

INOLA

OKLAHOMA

**SUBDIVISION
REGULATIONS**

***THE LAND SUBDIVISION CODE FOR
THE TOWN OF INOLA***

OCTOBER 1, 2019

Town of Inola

Subdivision Regulations

Planning Commission

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Section 100 General Provisions, Amendment and Enforcement

101 Purpose and Intent

These regulations are designed to promote the health, safety and general welfare of the community by establishing standards for the subdivision and development of all land in Town of Inola including land inside and outside the Town of Inola Planning Commission jurisdiction. These regulations are designed, intended and should be administered according to the following purposes:

- a) To provide for the physical development of Town of Inola in accordance with the Comprehensive Plan.
- b) To harmoniously relate the development of various tracts of land to the existing community and to facilitate the future development of adjoining tracts.
- c) To secure and provide for the proper arrangement of streets or other highways in relation to the existing or planned streets or highways or to the Comprehensive Plan or plans of the area; for the adequate and convenient open spaces for traffic, utilities, access for fire fighting apparatus, parking lots, parks, playgrounds, light and air; for the avoidance of congestion of population; and to provide for the proper location and width of streets, easements and building lines.
- d) To establish a subdivision process that is expeditious, efficient and as cost effective as possible, while providing for the public health, safety and general welfare.
- e) To provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or subdividers of the tract, and that the cost of improvements which primarily benefit the whole community be borne by the whole community.
- f) To establish adequate and accurate records of land subdivision.

102 Short title

These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of Town of Inola.

103 Authority

These subdivision regulations and minimum standards for land development of Town of Inola are adopted by ordinance passed under the authority granted under 11 O.S. 41-101 et seq. and 45-101 et seq.

104 Jurisdiction

The Subdivision Regulations and development standards shall apply to all subdivision of land located within the jurisdictional area of the Town of Inola as established by law now in effect or as may be amended from time to time.

- a) The division of land into two or more tracts, lots, sites or parcels; or
- b) The division of land, previously subdivided or platted, into tracts, lots, sites or parcels; or
- c) The dedication, vacation or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
- d) The dedication or vacation of any street or alley through any tract of land regardless of the area involved.

105 Platting Requirement

No plat or deed or other instrument of a subdivision of land within the Town of Inola shall be accepted for record in the office of the County Clerk until it has been approved by the Planning Commission and/or the Town Board as being in accordance with the regulations and such approval endorsed on such instrument in writing. All Final Plats shall be filed within two (2) years of the date of Preliminary Plat approval by the Town of Inola, and no lots shall be sold from any plat until same shall have been recorded as herein provided. Failure to record the Final Plat within sixty (60) days of the Board of the Town of Inola approval shall void all approvals thereof.

No Building Permit or Certificate of Occupancy shall be issued on the above designated properties until that portion of the tract is included within a subdivision plat or re-plat. The platting of land, as set forth in these subdivision regulations, shall be required in accordance with the Town of Inola Zoning Ordinance platting requirements in the following instances:

- a) For any land which has been rezoned to a zoning classification other than AG/A-1 upon application by a private party, or
- b) For any land which has been granted a Special Exception by the Town Board.

106 Planned Unit Development

Where a Planned Unit Development (PUD) has been approved pursuant to the provisions of the Zoning Regulations, the plat or detailed site plans for development shall conform to the PUD Development Plan, other provisions of these subdivision regulations to the contrary notwithstanding.

The PUD Development Plan shall contain graphical and text information to provide the basis for the development within the approved PUD boundaries. Plats and detailed site plans may contain minor adjustments from the PUD Development Plan that may be approved during the review and approval processes of these subdivision regulations. These minor adjustments may be considered minor amendments as defined in the Zoning Ordinance.

107 Lot Split

The lot-split procedure may be applicable in lieu of a full subdivision plat when the subdivision of land meets the criteria as described in Section 400 of these regulations.

