewer system

can be made, the use of private sewage treatment facilities may be permitted, provided such disposal facilities are installed and maintained in accordance with the regulations of the Oklahoma Department of Environmental Quality.

#### 8. Utilities

Electric cable, television cable, telephone lines, and other utilities shall be installed in the easements specified on the subdivision plat and otherwise as shown in Figure 12 of these Regulations.

### **5.3. PLANS AND IMPROVEMENTS REQUIRED**

1. Three (3) sets of prints of the proposed final construction plans and specifications for all improvements required by these Regulations and the Engineering Design Criteria shall be prepared by a qualified registered engineer and submitted to the City Engineer. The City Engineer shall approve or require modification of those construction plans.

2. The subdivider shall be required to participate in a pre-construction meeting with the appropriate City staff.

3. Following the approval of the final construction plans, the subdivider shall complete in a manner satisfactory to the City Engineer all required improvements and said improvements shall be free and clear of all liens, claims and encumbrances, except or unless as agreed to in the "Agreement Guarantying Installation of Improvements" as required by the Engineering Design Criteria.

4. The final plat may then be approved and released by the City for filing in the office of the County Clerk in which the property is located.

### **5.4 INSPECTIONS AND CERTIFICATIONS**

The City Engineer shall inspect or otherwise secure the inspection of the construction of the required improvements for conformance with the approved plans and specifications. Upon completion of the improvements, the City Engineer shall file with the City Council a statement either certifying that the improvements have been completed in accordance with these Regulations and the Engineering Design Criteria or that the improvements are defective, listing the defects.

### **5.5 RECORD DRAWINGS**

1. Upon completion of the improvements, the subdivider and his engineer shall file with the City Engineer one (1) Mylar set of Record Drawings, certified and signed by a registered engineer for said improvements. Said Record Drawings shall be filed with the City prior to the issuance of building permits in the platted area or within a



schedule of time agreed to by the developer and the City Council. The Record Drawings shall certify:

- a. That all required improvements are complete; and
- b. That the subdivision improvements are in compliance with these Regulations and the Engineering Design Criteria; and
- c. That the improvements have been constructed in accordance with the approved plans and specifications.

2. Subdividers with the capabilities of generating Record Drawings as computer layouts and system drawings for plats, water, sanitary sewer, street, drainage, grading, etc., shall provide the City Engineers office with computer files of such drawings.

## **5.6 IMPROVEMENTS ACCEPTANCE OR FORFEITURE**

The City Council shall accept by formal recorded action any or all improvements before such improvements become public property, provided that all statements and agreements specified above have been received and that Record Drawings have been submitted. The maintenance bond shall begin with the acceptance by the City Council. Approval of the Record Drawings by the City Engineer 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, or said completion guaranteed in accordance with the provisions of these Regulations and the Engineering Design Criteria and no municipal utility service will be furnished to such lot until the approved Record Drawings have been received by the City.

## **5.7 MAINTENANCE BOND**

Prior to acceptance of these improvements by the City Council, the subdivider shall obtain a maintenance bond or irrevocable letter of credit from a surety bonding company authorized to do business in the State of Oklahoma. The bond shall be filed with the City Clerk and shall be payable to the City. The amount of the bond shall be equal to one hundred percent (100%) of the entire cost of said improvements including all water lines, sanitary sewer lines, streets, grading and drainage improvements. The duration of the maintenance bond for streets and drainage improvements shall be two (2) years from the date of acceptance of said street and drainage improvements by the City Council. The duration of the maintenance bond for all other improvements shall be one (1) year from the date of acceptance of said improvements by the City Council.

## **SECTION 6. LOT SPLIT PROCEDURES AND STANDARDS**

### **6.1 AUTHORITY**

The Planning Commission, pursuant to the powers and jurisdiction vested through Title 11, Oklahoma State Statutes, Section 45, does hereby exercise the power and authority to review, approve and disapprove transfer of land hereinafter referred to as lot splits.

### **6.2 INTENT AND PURPOSE**

The provisions contained in this Section are intended to establish minimum procedures and standards for lot splits in order to accomplish the policy and purposes set forth in these Regulations.

