

The Jenks Subdivision Regulations

The City of Jenks, Oklahoma



Subdivision Regulations

for the

City of Jenks, Oklahoma

Prepared for

The City of Jenks

by the

Community Planning Division

INCOG

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Chapter 1

General Provisions

SECTION 1.1 TITLE

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

SECTION 1.2 AUTHORITY

These Subdivision Regulations and minimum standards for land development are adopted by the City of Jenks under the authority granted by Oklahoma Statutes, Title 11, Sections 41-101 through 41-114, inclusive and 45-101 through 45-105, inclusive.

SECTION 1.3 JURISDICTION

These Subdivision Regulations shall apply to all subdivisions of land located within the corporate limits of the City of Jenks, Oklahoma.

SECTION 1.4 PURPOSES

These Subdivision Regulations are adopted for the following purposes:

- A. To provide for development according to the Jenks Comprehensive Plan.
- B. To provide for the division of land in the city in a manner beneficial and equitable to the developer and the city government while ensuring the public health, safety and general welfare.
- C. To provide for the proper arrangement of streets and highways for emergency vehicles and other traffic and provide adequate parks, drainage improvements, utilities, light and open space.
- D. To ensure that new subdivisions be designed to relate harmoniously with existing and anticipated public and private developments.
- E. To ensure that new development is protected from flooding and does not contribute to the flooding of other property.

SECTION 1.5 PLATTING REQUIREMENT AND WAIVER

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established as follows:

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 the Planning Commission for their review and recommendation, approved by the City Council, and filed of record in the office of the County Clerk where the property is situated. Provided that the City Council, pursuant to their exclusive jurisdiction of subdivision plats, may remove the platting requirement upon a determination that the above-stated purposes have been achieved by the previous platting or could not be achieved by a plat or replat.

SECTION 1.6 INTERPRETATION

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

SECTION 1.7 CONFLICT

- A. Public Provisions – These regulations are not intended to interfere with, abrogate or annual any other ordinance, rule, or regulation, statute, or other provision of law. Where any provision of these regulations impose restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation or other provision of law, whichever provisions are more restrictive or impose higher standards, shall control.
- B. Private Provisions – These regulations are not intended to repeal any easement, covenant or any other private agreement or restriction, provided that where the provisions of 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 govern.

SECTION 1.8 SEVERABILITY

If any part of provision of these regulations shall be held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remainder of these regulations or the

application thereof. The City Council hereby declares that it would have adopted the remainder of these regulations even without any such part of provision.

SECTION 1.9 CONDITIONS

The City's regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision by the City Council and Planning Commission is an exercise of valid police power authorized by the state. The subdivider is obligated to comply with reasonable conditions required by the Planning Commission and City Council concerning subdivision design, dedication of public property and easements, improvement of public facilities and restrictive use of land so as to conform to the physical and economic development plans of the City and to provide for and protect the health, safety and general welfare of future property owners and residents in the subdivision and of the community at large.

SECTION 1.10 AMENDMENTS OF REGULATIONS

The Planning Commission upon its own motion may, or at the direction of the City Council shall, hold a public hearing, giving notice thereof, on a posed amendment of these regulations. At least fifteen (15) days notice of the date, time and place of the hearing shall be published in a newspaper of general circulation in Jenks. After holding the public hearing, the Planning Commission shall within thirty (30) days transmit its report and recommendations to the City Council.

SECTION 1.11 EXCEPTIONS AND LOT SPLITS

- A. Exceptions for Standard Subdivisions – Exception to these regulations may be made by the Planning Commission and City Council where unusual topographical or other exceptional conditions exist or where the purposes of these regulations may be served by an alternative proposal. An exception should not be made where its granting will be detrimental to the public safety, health or welfare, or be injurious to other property and improvements or where the exception will impair the spirit, purposes or intent of the zoning code or comprehensive plan. A petition for exception to these regulations shall be submitted by the subdivider in writing and shall show proof of hardships or injustices and justify the granting of an exception. The Planning Commission and City Council may be granting the exception require such conditions as will, in their judgment, secure substantially the objectives and intent of these regulations. Exception to these regulations shall be approved by both the Planning Commission and the City Council in the preliminary and final plats.

B. Exceptions for Lot Splits – Subdivisions containing three (3) or fewer lots and as otherwise defined as “lot splits” in these regulations, may be excepted by the Planning Commission and City Council from all or part of the procedural provisions applicable to the platting of standard subdivisions. The number of lots for purposes of determination of status as a lot split shall be counted cumulatively from the date of adoption of these regulations with respect to each parcel, provided that for the preservation of the spirit of these regulations, any and all parcels that have been similarly divided upon review of the Jenks Planning Commission under the provisions of previous subdivision regulations shall be counted into the cumulative total for the determination of eligibility for consideration of a request for treatment as a lot split.

1. Procedure

- a. Application for Lots Splits – A request for a lot split shall be submitted to the Planning Commission secretary on forms provided by the secretary. The application shall be accompanied by a fee as prescribed by ordinance and by a scaled drawing showing all existing and proposed lot lines, all existing buildings and improvements and their distances from lot lines, adjacent streets and street widths, existing access limitations, a north arrow and map scale.
- b. City Action on Lot Splits – The secretary of the Planning Commission upon receiving a lot split application shall visually inspect the tract being split, notify the Technical Advisory Committee of the proposed lot split, review the proposed lot split in regard to the requirements of the Jenks Zoning Code and these regulations, prepare a recommendation concerning the proposed lot split and submit the matter for Planning Commission review and recommendation. If the Planning Commission is satisfied that the proposed lot split satisfied the minimum requirements of the Jenks Zoning Code and these regulations, it shall transmit the proposal along with its recommendations to the Jenks City Council for consideration. If the lot split is approved by the City Council and if a conveyance of interest of the created parcels is presented, the “Lot Split Approval Stamp” shall be affixed to the instrument of the transfer of interest and signed by the mayor or vice mayor of the City of Jenks. Should the Planning Commission recommend that a lot split proposal be denied, the applicant may appeal to the City Council for relief. Such appeal shall be by written petition and shall be accompanied by a fee as prescribed by ordinance.

2. Approval Guidelines – Approval or denial of lot splits shall be based on the following conditions:

a. Lot Characteristics

- (1) Lot dimensions and area shall either conform with zoning code requirements or variance of zoning code requirements must be obtained from the Jenks Board of Adjustment.
- (2) Where public water and/or public sanitary sewer is not available, appropriate tests shall be conducted by the health department or its assigns to determine the proposed lots suitability for a private sewage disposal device. Each proposed lot shall meet the minimum standards of the health department.

b. Easements

Where a lot split will result in a lot having inadequate access to utility easements, dedication of easements will be required in accordance with the requirements of the Technical Advisory Committee and the Planning Commission.

c. Access and Streets

- (1) 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.
- (2) 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.
- (3) Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Jenks City-County Major Street and Highway Plan, the split shall not be approved where street rights-of-way fail to conform to said plan except, upon a finding that:
 - (a) All utilities are in place and the additional right-of-way is not required for utility placement and,
 - (b) The public has, by virtue of statutory easement suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the street plan for the particular street involved.

SECTION 1.12 ENFORCEMENT

- A. No building permit shall be issued for any new structure or alteration of any structure on any tract of land subdivided subsequent to the adoption of these regulations which does not comply with all of the provisions of these regulations.
- B. Whoever transfers or sells or negotiates to sell land by any instrument before such instrument has been approved by the City Council and filed of record in the office of the County Clerk, or transfers or sells or negotiates to sell a tract of land less than two and one-half (2-1/2) acres where such tract was not shown of record in the office of the County Clerk as separately owned at the effective date of these regulations and not located within a subdivision approved according to law and filed in the office of the County Clerk, or if so located, not comprising at least one (1) entire lot as recorded, without having the enforcement on the instrument of transfer, shall be subject to the penalties provided below and such transaction shall be unlawful and shall not be recorded by the County Clerk.
- C. A violation of these regulations shall be deemed a misdemeanor and shall be punishable by fine. Any person, firm or corporation who violates or refuses to comply with any of the provisions of these regulations shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) including costs for each offense. Each day a violation is permitted to exist shall constitute a separate offense.

SECTION 1.13 USAGE AND DEFINITIONS

- A. Usage – Words used in the present tense shall include the future tense, words in the singular number shall include the plural and words in the plural number shall include the singular except where the natural construction of the writing indicates otherwise. The word “should” is directory and not mandatory. The word “shall” is mandatory and directory.
- B. Definitions – Where terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply. For the purpose of these regulations, certain terms used herein are defined as follows:
 - 1. Block – A tract of land intended for urban purposes that had definite boundaries formed by being surrounded by such features or combinations of features as public streets, railroad right-of-way, parks, drainage channels or waterways.