108 Waiver of Platting Requirement

If a subdivision of land is required by a zoning change, the Town of Inola Board may waive the subdivision requirement upon a showing that the purposes of these Regulations have been achieved by previous subdividing, have or will be achieved by other actions or could not be achieved by a plat or replat. If, after consideration of the above criteria, a plat waiver is granted on unplatted properties, a current certified Survey (and as subsequently revised) shall be required. The survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant. The Board may also amend the plat review procedure and allow the processing of a Minor Subdivision Plat and approve a Recommendation for Accelerated Release of a Building Permit in accordance with Section 213 of the Zoning Ordinance and with these Regulations.

109 Variances and Exceptions

Whenever it would be inadvisable to apply a provision of this ordinance because a tract is of unusual size, shape or character and would render an extraordinary hardship not created or imposed by the owner or subdivider, the Planning Commission may modify such provisions only to provide that substantial justice may be done, the public interest secured, and the intent and spirit of these regulations fulfilled, provided in no event shall the requirements of procedure or improvements be waived. Such modifications thus granted shall be made at the written request of the subdivider stating the reasons for such modifications and shall be waived only by three-fourths (3/4) vote of the regular membership of the Planning Commission. Any such modifications thus granted shall be duly entered and recorded in the minutes of the Planning Commission, setting forth the reasons which justify the modifications.

110 Amendment

The Board of Trustees may, from time to time, adopt, amend and make public rules and regulations for the administration of these regulations to the end that the public be informed and that approval of plats be expedited. These regulations may be enlarged or amended by the Board of Trustees after public hearing, due notice of which shall be given as required by law.

111 Validity

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

112 Conflict and Severability

a) Conflict with Public and Private Provisions:

i. Public Provisions. These Regulations are not intended to interfere with abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these Regulations imposes 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.

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

b) Severability. If any part or provision of these Regulations or application thereof to any person or circumstances is adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Board of Trustees hereby declares that it would have enacted the remainder of these Regulations even without any such part, provision, or application.

113 Violation and Penalty

No building permit shall be issued for any new structure, change, improvements, or alteration to any existing structure, on any tract of land, which does not comply with all the provisions of these regulations.

Any person, firm, or corporations which violates or refuses to comply with any of the provisions of these regulations shall be deemed guilty of a misdemeanor offense and shall be punishable by a fine not to exceed \$500.00 or by imprisonment in Jail for a period not to exceed one (1) year, or such fine and punishment. Each day a violation is permitted to exist shall constitute a separate offense.

Suspension of building permits or construction of subdivision improvements, for a portion or the entirety of a subdivision, may be required and enforced at any time for just cause to correct construction or development issues. These issues include, but are not limited to, grading, paving, installation of drainage conveyances and placement of fill materials, erosion and sediment control corrective requirements prior to the establishment of permanent vegetation. The Planning Commission has the power to hear and decide an appeal where it is alleged there is an error in the suspension of building permits or construction of subdivision improvement by any administrative official in the enforcement of these regulations.

114 Saving Provision

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

Section 200 Plat Approval Process

201 Subdivision Technical Advisory Committee

General. There is hereby created a subdivision Technical Advisory Committee (TAC). The Technical Advisory Committee shall coordinate review of and comments regarding proposed subdivisions. Individual members of the Committee shall make recommendations to the Planning Commission on all subdivision plats.

Committee Membership. The Technical Advisory Committee shall be composed of representatives from departments, agencies and offices involved in the subdivision process including, but not limited to, Planning Commission, Engineering, Police Department, Fire Department, Department of Environmental Quality, School Boards, District Attorney's Offices, Park Departments and Utility Companies and Public Service Companies providing services.

Meeting Dates. The Technical Advisory Committee shall meet twice a month. Schedules for all Technical Advisory Committee meeting dates, cut off dates for submitting plats to be reviewed at the Technical Advisory meeting and Planning Commission review dates will be posted and available in the offices of the Planning Commission.