### **6.3 PROCEDURE**

The following procedure shall be followed in processing lot splits:

1. A lot split application shall be filed with the Planning Commission staff and the appropriate fee paid in accordance with the following requirements;
  - a. Where the application is to be reviewed by the Planning Commission alone, four (4) copies of a scaled drawing shall accompany the lot split application. Where possible, the drawing should be placed in the space provided on the application form;
  - b. Where review will include other agencies or companies, in addition to the Planning Commission staff, eight (8) copies of a scaled drawing shall accompany the application;
  - c. The drawing itself shall include all existing and proposed lot lines, all existing buildings and improvements and distances from lot lines, adjacent streets and street widths, existing access limitations, a north arrow and scale; and
  - d. In all cases where drawings are attached on separate sheets, the subdivider is encouraged to limit the drawing to a maximum size of 8 ½ inches by 14 inches.
2. During the lot split review process the Planning Commission staff shall:
  - a. Distribute copies of the application form and drawing to the Technical Advisory Committee, other appropriate officials, agencies or departments;
  - b. Field check the area being lot split;

c. Review the application for conformance with the Comprehensive Plan, Zoning Code or Planned Unit Development conditions, Board of Adjustment actions, and these regulations; and

d. Prepare recommendations including comments of other officials, agencies or departments contacted and the Technical Advisory Committee.

3. For those lot splits that involve acquiring easements or in the staff's opinion require review by additional companies or agencies, but do not involve a waiver of a zoning or subdivision regulation requirement, the following procedure shall be followed:

a. A copy of the application and drawing shall be sent to the utility companies and/or the Public Works Department by the Planning Commission staff;

b. After each company or agency to which the application was referred has notified the Planning Commission staff of all requirements, the staff shall in turn notify the subdivider;

c. If the lot split is on a tract that is utilizing or will utilize a private sewage disposal system, a copy of the application form and drawing shall be given to the subdivider, who in turn shall deliver it to the City-County Health Department. The City-County Health Department shall notify the staff of the approval or disapproval of the lot split; and

d. When approvals from all companies or agencies involved are received, the City Planner shall place the lot split on the agenda of the Planning Commission.

4. For the lot splits that involve a waiver of any provision of these Regulations, the following procedure shall apply:

a. A cut-off date shall be observed, such date to coincide with that of subdivision plats;

b. The subdivider shall describe on the lot split application the exact nature of the requested waiver and describe why compliance with these Regulations is not possible;

c. A copy of the lot split application shall be sent to the utility companies, the Public Works Department, and to the City-County Health Department, if required. The Planning Commission staff shall indicate on the application the date of the Technical Advisory Committee meeting at which the application shall be reviewed and that it is a request for a waiver of these Regulations;

d. The Planning Commission staff shall present the application at a Technical Advisory Committee meeting where the lot split will be reviewed by that Committee;

e. The findings and recommendations of the Technical Advisory Committee shall be compiled with the Planning Commission staff recommendation and the application shall be heard at the next Planning Commission meeting; and

f. The Planning Commission shall review the requested lot split and either approve or disapprove the requested waiver as provided by these Regulations. If approved by the Planning Commission, the lot split approval may be further subject to the approval of the Board of Adjustment if a waiver or variance of a Zoning Code requirement is involved. If the application is disapproved by the Board of Adjustment, the applicant may appeal the decision of the Board of Adjustment to the District Court.

5. If the Planning Commission denies a lot split, the denial may be appealed to the City Council within 10 days of the Planning Commission meeting. The action of the City Council shall be final except as otherwise subject to applicable State Statutes.

#### **6.4 CERTIFICATE OF APPROVAL**

1. Approval shall be shown by certification on the instrument of transfer as required by State Statute. The certification shall be signed by the Chairperson, Vice-Chairperson, or Secretary of the Sand Springs Planning Commission.

2. The subdivider may then file the instrument with the County Clerk of the county in which the property is located. The approved instrument shall be an official document that will be contained in the abstract of the property being split.