2. Bond – Any type of security including cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the governing body as a surety for performance or maintenance.
3. City Council – The legislative body of the City of Jenks, Oklahoma.
4. City Engineer or Engineer – The engineer for the City of Jenks, Oklahoma.
5. Comprehensive Plan – The plan adopted by the City Council for the purpose of bringing about an orderly, coordinated physical development, as contemplated by O.S, Title 11, Section 43-103.
6. Dedication – To set apart a portion of the area of a subdivision to a specific use(s) or to the public or to a specific group.
7. Development Sensitive Area – An area which during the development process may require special treatment. Included are woodlands, flood hazard areas, areas with excessive slope, those and other areas poorly suited for structures and maintenance of public infrastructure.
8. Easement – Authorization by a property owner for the use by another, and for a specific purpose, of any designated part of his property.
9. Floodplain – The area adjoining the channel of a river, creek, stream or watercourse, or a lake or any other body of standing water which may from time to time be covered by floodwater.
10. Grade – The slope of a street, drainage facility, sanitary sewer, etc., specified in percent (%) of vertical to horizontal measurements.
11. 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, or transfer of ownership or for building development.
12. Lot, Double Frontage – A lot having frontage on two streets that do not intersect.
13. Lot Frontage – That part of a lot abutting a street to which access is available from said lot.

14. Lot Split – Any subdivision or resubdivision containing not more than three (3) lots fronting on an existing public street, not involving any new street, and not adversely affecting the remainder of the parcel of adjoining property, and not in conflict with any provision of the comprehensive plan, zoning ordinance, building code, or other officially adopted plans, policies or regulations.
15. Major Street and Highway Plan – The Jenks Major Street and Highway Plan, a portion of the Jenks Comprehensive Plan, 1978-2000, adopted by the Mayor and Jenks City Council by Resolution No. 27 on December 28, 1978, or as it may hereafter be amended by Resolution.
16. Monuments – Permanent markers properly located as required in these regulations for the location and identification on the site of reference points in the subdivision, such as but not limited to corners of the subdivision, corners of the blocks, radius points for street curvature, etc.
17. Offsite Improvements – Any utility, structure, or modification of topography located outside the property to be subdivided.
18. Planned Unit Development – A discretionary type of development for a tract of land under single ownership or control, based upon an approved development plan permitting flexibility of principal land uses, lot sizes and accessory uses not otherwise available under conventional development standards.
19. Planning Commission – The Jenks Planning Commission.
20. Plan, Development – Drawings of proposed construction and subdivision of land submitted by the subdivider or developer to the City of Jenks.
21. Plans, Construction – The maps or drawings prepared by a registered professional engineer accompanying a 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 Engineer and the Planning Commission as a condition of the approval of the plat.
22. Plat, Preliminary – The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.

23. Plat, Final – Drawing(s) described in these regulations based on a preliminary plat with revision, if any, to be submitted to the Planning Commission and City Council for approval or approval with revisions.
24. Plat, Record – A map of land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptances, covenants, if any, and with complete bearings, angles, and dimensions of all lines defining blocks, lots, rights-of-way, easements, public areas, and other dimensions of land as required in these regulations.
25. Registered Engineer – An engineer properly registered and licensed in the State of Oklahoma.
26. Registered Land Surveyor – A land surveyor properly registered and licensed in the State of Oklahoma.
27. Restrictive Covenants – Plat restrictions binding lot owners filed with the record plat.
28. Resubdivision – Subdivision of land previously subdivided.
29. Right-of-Way – A parcel of land (usually a strip) occupied or intended to be occupied by a street, crosswalk, railroad, road, electric facility, or for other special use. The use of the term right-of-way for land platting purposes in connection with these regulations shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots and parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for any use involving maintenance by a public agency shall be dedicated to public use by the subdivider on which such right-of-way is established. The width of rights-of-way shall be measured as the shortest distance between the abutting property lines.
30. Setback (Line) or Building Line – A line or lines designating the area outside of which buildings may not be erected.
31. Street – Any public or private right-of-way which affords the primary means of access to abutting property.
 - a. Expressway or Freeway – A thoroughfare designated on the Major Street and Highway Plan that carries a major portion of both intraurban and interurban

vehicle traffic at a high rate of speed with few or no traffic stops and having limited access with a design and right-of-way width established by the State Department of Transportation.

- b. Primary Arterial – A thoroughfare designated on the Major Street and Highway Plan that carries a portion of both intraurban and interurban vehicle traffic at a moderate rate of speed with some traffic stop having a planned right-of-way width of 120 feet to 150 feet.
 - c. Secondary Arterial – A thoroughfare designated on the Major Street and Highway Plan that carries a significant portion of the interurban vehicular traffic stops and a planned right-of-way width of 100 feet.
 - d. Collector – A traffic way designated on the Major Street and Highway Plan that provides vehicle access and traffic circulation within residential neighborhoods and commercial and industrial areas. Collector streets collect traffic from local streets, channeling some into the arterial streets or disperse traffic from the arterial to local streets. Collector streets have a planned right-of-way width of 60 feet to 80 feet.
 - e. Service or access – A minor street which is parallel and adjacent to major streets, traffic ways, highways or railroad rights-of-way and which provides access to abutting properties and protection from through traffic.
 - f. Minor or Local Street – A traffic way of limited length not of one of the above classifications providing direct access to abutting tracts of land and access to more heavily traveled streets and having a right-of-way width of 50 feet to 60 feet. Sidewalks may be required in local street rights-of-way.
 - g. Cul-De-Sac – A local street with only one outlet having a terminal for the safe and convenient reversal of traffic movement.
 - h. Dead End – A street with one outlet having no turn-around at its closed end.
 - i. Alley – A minor traffic way, dedicated to public use, which is used primarily for vehicular access to the back or the side of properties otherwise abutting on a street.
32. Subdivider or Developer – A person, firm or corporation undertaking the subdivision or resubdivision of a lot, tract or parcel of land into two or more lots,

or other subdivisions of land for the purpose of transfer of ownership or development, whether immediate or future, including all changes in street right-of-way or lot lines.

33. Subdivision – The division of land into lots, parcels, tracts or areas, any one of which when divided has an area of less than two and one-half (2-1.2) acres, or any division of land involving the dedication of right-of-way or alignment of any existing or proposed street or highway, or the resubdivision of land heretofore divided into lots, sites, or parcels.

a. Standard Subdivision – A subdivision other than a lot split.

b. Lot Split Subdivision – A subdivision comprising three or fewer lots (see Lot Split).

Chapter 2

Procedure and Administration

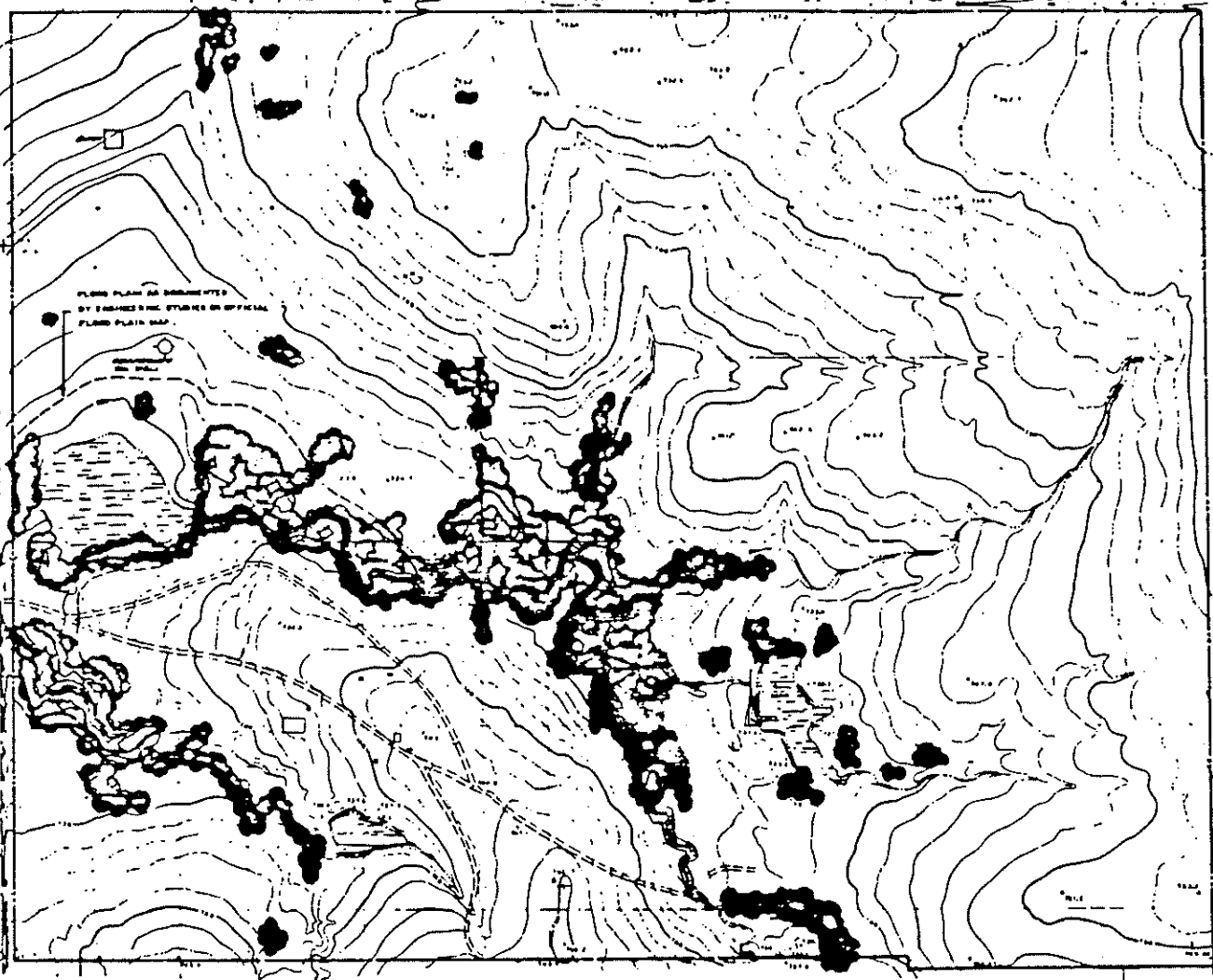
SECTION 2.1 GENERAL PROCEDURE

Whenever any subdivision of land is proposed, the owner of the land or his agent shall apply for an secure City Council approval of such proposed subdivision. The procedure for approval of lot splits may be found in Section 1.11 B. The general procedure for approval of Standard Subdivision is as follows:

- A. Preplat conference and submission of a development plan.
- B. Application for preliminary plat.
- C. Technical Advisory Committee (TAC) review of preliminary plat.
- D. Planning Commission review of preliminary plat proposal.
- E. Revision of preliminary plat, if required.
- F. Application for final plat.
- G. Submission of construction plans.
- H. TAC review of final plat proposal.
- I. Planning Commission action on final plat.
- J. City Council action on final plat.
- K. Stamp of record plat.
- L. File record replat with appropriate county officials.
- M. Submission of bonds and start escrow account (if any).
- N. Application for building permits on lots in the subdivision.

SECTION 2.2 TECHNICAL ADVISORY COMMITTEE

- A. Establishment – There is hereby created a subdivision Technical Advisory Committee (TAC). The TAC shall be responsible for reviewing all subdivision plats and making recommendations concerning same to the Planning Commission.
- B. 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 Planning Commission secretary who shall serve as the chairman, City and County Engineering, Jenks Public Works Authority, Police Department, Fire Department, Health Department, utility companies and City Manager.
- C. Meeting Dates – The TAC shall meet on call of the secretary of the Planning Commission. Agendas for TAC meeting will be posted in the Jenks City Hall.



NATURAL SITE FEATURES SUCH AS TOPOGRAPHY, VEGETATION, AND CREEKS, HAVE INTRINSIC ECONOMIC AND AESTHETIC VALUE. OFTEN THEY CAN BE CAPITALIZED UPON OR PRESERVED THROUGH SKILLFUL SUBDIVISION DESIGN.

FIGURE 1 PROPOSED SUBDIVISION SITE

SECTION 2.3 PREPLATTING CONFERENCE

A preplanning conference shall be held between the subdivider and the secretary of the Planning Commission to discuss zoning code requirements, comprehensive plan policies, subdivision design requirements, platting procedures and improvements construction. At the preplanning conference the subdivider shall submit to the secretary three (3) copies of the development plan. The development plan may be submitted in the form of a freehand pencil sketch but shall be a clear and legible product drawn approximately to scale. It need not be certified by a registered engineer or surveyor. The copies shall be distributed by the secretary of the Planning Commission as follows: (A) City Planner; (B) Department of Public Works; (C) City Engineer. A review of the development plan will be conducted by the City Planner, Department of Public Works and City Engineer. It shall be noted that the development plan or the comments of the reviewing group shall not be binding on the subdivider, the City Planner, the Planning Commission or the City of Jenks. Comments shall be forwarded to the Developer or his representative ten (10) working days following the preplanning conference. The development plan will not be reviewed or a preplanning conference held unless all items called for in the subdivision regulations are submitted, as set forth below.

The applicant shall submit three (3) copies of the Development Plan which shall contain the following information:

- A. The general topography of the tract.
- B. Existing adjoining development.
- C. Existing streams, floodplains and storm drainage (if any).
- D. Existing public and private utilities and easement.
- E. Proposed land use (i.e., residential, commercial, parks, schools, drainage detention facilities).
- F. Proposed layout of streets, lots and blocks.
- G. Proposed subdivision name.
- H. Name, address and telephone number of tract landowner and subdivider.
- I. Any other pertinent information, including a statement describing how proposed public utilities are to be handled. A layout may be used for this purpose.

Within ten (10) working days of the preplanning conference and submissions of the Development Plan, the secretary of the Planning Commission shall inform the subdivider whether said Development Plan meets the objectives of these regulations, the Comprehensive Plan and the Zoning Code. If the secretary finds that the Development Plan does not meet said objectives, he shall express his reasons therefore. However, neither the Development Plan nor the comments of the secretary shall be binding on the subdivider, secretary, Planning Commission or the City of Jenks.

SECTION 2.4 PRELIMINARY PLAT

- A. Application – The subdivider shall submit twenty-two (22) copies of the preliminary plat to the secretary of the Planning Commission no later than seventeen (17) calendar days prior to the Planning Commission meeting at which the plat will be reviewed. Failure to timely provide all information and documents required will delay review until all information and documents are received. The preliminary plat shall be accompanied by an application, the forms for which shall be supplied by the secretary, and a fee as established by ordinance.

- B. Document Requirements – Twelve (12) full size copies of the preliminary plat will be required. The dimensions of the full size copies of the preliminary plat shall be twenty-four (24) by thirty-six (36) inches or shall be a size that can properly and conveniently be folded to these dimensions and shall be drawn to a minimum scale of one hundred (100) feet to the inch; except that plats in which all lots contain a net area in excess of forty thousand (40,000) square feet, the plat may be drawn to a scale of two hundred (200) feet to the inch. In addition, ten (10) reduced copies of eleven (11) by seventeen (17) inch size will be required.

- C. In addition, three (3) sets each of the preliminary construction plans for streets, drainage and detention (including off-site systems), sanitary sewer (including off-site and lift stations), and four (4) sets of plans for water systems (including off-site) shall be submitted. Basic horizontal configuration of the proposed streets and utilities shall be shown on the preliminary plans. It is not however, necessary for the plans to have all details completed at this point. Nor, will it be necessary to submit design calculations for review. In general the preliminary construction plans shall show connections to existing utilities, sizes and locations of proposed lines, proposed street widths and horizontal curves, preliminary drainage plans shall show proposed location of storm sewers and detention or retention facilities. No profiles are required in this submittal.

- D. The preliminary plat shall show or be accompanied by the following:
 - 1. The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than the owner and the name and address of the land surveyor.

 - 2. The date of preparation of the plat, north arrow and scale (written and graphic presentation).

3. Key or location map showing location of subdivisions within the mile section.
4. An accurate legal description of the property.
5. The location and dimensions of all boundary lines of the proposed subdivision to the nearest one-hundredth foot.
6. 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.
7. The locations and widths of easements of all oil, gas and petroleum products pipelines and of existing utilities on or adjacent to the property.
8. The location and description of all existing structures, water bodies and watercourses.
9. The areas subject to flooding based upon the regulatory floor.
10. The names, locations and widths of all proposed streets.
11. The location and dimension of all proposed streets, drainage ways, pedestrian ways, bike paths, parks, playgrounds, public ways, or other public or private reservations.
12. All proposed lots progressively numbered and building setback lines.
13. Blocks progressively numbered.
14. A topographic map of the subdivided area with contour lines having two (2) feet contour intervals based on United States Coastal and Geodetic Survey datum.
15. Any other information as may be deemed by the Planning Commission as reasonably necessary for the full and proper consideration of the proposed subdivision.