Report to the Planning Commission. The recommendations of individual Technical Advisory Committee members related to their specific areas of expertise shall be included in the staff recommendation for each subdivision plat. In the case of items where agreement between the members of the Committee and the applicant has not been reached, the comments of the applicant shall be included.

202 Pre-application, Sketch Plat Development (Optional)

Submittal of a sketch plat for review by the Chairman of the Planning Commission is optional by the subdivider. A thorough investigation of all development and utility requirements by the subdivider or subdivider's agent is encouraged.

The sketch plat procedure is intended for the subdivider and/or subdivider's engineer to meet with the Chairman of the Planning Commission and other appropriate persons, including utility providers, regarding the development in consideration of the following at a minimum:

- c) Comprehensive Plan regarding the subject tract.
- d) Existing zoning and other related planning information.
- e) The availability and extension responsibility for utilities to serve the subdivision including water, sewer, gas, telephone and cable as available or required.
- f) The major street and highway plan and required right-of-way dedication for street classifications within and from the proposed development to abutting land.

- g) Preliminary investigations of soils, topography, slopes, drainage, oil or gas wells or other surface or sub-surface features that may affect development.

203 Preliminary Plat Application and Procedure

The preliminary plat is intended for the consideration of the development based on the detailed plat drawings of the subdivider and the staff review of the plat and conceptual plans for the development. Subsequent to preliminary plat approval, the final construction plans shall be developed according to the standards in these subdivision regulations. Approval of the preliminary plat allows for the installation of the subdivision improvements prior to the request for approval of the final plat.

203.1 Application Procedure and Requirements

- a) The subdivider shall submit a sufficient number of copies of the preliminary plat with checklist (see Appendix) as required by the Chairman of the Planning Commission.
- b) The preliminary plat submittal shall be accompanied with conceptual plans and by an application and filing fee as established by the Planning Commission.
- c) The application shall be filed with the Town Clerk by the appropriate cut-off date for the meeting of the Technical Advisory Committee at which it will be considered, as indicated on the approved schedule.

203.2 Review

- a) Staff may make a recommendation to the Planning Commission on the preliminary plat.
- b) If staff finds that the Preliminary Plat or Conceptual Improvements Plan document do not substantially conform to the requirements of the Subdivision Regulations staff will advise the applicant of deficiencies and return the Plat and Plan to the applicant. In the event that a Conceptual Improvements Plan is not submitted with the Plat it shall be processed as a Sketch Plat. *If the TAC (Technical Advisory Committee) determines that the Conceptual Improvements plan does not conform to the Subdivision Regulations the plat may be processed as a Sketch Plat.*
- c) The Technical Advisory Committee members shall review the Preliminary Plat and the Conceptual Improvements Plan and provide comments regarding conformance with adopted standards and the previously approved Sketch Plat (if any). The members shall also recommend revisions. Staff shall transmit the recommendations of the Committee Members and the comments of the applicant (if any) to the Planning Commission at a meeting indicated by the approved schedule. The recommendations shall also include comments on any modifications of the Subdivision Regulations that have been requested or identified by the subdivider and those that are otherwise required for approval of the Preliminary Plat as submitted.