#### **6.5 APPROVAL GUIDELINES**

Approval or disapproval of a lot split shall be based upon the following guidelines:

1. Lots

a. Lot dimensions shall conform to the Zoning Code and these Regulations. In the event that the tract to be split does not lie within the force and effect of an existing zoning ordinance, it is deemed desirable that a single-family residential lot be a minimum of 60 feet in width and 6,900 square feet in area with 30 feet of frontage on a public roadway.

b. In the case of lots not served by public sanitary sewers and/or public water, such lots shall exceed the requirements set forth above with sufficient additional area to properly accommodate a suitable private sewage disposal device. Appropriate tests shall be made accordingly, with an adequacy determination to be made by the City-County Health Department. The determination of adequacy shall

subsequently be reported to the Planning Commission for consideration during the review of the lot split application.

c. Corner lots should have an extra width and area beyond the minimum requirements for other lots as may be necessary to permit appropriate setbacks on both streets while insuring that adequate buildable space remains.

## 2. Easements and Utilities

Where a lot split will result in a lot having inadequate access to utility easements, dedication of easements shall be required in accordance with the requirements of the applicable utility company or companies, these Regulations and the Engineering Design Criteria.

## 3. Access and Streets

a. Where a tract to be split is controlled by non-access provisions, no lot shall be approved where such provision will preclude access for said lot.

b. The splitting of land shall provide each lot with access to a public street or highway, so that the convenience of the lot owner or user is assured, and that the layout of utilities, garbage and waste removal, fire protection and public health and safety will also thereby adequately be provided for.

c. Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Major Street and Highway Plan, the lot split shall not be approved where the street right-of-way fails to conform to said plan except upon a finding by the City of Sand Springs that:

(1) All utilities are in place and the additional right-of-way is not required for utility placement; and

(2) The public has, by virtue of statutory easement or suitable roadway dedication, right-of-way sufficient to allow the placement of pavement for streets and sidewalks of a width necessary to meet the standards of these Regulations, the Major Street and Highway Plan and the Engineering Design Criteria for the particular improvement involved; and

(3) Development made possible by the lot split itself will not measurably increase the burden of traffic on an adjacent street to such an extent that it would adversely affect the public health, safety and welfare; or

(4) Existing structures lie in the right-of-way proposed by the Major Street and Highway Plan and otherwise preclude the extension of said right-of-way and street.

#### 4. Sewage Disposal

a. Where a tract to be split abuts a public sanitary sewer, no split shall be permitted to create a lot which is cut off from said sewer unless the approval of the City Engineer, Public Works Director or other appropriate agency is obtained.

b. Within the unincorporated area of Tulsa and Osage County and within the annexation fenceline of the City not served by sanitary sewer within 300 feet of the nearest property line, these Regulations shall apply for lots that plan to utilize septic tank disposal systems except a core sample is not required. A public sewer collection system is not required.

c. Lot size requirements will be the same as those for subdivisions provided that an exception to lot size may be granted by the City based upon data from the City-County Health Department, if all lots created have existing structures and the lot split does not, in effect, change the density, and proper documentation can be provided showing attempted transfer of ownership prior to January 1, 1974.

d. A public water supply serving each lot is required.

e. A passing soil percolation test shall be required for each lot created as required for subdivisions.

#### 6.6 LOT COMBINATIONS

The owner of two or more adjoining lots or parcels of land may apply to the Planning Commission to voluntarily combine such lots or parcels into a single parcel of land (a "combined parcel") for the purpose of complying with the bulk and area requirements of the applicable Zoning Code and Subdivision Regulations of the City of Sand Springs.

##### 1. *Procedure*

A voluntary combined parcel application shall be filed with the Planning Commission, with the required fee, and shall include the following:

- (a) The name(s), address(es), phone number(s) of the current owner or owners of record of the lots or parcels to be combined.
- (b) The consent of all owners of the Combined Parcel.
- (c) A complete legal description of the existing undivided lots or parcels of record; legal descriptions shall consist of Lot, Block, Subdivision Name, County, and State OR a metes and bounds description of the perimeter of a parcel with all bearings expressed in degrees, minutes, or seconds, and dimensions accurate to two decimal places OR a description based on sectionalized land, and shall identify a point of beginning tied to a known corner of a section or fraction of a section.
- (d) One copy of a scaled drawing depicting all existing lot or parcel lines with dimensions (and bearings if applicable), all existing buildings

and improvements and their distances from lot lines, adjacent streets and street widths, existing access limitations, existing and proposed water, sewer, storm drainage and any other utilities and easements, and a north arrow and scale; the drawing should be limited to a maximum of 11"x 17".