E. Review

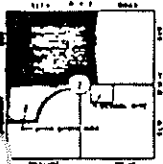
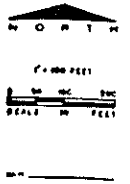
1. The Planning Commission secretary shall:

CREEKWOOD SUBDIVISION

OF THE CITY AND THE USE OF THE LAND OF THE CITY OF
SECTION 1, T. 12 N., R. 10 W., S. 24 E., P. 10 S.,
COUNTY OF PULASKI, MISSOURI, AS SHOWN ON THE

OWNER
AND THE LAYOUT OF THE

THE SUBDIVISION



UNPLATTED

UNPLATTED

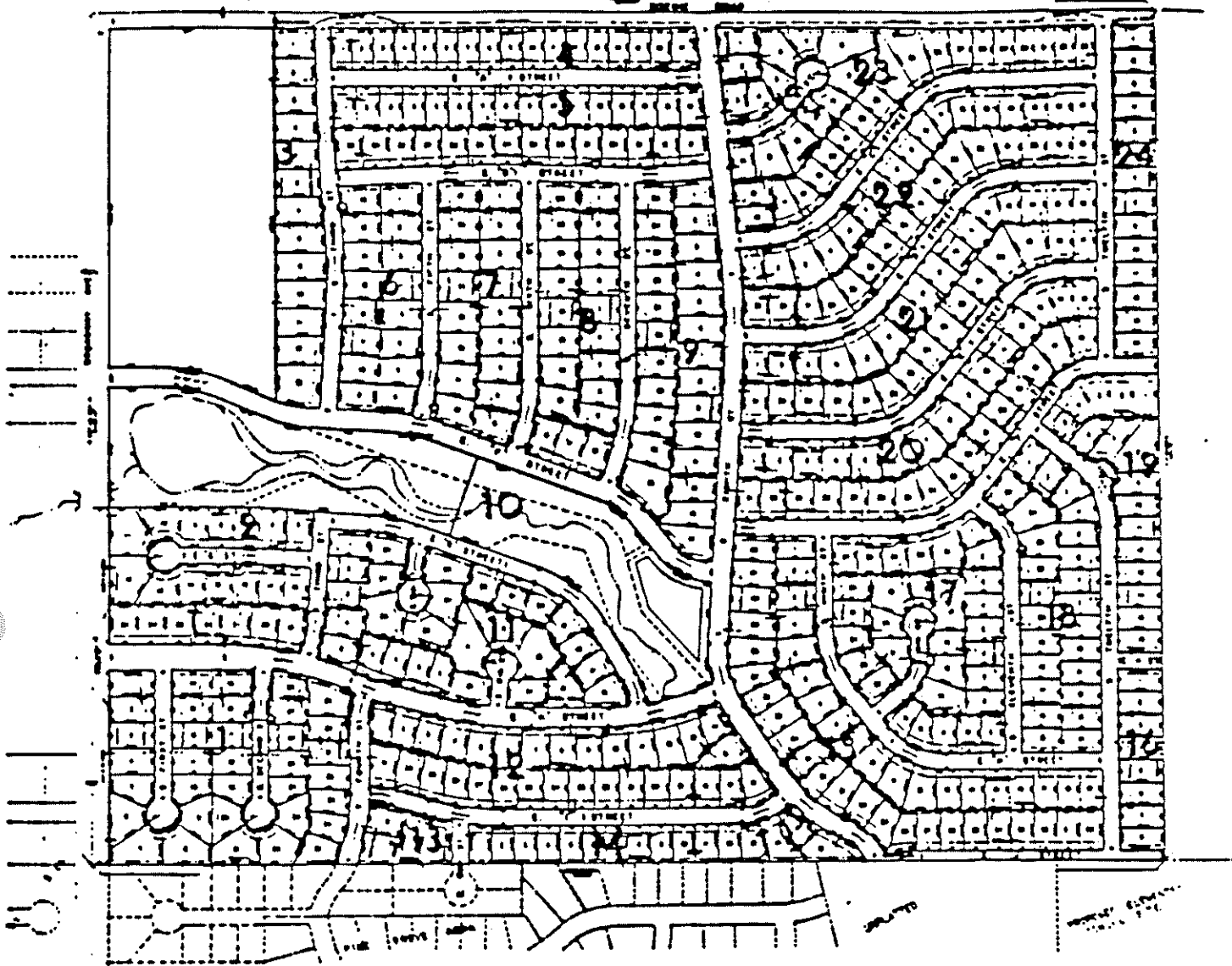
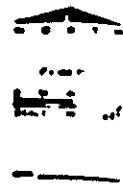
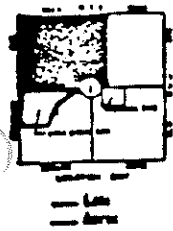


THE PRELIMINARY PLAT IS AN ENGINEERING DRAWING WHICH INDICATES GRAPHICALLY AND BY REQUIRED ACCOMPANYING NARRATIVE DOCUMENTS, THE EXACT NATURE OF ALL ASPECTS OF THE DEVELOPER'S PROPOSALS. AS SUCH, THE PRELIMINARY PLAT IS THE BASIS FOR THE DETAILED REVIEW AND EVALUATION OF THE DEVELOPER'S PROPOSALS BY THE PLANNING COMMISSION STAFF AND BY OTHER PUBLIC STAFFS OR DEPARTMENTS INVOLVED.

FIGURE 3 PRELIMINARY PLAT

- a. Distribute copies of the preliminary plat to appropriate City officials and members of the Technical Advisory Committee.
 - b. Set the plat on the TAC and Planning Commission agendas.
 - c. Visually inspect the tracts being platted.
 - d. Review the plat for conformance with the Zoning Code, Comprehensive Plan, Planned Unit Development requirements, Board of Adjustment rulings and these regulations.
 - e. Prepare recommendations for submission to the TAC and Planning Commission.
2. The Technical Advisory Committee shall:
- a. Review the preliminary plat and made recommendations to the Planning Commission. Such recommendations shall include specific recommendations on any request for exceptions to these regulations requested by the subdivider.
3. The Planning Commission shall:
- a. Hold a public hearing on the preliminary plat.
 - b. After the Planning Commission has reviewed the preliminary plat, the report of the Planning Commission secretary, the recommendation of the Technical Advisory Committee and testimony, and exhibits submitted 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 after the date of the regular meeting of the Commission.
 - d. If the preliminary plat is approved with a modification of any requirements of these regulations, the reasons therefore shall be stated.
 - e. If the preliminary plat is approved with conditions, the Planning Commission may require the subdivider to submit a revised preliminary plat.

CREEKWOOD SUBDIVISION



ABOVE IS AN EXAMPLE OF THE GRAPHIC PORTIONS OF A FINAL PLAT. THE REQUIRED ENGINEERS AND OWNERS CERTIFICATES AND OTHER ENDORSEMENTS MUST ALSO APPEAR AND BE INCORPORATED INTO THE SHEET OR SHEETS CONTAINING THE PLAT DRAWING. OTHER REQUIRED WRITTEN INFORMATION SHOULD ALSO BE INCORPORATED IN THE SHEETS WHEREVER POSSIBLE.

FIGURE 4

FINAL PLAT

- f. If the preliminary plat is disapproved, the reasons for that action shall be stated.
 - g. One (1) copy of the proposed preliminary plat as acted upon by the Planning Commission shall be retained in its office.
 - h. One (1) copy of the proposed preliminary plat shall be returned to the subdivider with the date of approval, conditional approval, or disapproval and the reasons therefore accompanying the plat.
 - i. The approval of a preliminary plat shall be effective for a period of two (2) years from the date of approval 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. Any preliminary plat not receiving final plat approval within the period of time set forth herein, including any approved extensions by the Planning Commission, shall be null and void.
 - j. Every plat shall conform to existing subdivision regulations applicable at the time of approval of preliminary plat unless modifications have been granted.
4. The subdivider may, within fifteen (15) days of Planning Commission action of disapproval, file a written request with the City Clerk for a hearing by the City Council for their consideration. Upon notice of said request, the secretary of the Planning Commission shall transmit the preliminary plat along with its report and recommendations to the City Council.

SECTION 2.5 FINAL PLAT

- A. Application – The subdivider shall submit twenty-two (22) full size copies of the final plat and restrictive covenants, ten (10) reduced copies, and three (3) sets of final engineering construction plans of all the proposed improvements as set forth in Section 2.4 C., except four (4) copies of the final water plans (including off-site), to the secretary of the Planning Commission no later than seventeen (17) calendar days prior to the Planning Commission meeting at which the plat will be reviewed. Failure to timely provide all such information and documents will delay review by the Planning Commission until all is received. The final plat shall be accompanied by an application, the forms for which shall be supplied by the secretary and a fee as

established by ordinance. Requests for exceptions to these regulations or requirements of the preliminary plat shall be submitted in accordance with Section 1.11 A. of these regulations. Upon final approval of the plans and specifications by the City of Jenks Engineer, the developer shall furnish two (2) copies of all water and sewer plans for submittal to the Oklahoma State Department of Health for approval, along with the Application for Permit to Construct the facilities, engineers report as required, and a check in the appropriate amount to cover processing fee by the Oklahoma State Department of Health.

B. Final Plat Document Requirements

1. The dimensions of the full size plat shall be twenty-four (24) by thirty-six (36) inches or shall be a size that can be properly and conveniently folded to these dimensions and shall be drawn to a minimum scale of one hundred (100) feet to the inch; except that plats in which all lots contain a net area in excess of forty thousand (40,000) square feet, the plat may be drawn to a scale of two hundred (200) feet to the inch. The ten (10) reduced copies shall be eleven (11) by seventeen (17) inches.
2. The drawing surface of the plat shall have a binding margin of two (2) inches at the left side of the plat, a margin of not less than one (1) inch at the right side and a margin of not less than one and one-half (1-1/2) inches at the top and bottom.
3. The final plat shall contain information required as conditions of preliminary plat approval and be prepared by a registered land surveyor.
4. The final plat shall contain the following:
 - a. The plat title which shall include:
 - (1) Name of the subdivision,
 - (2) "An addition to the City of Jenks, Tulsa County, Oklahoma",
 - (3) The section, township and range in which the addition is located and,
 - (4) An accurate legal description of the property.
 - b. The location and description of all section corners and permanent survey monuments in or near the tract, to at least one of which the subdivision shall be referenced.