203.3 Hearing and Approval

- a) The Planning Commission shall review the Preliminary Plat, the report of the Planning Commission Staff (optional), the recommendations of the Technical Advisory Committee members, any comments of the subdivider and any, testimony and/or exhibits provided at the hearing. The Commission shall then advise the subdivider of any changes and/or additions required in order to comply with these regulations. The Preliminary Plat should substantially conform to the previously approved Sketch Plat, if any.
- b) The Planning Commission shall approve, conditionally approve, or disapprove the preliminary plat at such hearing or within thirty (30) days after the date of the regular meeting of the Commission, at which the hearing on preliminary approval is closed, including any adjourned date for such hearing.
- c) The reasons for disapproval or approval with conditions shall be stated in written form and included in the minutes of the Planning Commission meeting. The reasons for disapproval or approval with conditions shall refer specifically to those parts of these regulations with which the plat does not conform.
- d) The preliminary plat and the Planning Commission recommendation shall be submitted to the Board of Trustees within ten (10) days for consideration at a scheduled meeting at which the preliminary plat maybe approved, disapproved, or approved with conditions. The reasons for disapproval or approval with conditions shall be stated in written form and included in the minutes of the Board meeting. The reasons for disapproval or approval with conditions shall refer specifically to those parts of these regulations with which the plat does not conform.
- e) One (1) copy of the proposed preliminary plat shall be retained in City Hall and one (1) copy shall be returned to the subdivider within ten (10) days. Each copy shall include the date of approval, conditional approval, or disapproval and the reasons therefore.
- f) The approval of a preliminary plat shall be effective for a period of two (2) years from the date of approval by the Board of Trustees unless otherwise approved by the Board for an extended period of time. Any preliminary plat not receiving final plat approval within two (2) years, including any approved extensions by the Board, shall be null and void.
- g) Each preliminary plat shall conform to the adopted Subdivision Regulations at the time of approval of the preliminary plat unless modifications have been granted through the proper appeals process.
- h) Subsequent to preliminary plat approval, the subdivider may commence construction of the public improvements in accordance with final construction plans approved by the Town after arranging for inspection of said improvements during construction by the appropriate public body.

- i) In accordance with 11 O.S. Section 41-100 et seq. and 45-101 et seq., any preliminary plat approval shall be revocable for cause by the Board of Trustees , upon review and recommendation by the Planning Commission, and such preliminary approval shall not be entered on the plat.

204 Minor subdivision plats

Application Procedure and Requirements. For subdivisions requiring no new streets and minimal infrastructure extension the subdivider may request a conference with Chairman of the Planning Commission to discuss an amended review and approval process. At such Conference the subdivider should be prepared to file an application for processing of a Minor Subdivision Plat. The application shall:

- a) Be made as prescribed in these Regulations.
- b) Comply in all respects with the requirements for Final Plat submittals per Section 207.
- c) Be accompanied by a number of copies as determined by Planning Commission Staff.
- d) Be accompanied by one (1) copy of conceptual plans as described in Section 206, addressing required improvements.
- e) Be accompanied by the Minor Subdivision Plat filing fee, as established by the Planning Commission.

204.1 Review and Process

- a) The Chairman of the Planning Commission shall review the plat and conceptual plans for compliance with Section 217 of the Zoning Code and with the policies of the Planning Commission.
- b) The Chairman of the Planning Commission shall make a determination as to whether the plans, as submitted:
 - iii. Comply with all the conditions, restrictions and requirements of these Regulations and any other applicable regulations or statutes.
 - iv. Comply with the standards and policies that have been established for approval of the processing of a Minor Subdivision Plat.
 - v. Are of sufficient detail to warrant distribution to and review by the members of the Technical Advisory Committee.
- c) Subject to a determination that the application is complete and ready for distribution, the Chairman of the Planning Commission shall:
 - i. Distribute the plat to appropriate officials, agencies and departments and notify any city or town within one (1) mile of the proposed subdivision. It shall be the responsibility of the applicant to provide TAC members with construction drawings.

- ii. TAC and Planning Commission hearing dates.
- d) Subject to a determination that the application as submitted does not comply with the conditions, restrictions and requirements for a Minor Subdivision Plat, staff shall process the request as a Preliminary Plat.

Technical Advisory Committee Review and Recommendations. The Technical Advisory Committee Members shall review the Minor Subdivision Plat and the Construction Drawings and shall provide the applicant with comments regarding conformance with adopted standards.

At the scheduled TAC meeting members shall provide letters of release or specific information indicating particular items to be addressed prior to providing such letter.