- (e) An executed Lot Combination Declaration by the owner(s) of the lots or parcels to be combined and the Planning Commission, or its successors, for the benefit of the City of Sand Springs, Oklahoma (the "City") in a form approved by the Planning Commission, which provides:
  - 1) The owner(s) of the Combined Parcel shall not sell, convey or mortgage any of the lots or parcels comprising the Combined Parcel separate and apart from any of the other lots or parcels within the combined parcel;
  - 2) Any attempted sale, conveyance or mortgage of the lots or parcels within the Combined Parcel separate and apart from any of the other lots or parcels within the combined parcel shall be void; and
  - 3) The covenants within the Lot Combination Declaration shall run with the title to the lots or parcels within the Combined Parcel and shall be binding on all parties having or acquiring any right, title or interest in any part thereof.
  - 4) The Lot Combination Declaration shall be for and inure to the benefit of the City, which shall have the right and standing to enforce the terms of the Lot Combination.

## 2. *Lot Combination Declaration to be Filed of Record*

Upon approval of the Lot Combination DECLARATION by the Planning Commission, the owner(s) of the combined parcel shall file the Lot Combination in the office of the County Clerk of Tulsa County, or Osage County (per the appropriate jurisdiction), Oklahoma, and return to the Planning Commission a file-stamped copy of the recorded Lot Combination.

## 3. *Effect*

From and after the filing of record of the executed Lot Combination DECLARATION, the Combined Parcel shall be considered as a single lot for the purposes of complying with the bulk and area requirements of the applicable Zoning Code and the Subdivision Regulations of the City of Sand Springs.

## 4. *Amendment or Termination*

The Lot Combination DECLARATION may be amended or terminated only by a written instrument executed by the owner(s) and approved by the Planning Commission or their respective grantees, successors or assigns, and duly recorded of record in the office of the County Clerk of Tulsa County, or Osage County (per the appropriate jurisdiction), Oklahoma.

5. *Appeal of Decision*

A denied or approved application shall not be considered further unless an individual within 15 days from the date of the Planning Commission action, files a written request with the City Clerk for a hearing by the City Council. The request for hearing shall be accompanied by the payment of a fee in accordance with the adopted fee schedule. Upon notice of such request, the Planning Commission shall forthwith transmit the application and its report and recommendations to the City Council.



## **SECTION 7. DEFINITIONS**

### **7.1 Usage**

1. For the purpose of these Regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted and defined as set forth in this Section.

2. Unless the context clearly indicates 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 Subdivision Regulations."

3. A "person" includes a corporation, a partnership and an incorporated association of persons such as a club; "shall" is mandatory and not directory; "may" and "should" are directory and not mandatory; the "building" 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."

### **7.2 WORDS AND TERMS DEFINED**

#### **Abutting**

In addition to the customary meaning, abutting for the purpose of providing notice, shall mean contiguous or separated therefrom only by a non-arterial street.

#### **Alley**

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

#### **Applicant**

The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises for purposes of any application submitted under these Subdivision Regulations.

#### **As-Built Construction Plans**

See Record Drawings

**Block**

A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

**Board of Adjustment**

The Board of Adjustment of the City of Sand Springs, Oklahoma.

**Bond**

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 of Sand Springs. All bonds shall be approved by the City of Sand Springs wherever a bond is required by these Subdivision Regulations.

**Building**

Any structure built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.

**Capital Improvements Program**

A proposed schedule of all future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local government's operating expenses, for the purchase, construction, major repairs and major maintenance, or replacement of the physical assets of the community are included in the Capital Improvement Program.

**City**

The City of Sand Springs, Oklahoma.

**City Council**

The City Council of Sand Springs, Oklahoma. See also Governing Body.

**City Engineer**

The City Engineer of the City of Sand Springs, Oklahoma.