- c. The dated preparation of the plat, the scale which shall be written and graphically presented and north arrow.
- d. The name and address of the owner(s) of land to be platted, the name and address of the subdivider if other than the owner and the name and address of the land surveyor.
- e. The key or location map showing in a small scale:
 - (1) The subdivision location,
 - (2) Other subdivisions in the area; and,
 - (3) Major streets in the area.
- f. The size in acres and total number of lots in the subdivision.
- g. The names and boundaries of abutting subdivisions or boundaries of abutting properties if not platted.
- h. Required dimensions shall be in feet and decimals thereof and in degrees and minutes, as follows:
 - (1) The radii, arcs, points of tangency, points of intersection and central angles for curvilinear streets and radii for all property returns,
 - (2) The boundary lines of the land being subdivided fully dimensioned,
 - (3) The boundary lines and widths of all proposed streets and alley fully dimensioned,
 - (4) Lines of all proposed lots fully dimensioned, except where a lot line meets a street line at a right angle, the angle or bearing value may be omitted,
 - (5) The boundary lines of any property which is offered for dedication to public use fully dimensioned by lengths and bearings with the area marked as to its intended public use.
- i. The locations of easements for public utilities and building setback lines with dimensions and widths and clearly identified.
- j. Easements, if already of record, shall be shown as above with dimensions to locate it with respect to the subdivision.
- k. Blocks progressively numbered and all lots within such blocks progressively numbered.

- l. The location of the base line and base line monuments.
- m. Any other information as may be deemed by the Planning Commission and City Council as reasonably necessary for the full and proper consideration of the proposed subdivision.

C. Record Plat Documents Requirements

1. The record plat shall be an original drawing made with India ink on a good grade linen tracing cloth, or a suitable black acetate base ink on a stable polyester base film coated upon completion with a suitable plastic material to prevent flaking and to assure permanent legibility, or a print on a stable polyester base film made by photographic process from a film scribing tested for residual hypo with an approved testing solution to assure permanency.
2. Marginal lines, standard certificates and approval forms may be printed or legibly stamped on the plat with permanent opaque black ink.
3. The following certifications shall be shown on the record plat:
 - a. The owner's(s') certificate and dedication of all public ways, parks, public facilities and easements.
 - b. The certificate for release of mortgage for land dedicated to the public.
 - c. The certificate for release of mortgage for land dedicated to the public.
 - d. Reference to any separate instruments which directly affect the land being subdivided, including restrictive covenants filed in the office of the County Clerk.
 - e. The certificate of the City Council approving the plat and accepting dedications of public ways, public lands and easements.
 - f. The certificate by as bonded abstractor, attorney or title insurance company of the last grantees of record owning the entire interest in the property being subdivided plus holders of mortgages and liens filed of record.

- g. The certificate of notice of the platting of the property to the holders of mortgages and liens against the property.
- h. The certificate by the County Treasurer that all land taxes have been paid on the property.

D. Review of Final Plat

1. The Planning Commission secretary shall:
 - a. Distribute copies of the final plat to appropriate City officials and members of the Technical Advisory Committee.
 - b. Set the plat on the TAC and Planning Commission agendas.
 - c. Review the plat for conformance with the preliminary plat requirements, the zoning code, comprehensive plan, Planned Unit Development requirements, Board of Adjustment rulings and these regulations.
 - d. Prepare recommendations for submission to the TAC, Planning Commission and City Council.
2. The Technical Advisory Committee shall review the final plat and make recommendations to the Planning Commission. Such recommendations shall include specific recommendations on any request for exceptions to these regulations requested by the subdivider.
3. The Planning Commission shall:
 - a. Hold a public hearing on the final plat within thirty (30) days of submission of the final plat.
 - b. Review the final plat, the report of the Planning Commission secretary, the recommendation of the TAC and testimony and exhibits submitted at the hearing.
 - c. Advise the subdivider of changes and or additions required in order to comply with these regulations and state law.

- d. Approve or conditionally approve the final plat at the public hearing or within forty-five (45) days of the submission of the final plat to the secretary of the Planning Commission.
- 4. The Planning Commission may disapprove the final plat if the conditions of the preliminary plat approval have not been met or if the final plat does not comply with these regulations.
- E. City Council Action – No final plat shall be eligible for recording until it has been submitted to the City Council for approval and acceptance of public ways, service and utility easements and land dedicated to public use. The approval of the City Council shall be authorization for the Mayor and City Manager to sign the certificate of the City of Jenks on the Record Plat. The Mayor and City Manager shall sign and date the certificate and return the record plat to the subdivider for recording with the County Clerk. The disapproval of any final plat by the City Council shall be deemed a refusal of the proposed dedication shown thereon.
- F. Recording of Plat – After all required approvals of a plat and the affixing of all required certificates and signatures on the original tracing, the subdivider shall provide the secretary of the Planning Commission with one (1) contact reproducible cloth tracing or film of the plat or ten (10) copies of the record plat. The subdivider shall also submit to the secretary two (2) copies of the signed plat restrictive covenants. The subdivider shall file the original tracing and copies of the record plat with the County Clerk as required by law.

SECTION 2.6 CONSTRUCTION PLANS

Construction plans for subdivision improvements shall be prepared by a registered professional engineer and shall be submitted in accordance with the City of Jenks Design Criteria and Technical Specifications and approved by the City Engineer.

Chapter 3

Planning and Design Requirements

SECTION 3.1 GENERAL

Plat planning and design shall reflect provisions of the Zoning Code, Comprehensive Plan, City ordinances and these regulations to the end that subdivisions will relate harmoniously with adjacent areas and the Jenks area in an orderly, safe, efficient and attractive manner.

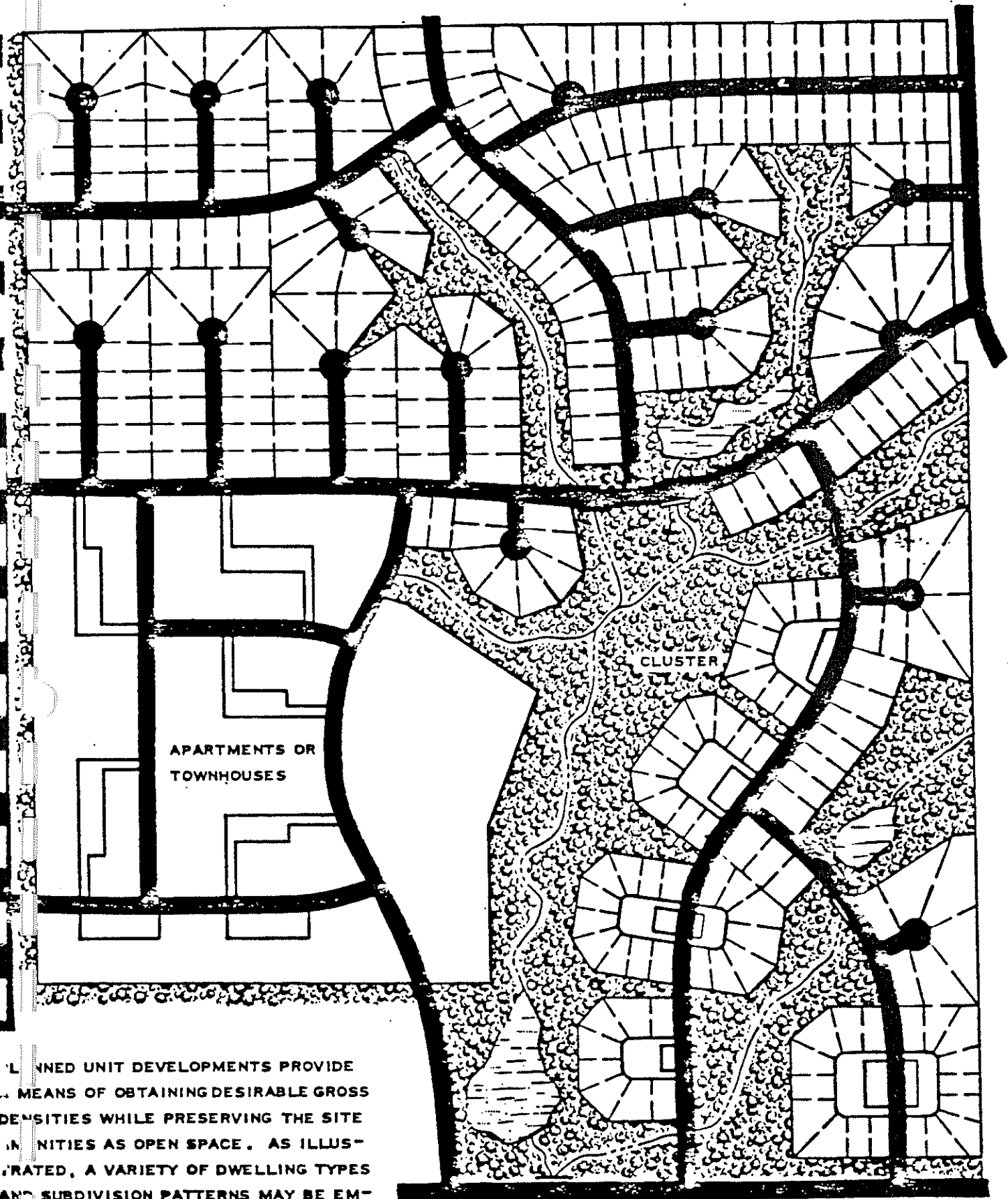
SECTION 3.2 BLOCKS

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

- A. Length – The blocks in residential districts shall normally not exceed one thousand three hundred twenty (1,320) feet in length. When a block exceeds eight hundred (800) feet the City of Jenks may require a dedicated easement not less than fifteen (15) feet in width and a paved crosswalk not less than four (4) feet in width to provide pedestrian access across the block.
- B. Width – Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth, except on the boundaries of a proposed subdivision, or where required to separate residential development from other types of development on through traffic.