204.2 Planning Commission Review and Determination

- a) The Planning Commission shall hold a hearing on the Minor Subdivision Plat. The Commission shall, at such meeting or within thirty (30) days thereafter:
 - i. Review the Minor Subdivision Plat and the report of the Planning Commission Staff.
 - ii. Approve the Plat if the standards of the Subdivision Regulations have been met, approve the Plat with modification of the Regulations, or disapprove the plat if the standards of the Subdivision Regulations have not been met. The Commission shall state in the record of its meeting the details of the requirement for modification or for the disapproval.

204.3 Endorsement of Approval on Plat

- a) Minor Subdivision Plats shall be endorsed per Section 207 of these Regulations.

205 Authorization For an Accelerated Release of a Building Permit

Application Procedure and Requirements. A subdivider who intends to apply for a Authorization For An Accelerated Release of a Building Permit should schedule a conference with staff and be prepared to submit an application for such authorization with the Preliminary Plat application. The purpose of this application shall be to obtain the Commission's authorization for release of a Building Permit prior to filing of the Final Plat. Applications for Authorization for an Accelerated Release that are not submitted with the Preliminary Plat application will be subject to fees as established by the Planning Commission and may proceed on a schedule separate from that of the Preliminary Plat.

Applications will be reviewed on a project-by-project basis. Review shall focus on the extraordinary or exceptional circumstances that extend the normal processing schedule and on the benefits and protections to the Town that may be forfeited by releasing the Building Permit prior to filing of the final plat. The application shall:

- a) Comply in all respects with the requirements for Preliminary Plat submittal, per Section 203 these Regulations.
- b) Include an explanation of the extraordinary and exceptional circumstances that serve as a basis for the request.
- c) Include a building permit application, the type of permit requested, and a site plan for the structures requesting the accelerated permit.

205.1 Staff Review

- a) The Chairman of the Planning Commission shall review the request for compliance with Section 213 of the Zoning Code and the Policies of the Planning Commission;
- b) The Chairman of the Planning Commission shall make a determination as to whether:
 - i. There has been compliance with the standards and policies that have been established for the processing and approval of a request for such Authorization for Accelerated Release.
 - ii. The application and the Preliminary Plat as presented are sufficient for distribution to and review by the Technical Advisory Committee.

205.2 Technical Advisory Committee Review and Recommendations

- a) The Technical Advisory Committee members shall review the Preliminary Plat and provide comments per Section 200 of these Regulations.
- b) The members shall provide recommendations regarding the appropriateness and the potential impacts of the request. The members shall also provide comments regarding the specific issues to be addressed prior to the approval of the requested building permit.
- c) Staff shall transmit the recommendations and comments of the Committee Members and the comments of the applicant (if any) to the Planning Commission at the meeting indicated by the approved schedule.

205.3 Hearing and Approval

- a) The Planning Commission shall review and act upon the Preliminary Plat per Section 203 of these Regulations.
- b) If the Preliminary Plat is approved, has been approved or has been conditionally approved, the Planning Commission shall review the request for Authorization for Accelerated Release of a Building Permit.
- c) At such meeting or within thirty (30) days after the date of the regular meeting at which the request was first reviewed the Commission shall approve, conditionally approve or disapprove the request.

206 Conceptual/Preliminary Improvement Plans

The subdivider shall submit at least three (3) paper copies and one (1) digital copy of the conceptual/preliminary construction plans of the subdivision with the preliminary plat application and Conceptual Plans Checklist (see Appendix). The conceptual plans shall show improvements for streets, drainage, sidewalks, pedestrian ways or other utilities or improvements as required by these Subdivision Regulations and the Engineering Design Criteria Manual.

Review and comments by the Town on the Conceptual Improvement Plans shall be submitted to the subdivider prior to the development of the Final Construction Plans. The Conceptual Improvement Plans and the initial submittal of the Final Construction Plans shall be clearly marked on each page "PRELIMINARY, NOT FOR CONSTRUCTION".