## **Comprehensive Plan**

The master plan for development of the City of Sand Springs, prepared and adopted by the Planning Commission and approved by the City Council of Sand Springs, pursuant to Oklahoma State Statutes, and submitted for review and approval of the applicable counties, including any part of such plans separately adopted and made a part thereof and any amendment to such plan or parts thereof.

## **Construction Plans**

The maps or drawings accompanying a preliminary and final subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the City of Sand Springs as a condition to the approval of the final plat. See also, "Record Drawings."

## **County**

The County of Osage or Tulsa, Oklahoma, as applicable.

## **County Engineer**

The County Engineer of Osage or Tulsa County, as applicable.

## **Cul-de-sac**

See Street, Cul-de-sac.

## **Developer**

The owner of land proposed to be subdivided or the owner's representative. Consent shall be required from the legal owner of the premises if the owner is not the developer for the purpose of any application submitted under these Subdivision Regulations.

## **Double Frontage**

A situation in which a lot has access on two streets that do not intersect.

## **Easement**

Authorization by a property owner for a general or specific use by another, of any designated part of, or tract of land.

## **Engineering Design Criteria**

The engineering standards and design criteria used in the design and construction of subdivision improvements as adopted and as amended by the City of Sand Springs. A

short form of reference to the document entitled, "Engineering Design Criteria and Standards for Construction."

### **Escrow**

A deposit of cash with the City of Sand Springs in lieu of an amount required and still in force on a performance or maintenance bond. Such escrow funds shall be deposited, upon receipt by the City of Sand Springs, in a separate account.

### **Final Plat**

The map or plan or record of a subdivision and any accompanying material, as described in these Subdivision Regulations.

### **Floodplain**

The area adjoining the channel of a river, creek, stream or watercourse, or lake or any other body of standing water or area which may from time to time be covered by floodwater. The floodplain areas shall be those areas as described and delineated on maps contained within the offices of the City and County Engineers.

### **Frontage**

That part of a lot abutting on a street or way and that is ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

### **Full Urbanization**

The total development that is anticipated in a given area in accordance with the Comprehensive Plan and other land use regulations of the City of Sand Springs.

### **Governing Body**

The body of the local government having the power to adopt ordinances, being the City Council of the City of Sand Springs, or the Board of Commissioners of Osage or Tulsa Counties, as applicable.

### **Grade**

The slope of a road, street, or public or private way, specified in terms of percentage (%).

### **Health Department**

The agency designated by the City of Sand Springs to administer the health regulations of the local and state government and referred to as the City-County Health Department

of either Osage or Tulsa Counties, or the Oklahoma Department of Environmental Quality.

### **Highway, Limited Access**

A freeway or expressway providing a trafficway for through traffic, in respect to which owners or occupants of abutting property on 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 public authority having jurisdiction over such trafficway.

### **Improvements**

Grading, streets, sidewalks, crosswalks, culverts, drainage ditches, bridges, water lines, sanitary sewer lines, force mains and lift stations, storm sewer lines, other utilities, and other features required to support a development.

#### **Improvements, Off-site**

A utility, structure, or modification of topography located outside the property to be subdivided.

#### **Improvements, Private**

Any street, sidewalk, utility line, drainageway or other facility not provided by the City and which may or may not be required as a condition of approval of a development by the City.

#### **Improvements, Public**

Any street, sidewalk, utility line, drainageway or other facility for which the City may ultimately assume the responsibility for construction, maintenance and operation.

#### **Improvements, Required**

Any improvement required by the City as a condition of approval of a subdivision plat and development.

### **Individual Sewage Disposal System**

A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

## **Joint Ownership**

Joint ownership among persons shall be construed as the same owner; also referred to as “constructive ownership” for the purpose of imposing these Subdivision Regulations.

## **Local Government**

For the purpose of these Subdivision Regulations, shall mean the City of Sand Springs acting by and through its duly constituted boards, commissions and bodies.

## **Lot**

A tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building and development.

## **Lot, Double Frontage**

A lot that runs through a block from street to street and that abuts two (2) or more streets that do not intersect but not including a corner lot.