SECTION 3.3 LOTS

- A. Access – Every lot shall abut a street dedicated to the public or a private street of an approved Planned Unit Development or other approved access.
- B. Zoning Code Requirements – Lot dimensions, yards, building setback lines and area shall conform to the requirements of the Zoning Code.
- C. Health Department Requirements – Where a proposed subdivision is not served by public water or public sewer or both, lot dimensions and area shall conform to the requirements of the County Health Department.



PLANNED UNIT DEVELOPMENTS PROVIDE
 A MEANS OF OBTAINING DESIRABLE GROSS
 DENSITIES WHILE PRESERVING THE SITE
 CHARACTERISTICS AS OPEN SPACE. AS ILLUSTRATED,
 A VARIETY OF DWELLING TYPES
 AND SUBDIVISION PATTERNS MAY BE EMPLOYED
 SO AS TO CAPITALIZE ON TOPOGRAPHY AND OTHER
 SITE FEATURES AND TO ENHANCE MARKET APPEAL.

FIGURE 5 PLANNED UNIT DEVELOPMENT

- D. Double Frontage – Subdivisions should be designed so that lots do not front on two parallel streets except where a row of lots is designed to separate residential development from through traffic or overcome specific disadvantages of terrain and orientation.
- E. Corner Lots – Lots at the intersections of streets should exceed minimum zoning code area requirements to provide adequate building areas and required building setbacks from intersecting streets.
- F. Lot Lines – Side lot lines should be approximately at right angles to straight street lines or radial to curved street lines.
- G. Large Lots – When a tract is subdivided into lots larger than one (1) acre, such subdivision shall be designed so as to permit the opening of future streets and the establishment of additional utility easements should the land be resubdivided.
- H. Parking and Loading – Commercial and industrial lots should be of an appropriate size and arranged so as to provide for adequate off-street parking and loading facilities.

SECTION 3.4 STREETS

- A. Arrangement – The arrangement of major streets shall conform as nearly as possible to the comprehensive plan. The arrangement of streets in a subdivision shall, except for cul-de-sacs, connect with streets already dedicated in adjoining subdivisions or provide for future connections to adjoining unplatted tracts. Streets shall be arranged so as to cause no undue hardship on the subdivision of adjacent unplatted tracts and the Planning Commission and City Council may require the dedication of street rights-of-way to facilitate the subdivision of such properties.
- B. Development Plan – Where a plat to be submitted includes a part of the tract owned or intended for development by the subdivider, a development plan of the proposed future street system for the unplatted portion shall be prepared and submitted by the subdivider with the preliminary plat.
- C. Border Streets
 - 1. Where a plat borders or contains a railroad right-of-way, drainage way, open space area or limited access highway right-of-way, the Planning Commission and

City Council may require a service or access street parallel to and on each side of such right-of-way or areas.

2. Whenever a plat borders or contains an existing or proposed arterial street, the Planning Commission and City Council may require service streets, deep lots or other treatment as may be necessary for adequate protection of residential properties and to separate through and local traffic.
- D. Through Traffic – Local streets shall be planned so as to discourage their use by non-local traffic.
- E. Cul-de-sacs – Cul-de-sacs shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turn-around, shall have a turn-around radius at the property line of not less than fifty (50) feet and shall have a curb radius of not less than forty (40) feet.
- F. Base Line – The subdivider shall form a base line from which future surveys are to be made. The point or points where the base line may be found shall be distinguished on the plat or map. (See Section 4.1, D.1.)
- G. Intersections
1. Streets shall be designed to intersect at right angles.
 2. Property lines at minor street intersections shall be rounded with a minimum radius of twenty-five (25) feet. Property lines at street intersections involving major streets and highways shall be rounded with a minimum radius of thirty (30) feet.
- H. Half Streets – The dedication of half streets shall not be permitted.
- I. Dead End Streets – Dead end streets shall not be permitted except where same will be eventually extended in adjacent unplatted areas. Such temporary dead end streets shall terminate with a turn-around.
- J. Street Names – No street names shall be used which will duplicate or be confused with the names of existing streets in the City of Jenks or neighboring communities. Street names shall be subject to approval of the Planning Commission and City Council and shall be shown on the final plat.



THIS EXAMPLE ILLUSTRATES THE APPROPRIATE USE OF BORDER STREETS ALONG A CREEK BED. HERE THE SCENIC AND RECREATIONAL VALUE OF THE CREEK BED IS PRESERVED AND ACCESS TO IT FOR EITHER PUBLIC OR RESTRICTED NEIGHBORHOOD COMMON USE IS PROVIDED BY THE BORDER STREETS.

FIGURE 6 BORDER STREETS

K. Right-of-Way Widths – The minimum right-of-way widths of proposed streets shall be as follows:

| <u>Type of Street</u> | <u>Right-of-Way Widths</u> |
|--------------------------------|--|
| Freeway or Expressway | As required by the Oklahoma Department of Transportation |
| Primary Arterial | 120' |
| Secondary Arterial | 100' |
| Commercial (CBD) Collector | 80' |
| Minor Industrial Street | 70' |
| Residential Collector | 60' |
| Minor Residential Collector | 50' |
| Minor Street Cul-de-sac Radius | 50' |

(Rights-of-way may be increased to sixty (60) feet where both water and sewer lines are placed in the street right-of-way. The radius for a minor street cul-de-sac may also be sixty (60) feet.)

L. Grade

1. Grades of less than five tenths percent (.5%) are not acceptable.
2. The maximum driveway grade from the street right-of-way to the building line shall not exceed twelve percent (12%).
3. The grade of a residential street when intersecting an arterial street shall not exceed two percent (2%) within a distance of one hundred (100) feet measured from the curb line of the arterial street. The maximum grade of residential streets at intersections shall be four percent (4%).
4. The grades of streets shall not exceed the following:

| <u>Type of Street</u> | <u>Maximum Grade</u> |
|-----------------------|--|
| Freeway or Expressway | As required by the Oklahoma Department of Transportation |
| Primary Arterial | 4% |

| | |
|----------------------------|-----|
| Secondary Arterial | 5% |
| Commercial (CBD) Collector | 6% |
| Minor Industrial Street | 6% |
| Residential Collector | 7% |
| Minor Residential Street | 10% |

M. Paving Widths – The minimum paving widths from curb face shall be as follows:

| <u>Type of Street</u> | <u>Minimum Width</u> |
|----------------------------|--|
| Freeway or Expressway | As required by the Oklahoma Department of Transportation |
| Primary Arterial | 6 12' lanes (72') |
| Secondary Arterial | 4 12' lanes (48') |
| Commercial (CDB) Collector | 2 12' lanes (24') + parking if any |
| Minor Industrial Street | 40' |
| Residential Collector | 36' |
| Minor Residential Street | 26' |
| Service Street | 32' |

N. Access

1. Each lot shall be provided with access to a public street, approved private street or highway.
2. Non-access provisions controlling ingress and egress to streets may be required by the Planning Commission and City Council to assure traffic safety and to relieve congestions at intersections.
3. The minimum distance between access points are as follows:

| <u>Type of Street</u> | <u>Minimum Distance Between Access Points</u> |
|-----------------------|--|
| Freeway or Expressway | Limited by the Oklahoma Department of Transportation |
| Primary Arterial | 600' |

| | |
|----------------------------|---------------------|
| Secondary Arterial | 300' |
| Commercial (CDB) Collector | No limits of access |
| Minor Industrial Street | No limits of access |
| Residential Collector | No limits of access |
| Minor Residential Street | No limits of access |

O. Horizontal Alignments

1. The center of a street intersection shall not be located nearer than one hundred fifty (150) feet to any bridge.
2. The centerlines of two (2) streets intersecting a common street shall be at least one hundred twenty-five (125) feet.
3. There shall be a tangent between all reverse curves and such tangent between all reverse curves and such tangent shall have an adequate length in relation to the radii of the curves so as to provide for a smooth flow of traffic.
4. The horizontal radii of street centerlines shall be as follows:

| <u>Type of Street</u> | <u>Minimum Radius</u> |
|----------------------------|-----------------------|
| Primary Arterial | 750' |
| Secondary Arterial | 500' |
| Commercial (CBD) Collector | 500' |
| Residential Collector | 300' |
| Minor Industrial Street | 100' |
| Minor Residential Street | 100' |

P. Vertical Alignments

1. The sight distance for vertical alignment shall be determined by measuring from a point four (4) feet above the roadway surface along a line of sight to a point four (4) inches above the roadway surface.
2. All changes in street grade shall be connected by vertical curves of such length so as to provide the minimum sight distances:

| <u>Type of Street</u> | <u>Minimum Sight Distance</u> |
|----------------------------|-------------------------------|
| Primary Arterial | 750' |
| Secondary Arterial | 500' |
| Commercial (CBD) Collector | 500' |
| Residential Collector | 500' |
| Minor Industrial Street | 150' |
| Minor Residential Street | 100' |

Q. Private Streets – Private streets in the City of Jenks shall comply with the provisions of the Oklahoma Statutes, Title 11, Section 45-164 D.

SECTION 3.5 ALLEYS

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

SECTION 3.6 SIDEWALKS

- A. Residential – Sidewalks shall be required along both sides of residential streets in areas where densities exceed three (3) homes per acre.
- B. Collector – Sidewalks shall be required along both sides of collector streets.

- C. Pedestrian – Sidewalks or easements for sidewalks or both shall be required to facilitate pedestrian access to schools, parks, playgrounds, churches and shopping centers. Easements for sidewalks shall be no more than ten (10) feet in width and shall be indicated on the plat.
- D. Location – Sidewalks shall be located either inside sidewalk easement or street rights-of-way.

SECTION 3.7 EASEMENTS

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

SECTION 3.8 FLOODPLAIN AREAS

Areas identified by the official maps of the City of Jenks as floodplains shall not be subdivided into lots, tracts or parcels unless:

- A. Improvements are made to the City Engineer’s and Building Inspector’s requirements to render such land safe for residential or other use.
- B. The intended use of the land is permitted by City ordinance or permitted by Special Exception or Variance as outlined by City ordinances.

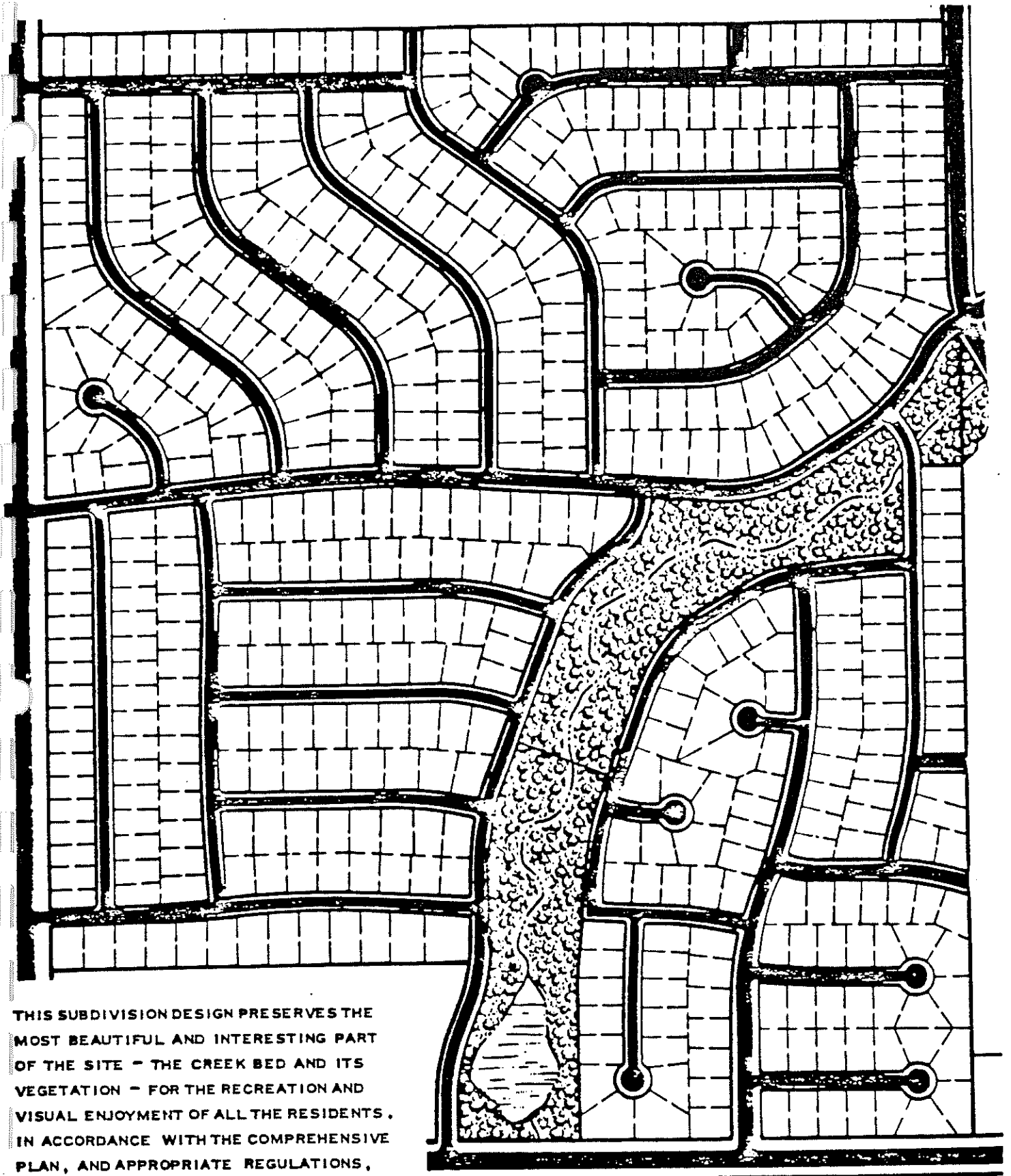
SECTION 3.9 OIL AND GAS WELLS

Where there is found to be a producing oil or gas well which is in or near the proposed subdivision, or an abandoned oil or gas well which is not adequately plugged according to the standards established by State law and the Oklahoma Corporation Commission, a building setback line as determined by the Planning Commission and City Council shall be shown on the final plat to prevent the erection of a building near such wells or said well shall be adequately plugged according to said standards and so certified by the Oklahoma Corporation Commission

before the plat of such addition is given final approval. In any event, a certificate or clearance shall be obtained from the Oklahoma Corporation Commission as to the existence of any unplugged wells reflected in their records.

SECTION 3.10 PARKS

In subdividing land or resubdividing an existing plat, due consideration shall be given by the subdivider to the dedication or reservation of suitable sites for parks, playgrounds or other public recreational areas or open spaces. Any areas so dedicated or reserved shall conform as nearly as possible to the recommendations of the Jenks Planning Commission in the Comprehensive Plan of the City of Jenks. All areas to be reserved for or dedicated to public use shall be indicated on the preliminary plat in order that it may be determined when and in what manner such areas will be dedicated or conveyed to the City. Such land must be free and clear of mortgage or liens at the time of such dedication or conveyance.



THIS SUBDIVISION DESIGN PRESERVES THE MOST BEAUTIFUL AND INTERESTING PART OF THE SITE - THE CREEK BED AND ITS VEGETATION - FOR THE RECREATION AND VISUAL ENJOYMENT OF ALL THE RESIDENTS. IN ACCORDANCE WITH THE COMPREHENSIVE PLAN, AND APPROPRIATE REGULATIONS, PORTIONS OF THE AREA CAN BE RESERVED AS COMMON AREA FOR USE OF RESIDENTS OR DEDICATED AS PUBLIC OPEN SPACE.

FIGURE 7 OPEN SPACE

Chapter 4

Improvements Requirements

SECTION 4.1 SPECIAL IMPROVEMENTS

The subdivider shall install or make the following improvements to subdivided land:

- A. Underground Mines – The subdivider shall locate mines under a proposed subdivision and designate the location of the same on the subdivision plat. The location of the mines shall be based upon information and/or techniques which have been approved in advance by the City Engineer which are reasonably calculated to accurately locate mines and their depths.

The City Engineer may recommend that the Planning Commission and City Council prohibit the erection of structures over the mine locations if the mines cannot be collapsed and the material compacted to City Engineer specifications or if, because of the shallow depth of the mine or its size, the mine would have the potential for cave-in. Appropriate building setbacks may be required upon the lots. The City Engineer may require other conditions to be met by the subdivider, based upon the location of the mines and any subsurface investigation reports, which would assist in preventing cave-ins under areas upon which structures may be erected.

The City Engineer may require that any streets or utility easements which may be dedicated to the City of Jenks or the public, either not be located over mines, or the mines collapsed and compacted to City Engineer Specifications, or additional bonding requirements imposed upon the subdivider to repair or reroute streets or utility easements in the event of cave-ins under the same.

All mine entrances shall be sealed and closed to the specifications of the City Engineer.