## **Lot, Reverse Frontage**

A double frontage lot that is designed to be developed with the rear yard abutting a major street and with the primary means of ingress and egress provided on a minor street.

## **Lot Area**

The total area measured on a horizontal plane, included within the lot boundaries.

## **Lot Split**

A lot split is a minor subdivision of previously subdivided land. The Planning Commission may approve a lot split that creates not more than four (4) lots fronting on an existing, dedicated street, not involving any new street or road or the extension of municipal 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 adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Major Street and Highway Plan, Zoning Ordinance (unless any variance therefrom is approved by the Board of Adjustment) or these Subdivision Regulations.

## **Major Street and Highway Plan**

The Sand Springs Major Street and Highway Plan map and documentation established and adopted by the City of Sand Springs showing area major streets and highways, the required rights-of-way and any amendments or additions adopted by the City Council.

## **Major Subdivision**

All subdivisions not classified as a minor subdivision, including but not limited to a subdivision of four (4) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities, or the creation of any public improvements.

## **Minor Subdivision**

Any subdivision containing not more than four (4) lots and fronting on an existing street, not involving any new street or road, or the extension of municipal 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, Major Street and Highway Plan, Zoning Ordinance, or these Subdivision Regulations.

## **Monument**

A permanent marker properly located and as required in these Subdivision Regulations for the location and identification on the land of reference points in the subdivision, such as, but not limited to, the corners of the subdivision, corners of blocks and lots and radii for street curvature.

## **Owner**

Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these Subdivision Regulations.

## **Planned Unit Development (PUD)**

A type of development, subject to approval under the Zoning Ordinance and these Subdivision Regulations, for a tract of land under single ownership or control, based upon an approved development plan permitting flexibility as specified in the applicable codes and regulations not otherwise available under conventional development standards or conventional zoning.

## **Park Board**

The Park Board of the City of Sand Springs, Oklahoma.

## **Planning Commission**

The Planning Commission of the City of Sand Springs, Oklahoma.

## **Record Drawings**

Those subdivision construction plans of completed street, drainage, water, sanitary sewer or other public improvements.

## **Regional Planning Commission**

Regional Planning Commission shall mean the Sand Springs Regional Planning Commission, Sand Springs, Oklahoma.

## **Registered Professional Engineer**

An engineer properly licensed and registered in the State of Oklahoma.

## **Registered Land Surveyor**

A land surveyor properly licensed and registered in the State of Oklahoma.

## **Resubdivision**

A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or such other change if it affects any map or plan legally recorded prior to the adoption of any regulation controlling said subdivision.

## **Reserve Area**

A tract of land that by public authority is withdrawn or otherwise set aside from sale or settlement and is appropriated to a specific public purpose such as for drainage.

## **Right-of-Way**

A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electrical and communication services, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term "right-of-way" for the purpose of platting land 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 area of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees, or other use involving construction or 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. All such dedications are subject to the final approval and acceptance by the City of Sand Springs.

### **Roads, Classification**

A system established for the purpose of providing for the development of the streets, highways, roads and rights-of-way in the City of Sand Springs, and for the future improvement, reconstruction, realignment and necessary widening, including provision for curbs and sidewalks, for each existing street, highway, road and right-of-way, and those located on approved and filed plats designated on the Major Street and Highway Plan of the City of Sand Springs and classified therein. The classification of each street, highway, road and right-of-way is based upon its location in the respective zoning districts and its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan of the City of Sand Springs. The required improvements shall be measured as set forth for each street classification on the Major Street and Highway Plan.

### **Sale or Lease**

Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, interstate succession, or transfer of an interest in a subdivision of part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, interstate succession, or other written instrument.

### **Setback**

The distance between a building and the street right-of-way line nearest thereto.

### **Sketch Plat**

A sketch plan of a subdivision prepared prior to the preliminary plat (or subdivision plat in the case of minor subdivisions) to enable the subdivider to save time and expense in reaching general agreement with the Planning Commission and City Council as to the form of the plat and the objectives of these Subdivision Regulations.

### **Street**

A public or private right-of-way that affords the primary means of access to abutting property or serves as a thoroughfare for vehicular traffic, or both, but excluding alleys.