- B. Street Lights – The subdivider shall provide adequate street lighting in the subdivision to the specifications of the City Engineer and the Technical Advisory Committee.
- C. Street Name Signs – The subdivider shall install street name signs in the subdivision to the specifications of the City Engineer.
- D. Permanent Markers and Monuments

1. Permanent reference markers shall be placed at the intersection of the centerlines of rights-of-way. There shall be in each subdivision a minimum of two (2) such monuments. If no two (2) of the intersection monuments are within line-of-sight to each other, an additional marker shall be placed on right-of-way centerline so as to establish a straight line which can be seen line-of-sight from one end to the other. An additional such marker shall be placed at the center point of the turn-around in each cul-de-sac. These markers shall be in the form of a non-corrosive metal plate and each shall be stamped with a cross at the point of the intersection and the elevation to the tenth of a foot.
2. Permanent reference markers shall be placed at each turning point in the boundary of the subdivision. These markers shall be a twenty-four (24) inch long iron pipe or bar of at least one-half (1/2) inch diameter, to be set in concrete.
3. Permanent reference markers shall be placed at a minimum of two (2) corners of each lot in an addition. The markers shall be at least twenty-four (24) inches long and at least one-half (1/2) inch in diameter made of iron pipe or bar and driven into unexcavated soil.
4. Permanent reference markers shall be placed at the points of curvature and points of tangency of all inside and outside rights-of-way lines, and at the point of intersection of the outside line of a curve in street right-of-way. These markers shall be a twenty-four (24) inch long iron pipe or bar of at least one-half (1/2) inch diameter to be driven into unexcavated soil.
5. The location of all permanent markers shall be shown on the face of the record plat.

SECTION 4.2 CONSTRUCTION OR INSTALLATION

Following the approval of the construction plans by the City Engineer, the subdivider shall complete in a manner satisfactory with the City Engineer all required improvements and said improvements shall be free and clear of all liens, claims and encumbrances. No building construction shall be permitted on any lot to or on which improvements have not been completed in accordance with the provisions of these regulations and no municipal utility service will be furnished to such lot. In lieu of requiring the completion of all subdivision improvements before issuance of any building permits, the City Council, at its discretion, may accept surety from the subdivider whereby the subdivider shall guarantee to complete all improvements required by these regulations and other ordinances in a manner satisfactory to the City Engineer. To secure

this surety, the subdivider shall provide, subject to the approval of the City Council, one of the following guarantees:

- A. Commercial Surety Performance and Payment Bond – The subdivider shall be required to obtain a security bond 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 of Jenks. The amount of the Bond shall be a one hundred percent (100%) surety and sufficient to cover one and one-half (1-1/2) times the entire cost, as estimated by the subdivider and approved by the City Engineer, of installing all specified improvements. The duration of the bond shall be until such time as the improvements are accepted by the City in accordance with Section 4.3 Inspection and Certification.

- B. Cash Escrow Account – The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, either with the City, or in escrow with a bank. The use of any instrument other than cash, and, in the case of an escrow account, the bank with which the funds are to be deposited, shall be subject to the approval of the City Council. The amount of the deposit shall be at least equal to one and one-half (1-1/2) time cost, as estimated by the subdivider and approved by the City Engineer, of installing all required improvements. The subdivider shall also file with the City Clerk an agreement between the financial bank and himself guaranteeing the following:
 - 1. That the funds of said escrow account shall be held in trust until released by the City Council when the obligation is complete, and may not be used or pledged by the subdivider as security in any other matter during that period; and,
 - 2. That in the case of a failure, as determined by the City Council, on the part of the subdivider to complete said improvements, then the bank shall immediately make the funds in said account available to the City for use in the completion of those improvements.

In those cases where improvement guarantees have been made under this section, the amount of the guarantee may be reduced in proportion to improvements completed and accepted by the City in compliance with Section 4.3 Inspection and Certification. In no case, however, shall the guarantee be reduced to less than fifteen percent (15%) of the original guaranteed amount.

SECTION 4.3 INSPECTION AND CERTIFICATION

The City Engineer, or other knowledgeable official of the City of Jenks, shall inspect for defects the construction of the required improvements. 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 the City of Jenks Design Criteria and Technical Specifications or that the improvements are defective, listing the defects.

Upon completion of the improvements, the subdivider and his engineer shall file with the City Council “as built construction plans” and a statement stipulating the following:

- A. That all required improvements are complete.
- B. That these improvements are in compliance with these regulations and the City of Jenks Design Criteria and Technical Specifications.
- C. That the subdivider knows of no defects in the improvements.
- D. That these improvements are free and clear of any encumbrance or lien (except development loans).

The City Council may, at its discretion, accept any portion of the required improvements, provided that all statements and agreements specified above have been received for that portion of the improvements and that “as built plans” have been submitted.

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

SECTION 4.4 MAINTENANCE BOND

Regardless of the guarantee chosen by the subdivider to secure the contract, prior to acceptance of required improvements by the City Council, the developer shall be required to obtain a maintenance bond 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 fifty percent (50%) of the entire cost of materials for all water lines, sewer lines, paving, grading and drainage improvements. The duration of the maintenance bond shall be one (1) year from the date of acceptance of said improvements by City Council.

SECTION 4.5 TIME LIMIT

The required improvements shall be completed within two (2) years from the approval of the record plat by the City Council unless extended by the City Council for cause.

SECTION 4.6 VACATED PLATS

The vacation of a plat by District Court action as provided by State Statute shall remove the obligation to construct required improvements.

SUBDIVISION PROCEDURE

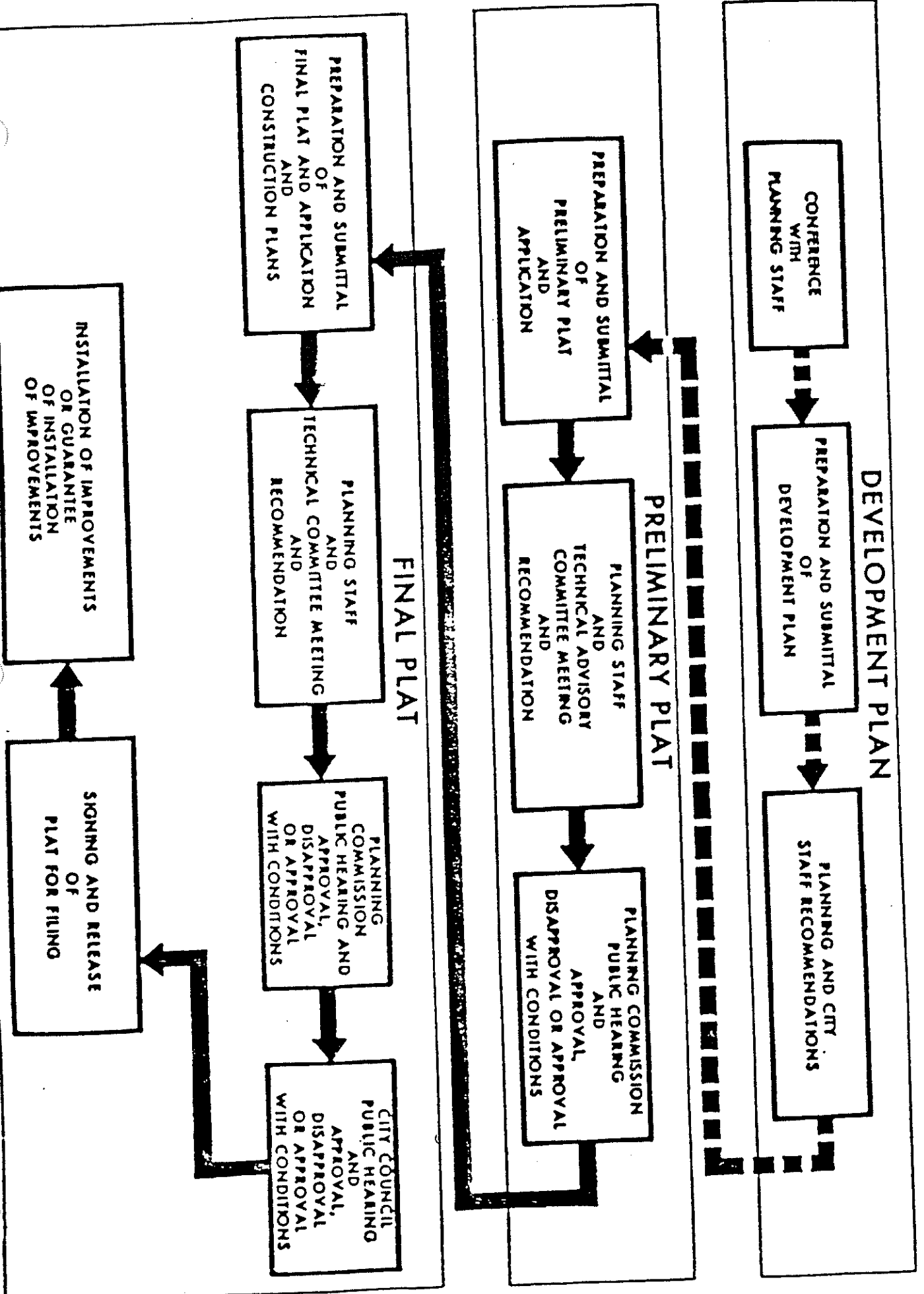


FIGURE 8