### **Street, Arterial**

A thoroughfare designated on the Major Street and Highway Plan which carries a significant portion of the interurban vehicle traffic at moderate speeds with some traffic stops. Also, see Street, Primary Arterial and Street, Secondary Arterial, in this section.

**Street, Border**

A street located adjacent to a railroad, drainageway, park, open space area or limited access highway.

**Street, Collector**

A thoroughfare designated on the Major Street and Highway Plan that is intended to move traffic from minor to arterial streets, including the principal entrance and circulation street or streets of a development.

**Street, Commercial Collector/Industrial collector**

A category of trafficway that provides circulation to and from commercial and industrial areas to connect with major streets or highways.

**Street, Commercial Business District**

A category of trafficway that provides circulation within the Central Business District.

**Street, Commercial/Industrial**

A category of trafficway that provides circulation within commercial and industrial areas.

**Street, Cul-de-sac**

A minor street with only one outlet and having a terminus for the safe and convenient reversal of traffic movement including all emergency and service vehicles.

**Street, Major**

Highways, arterial and collector streets as shown on the Sand Springs Major Street and Highway Plan.

**Street, Minor (Local)**

A trafficway of limited length, not classified as a major street or highway, that provides direct access to abutting tracts of land and access to more heavily traveled streets.

**Street, Marginal Access**

Any existing street to which the parcel of land to be subdivided abuts only one (1) side. Marginal access streets are designed to separate driveway access to lots fronting on arterial streets from arterial street traffic.

### **Street, Primary Arterial**

A thoroughfare designated on the Major Street and Highway Plan that carries a portion of both intra-urban and interurban vehicle traffic at a moderate rate of speed with some traffic stops.

### **Street, Secondary Arterial**

A thoroughfare designated on the Major Street and Highway Plan that carries a significant portion of the interurban vehicular traffic having some traffic stops.

### **Street, Service Road**

A minor street that is parallel and adjacent to major streets, trafficways, highways or railroad rights-of-way and that provides access to abutting properties and protection from through traffic.

### **Subdivider**

Any person who (1) having an interest in land, causes it directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly sells, leases or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel site, unit, or plat in a subdivision, or who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision of any interest, lot, parcel, site, unit, or plat in a subdivision, and how (4) is directly or indirectly controlled by, or one who is under the direct, or indirect common control of any of the foregoing.

### **Subdivision**

Any land, vacant or improved, that is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or interests for the purpose of offer, sale, lease of a term of ten (10) or more years and whereon there is constructed permanent structural improvements, or development, either on the installment plan or upon any and all other plans, terms and conditions, including Resubdivision. Subdivision includes the division or development of residential and on residentially zoned land, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument.

### **Subdivision Agent**

Any person who represents, or acts for or on behalf of, a subdivider or developer, in selling, leasing, or developing or offers to sell, lease, or develop any interest, lot, parcel, unit, site, or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

**Subdivision, Major**

See Major Subdivision

**Subdivision, Minor**

See Minor Subdivision

**Subdivision Plat**

The final map or drawing, described in these Subdivision Regulations, on which the subdivider's plan or subdivision is presented to the Planning Commission and City Council for approval and which, if approved, may be submitted to the County Clerk of the county in which the property is located for filing of record.

**Subdivision Regulations**

The Subdivision Regulations of the City of Sand Springs, Oklahoma.

**Technical Advisory Committee**

A committee composed of public officials and utility company representatives to review and study all plats and lot split proposals and to make recommendations and findings to the Planning Commission and City Council concerning the proposed subdivisions.

**Temporary Improvement**

Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of the performance bond.

**Zoning Ordinance**

The Zoning Ordinance of the City of Sand Springs, Oklahoma.

## APPENDIX

## OPTION TO REQUIRE DEDICATION OF PARK LAND IN LIEU OF PAYMENT OF THE PARK AND RECREATION FEE

As land is developed for residential use, the need for park land is created. In order to provide land for this need, there is hereby established, a procedure whereby land may be required in lieu of payment of a Park and Recreation Fee as otherwise described in the body of these Regulations. The administration of this optional procedure is as follows:

### 1. Applicability and Option to Require Dedication of Land.

a. All residential subdivision plats, having a dwelling unit density greater than one (1) dwelling unit per acre shall adhere to the provisions set forth in this Appendix if and only if it is determined by the City Council of Sand Springs based upon the recommendation and advice of the Park Board (as to the desirability of the tract) and the Planning Commission (as to the appropriateness of the intended land use), that the requirement for park land dedication shall be acceptable to the City of Sand Springs in lieu of payment of the Park and Recreation Fee.

b. All persons, firms, or corporations subdividing land under the provisions of these Regulations for residential purposes within the incorporated boundaries of the City of Sand Springs shall, prior to the signing and release of the final plat and subject to other provisions hereinafter set out, dedicate land to be used for park and/or open space as an alternative to payment of a Park and Recreation Fee.

### 2. Standards for Park Land to be Dedicated.

a. Each dedication shall be of suitable size, dimension, topography and general character, and have adequate road access for park and recreation purposes. The area to be dedicated shall be designated on the preliminary and final plat as "Public Park and Recreation Purposes." The location of the land to be dedicated shall be approved by the City of Sand Springs prior to the signing and release of the final plat.

b. The amount of land to be dedicated shall be determined on the basis of either one acre per one-hundred (100) dwelling units or five (5) percent of the area contained within the subdivision plat (excluding therefrom only streets and reserve areas) whichever is greater. All calculations of the area to be dedicated and the area in streets and reserve areas shall be initially provided by the subdivider for review by the City. The dedication requirements for multi-family development shall be based on the maximum number of dwelling units per acre as permitted by the existing zoning of the site, regardless as to what intensity the tract is developed.

c. Private parks may be accepted as credit toward the park land dedication option only when included within an approved Planned Unit Development

and only upon approval of the City Council after review and recommendation by the Park Board and Planning Commission.

3. Location and Character of Land to be Dedicated.

a. Any land to be dedicated to meet the requirements of this section shall be suitable, reasonably located and adaptable for use as land for a park and recreation facility. Such determination shall be subject to the final approval of the City Council based upon the review and recommendation of the Park Board and Planning Commission.

b. The City Council may require that the land to be dedicated be located on the edge of the subdivision so additional land may be added to the tract at a future date.

c. Existing features which add value to residential development or to the City as a whole, such as trees, watercourses, historic sites and similar irreplaceable natural assets, shall be preserved in the design of the subdivision and be considered as land to be dedicated for park purposes.

4. Form of the Dedication of Park Land.

Land required for dedication under this optional procedure shall be conveyed by any of the following methods:

a. By dedication within the plat filed for record in the Office of the County Clerk of Tulsa or Osage County; or

b. By warranty deed transferring the property in fee simple title to the City of Sand Springs; or

c. By credit for private park and/or open space. Where a private park and/or open space for park and recreational purposes is provided in a proposed subdivision that is included within an approved Planned Unit Development and such area is to be privately owned and maintained by the future residents of the subdivision, these areas may be credited against the requirement for dedication of park land and/or open space as set forth in this Appendix provided that the City Council, upon the review and recommendation of the Park Board and Planning Commission, finds it is in the public interest to grant such credit. The following standards must be met:

(1) That yards, 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 area; and

(2) That the private ownership and maintenance of said park area is provided for by recorded covenants that have been approved by the City and to which the City is a party at interest; and

(3) That the use of the private park and/or open space is restricted to park and recreational purposes by the recorded covenants which run with the land in favor of the future owners of property within the tract and the City of Sand Springs and said covenants cannot be eliminated without the consent of owners of all property within the subdivision and the City Council; and

(4) That the proposed private park and/or open space adds value to the residential development or to the City as a whole and is suitable and reasonably adaptable for use for park and recreational purposes taking into consideration such factors as size, shape, topography, geology, access, trees, watercourses, historic sites and similar irreplaceable natural assets, and location; and

(5) That facilities proposed for park and open space are in substantial accordance with the provisions of the recreational element of the Comprehensive Plan and are approved by the City Council, and, further, that the installation, maintenance and replacement of any planned improvements is guaranteed to the satisfaction of the City of Sand Springs.