207 Final Construction Plans and Record Drawings

For the initial submittal and prior to any construction of subdivision improvements, the subdivider shall submit a minimum of two (2) copies of the construction plans and applicable checklist for the proposed improvements. The initial submittal of Final Construction Plans shall have each page clearly stamped "PRELIMINARY, NOT FOR CONSTRUCTION". Final construction plans shall be submitted to the Town Clerk for review by the following:

- a) The Engineer shall review and approve the final construction plans for improvements regarding streets, drainage and storm sewers, erosion control, sidewalks and pedestrian ways in accordance with these Subdivision Regulations and Engineering Design Criteria Manual. The final construction plans must be approved by the Engineer before construction of the subdivision improvements may begin.
- b) The appropriate water and sewer authority shall review and approve sanitary sewer and water improvement plans.
- c) The ODEQ shall review and approve all final plans for public and private water and sewage disposal systems.

For the approval set of the Final Construction Plans, a minimum of six (6) copies of the plan set, signed and sealed by the subdivider's engineer, must be submitted, with the "PRELIMINARY, NOT FOR CONSTRUCTION" stamp removed.

Following the completion and approval of all improvements as set forth in these Subdivision Regulations and the Engineering Design Criteria Manual, one (1) copy of final record drawings ("As-Builts") of roadway improvements, drainage improvements, and detention facilities, signed and sealed by the subdivider's engineer, shall be submitted. This shall include field survey information and hydrological performance verification of drainage and detention facilities as required by the Engineer.

208 Final Plat Application and Procedure

The final plat is intended to provide for the final documentation and recording of the subdivided land including final dimensions, dedications and land restrictions. Approval of the final plat is the method for the acceptance of the public improvements and public ways by the governing body, and the initiation of the warrantee period prior to the full acceptance of maintenance responsibilities of said improvements.

208.1 Review

The Engineer shall review the final plat for compliance with the approved preliminary plat.

The Engineer will make a recommendation to the Planning Commission on whether:

- a) There has been compliance with all conditions, restrictions and requirements of these Regulations and with other applicable regulations or laws.
- b) There has been compliance with all conditions that have been attached to the approved preliminary plat.
- c) The Planning Commission should approve or disapprove the final subdivision plat.

208.2 Planning Commission Review – Requirements and Determination

The subdivider shall file with the Town Clerk an application with checklist for approval by the Planning Commission of a subdivision final plat, which shall:

- a) Be made as prescribed in these Regulations.
- b) Comply in all respects with the approved preliminary plat.
- c) Be accompanied by twelve (12) full size copies of the final plat as required by the Chairman of the Planning Commission.
- d) Be accompanied by the final plat filing fee as established by the Board of Trustees .
- e) The final plat shall be submitted for final approval to the Planning Commission at a regularly scheduled meeting. The Planning Commission shall at such meeting, or within 30 days thereafter.
- f) Review the final plat and the report of the Planning Staff.
- g) Recommend to approve the plat if the conditions of preliminary plat approval have been met, or disapprove the plat if the conditions of preliminary plat approval have not been met, and state in detail in the record of its meeting any reasons for disapproval.

208.3 Board of Trustees Review and Approval Requirements

Following the approval by the Planning Commission of the final plat, the following items shall be completed and documented prior to the presentation of the final plat

to the Board of Trustees . Copies of the final plat as required by the Chairman of the Planning Commission and documentation shall be provided which include:

- a) Electronic Copies of Final Plat and Covenants - Electronic files in accordance with the requirements of the Town of Inola Planning Commission and County Clerk's office, Assessor's office and E-911. At a minimum, two (2) copies of a compact disc (CD) containing the Final Plat and Covenants in CAD file (DWG) format, and Portable Document Format (Adobe PDF). The Format of electronic files and media may be changed as required by the Town of Inola.
- b) Utility Release Letters - The application shall include release letters from each applicable utility that the easement and utility extension requirements have been met. Utilities may include water, sewer, gas, and communications respectively as available to the subdivision. If an applicant is unable to receive a response from a utility company for a release letter, the applicant shall provide an affidavit stating that all means were taken to receive such a letter.
- c) Abstractor Ownership Affidavit – Current certification by a bonded abstractor, 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.
- d) Record Drawings – Record Drawings or “As-Builts” of roadway improvements, drainage improvements, and detention facilities, sealed by the subdivider's engineer.
- e) Engineer's Certificate – A signed and sealed certificate from the subdivider's engineer stating that all roadway improvements, drainage improvements, and detention facilities were installed and/or constructed accordance to the approved construction plans.
- f) Infrastructure Improvements – All infrastructure improvements will be installed, inspected, and approved prior to submission to the Town Trustees. Final Plats may be approved prior to installation of infrastructure improvements if so approved by the Board of Trustees only if adequate assurance by the developer that the roads will be built according to the requirements. Those assurances shall include; bonds, letters of credit, or other items approved by the Board of Trustees. These bonds shall be set at a minimum of two years.
- g) Roadway Release Letter – The application shall include a letter from the Town Public Works Director and/or County Road Foreman that the improvements have been constructed, inspected and approved as being constructed according to the subdivision plans, the improvements meet the subdivision regulations and erosion control measures are in place. If assurance is granted through Section 208.03.f, Roadway Release Letter will be required at time of completion of roadway.
- h) Bonds – A maintenance surety bond as outlined in the Engineering Design Criteria Manual.

- i) Test Results – Roadway infrastructure test results as outlined in the Engineering Design Criteria Manual.

209 Final Approval, Endorsement, and Official Recording

209.1 General

- a) No final approval shall be endorsed on the final plat until all requirements of plat approval have been met.
- b) The parties responsible for acknowledging acceptance by the Town and for endorsing approval on the plat shall be the Chairman of the Planning Commission and the Mayor of the Board of Trustees or any other party authorized, in writing by law, to sign for said Chairpersons.
- c) Approval shall not be endorsed on the plat until after all conditions of the approval have been satisfied.
- d) Written evidence shall be submitted, including submission of Record Drawings as described in these Regulations that the required improvements have been installed, and necessary dedications made, in a manner satisfactory to the Town as approved by the Engineer and/or Town Attorney as applicable.
- e) To partially defray to costs of notification and special studies, there shall be paid to the Town of Inola, at the time of submittal of the plats, a filing fee as established by the Board of Trustees.

Section 300 Specifications for Plat and Plan Documents

301 Platting Accuracy

301.1 Preliminary Plats

Preliminary plats shall be drawn to scale as specified below with such accuracy as to determine the location of lot, block, property and boundary lines, utility and other facilities to the nearest one-hundredth (0.01) foot.

301.2 Final Plat

Final plats shall be prepared as specified below with third-order survey accuracy for both vertical and horizontal survey datum and also include the following information:

- 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.

302 Preliminary Plat

302.1 General

The preliminary plat shall be prepared by a Registered Professional Land Surveyor. The application for preliminary plat approval must include the names and addresses of the owner/developer, and Registered Land Surveyor preparing the plat. The required number of copies should be submitted with the appropriate application fee. Additionally, any other information as required by the Town for submission of the preliminary plat should be included.

302.2 Scale

The preliminary plat shall be drawn to a scale of not more than one inch equals one hundred feet (1"=100') for areas less than two hundred (200) acres. For areas greater than two hundred (200) acres a scale of one inch equals two hundred feet (1"=200') may be acceptable if the lots are two (2) acres or larger.

302.3 Required Information

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

- a) Name of the subdivision prefaced by "PRELIMINARY PLAT."
- b) The name and address of the owner or owners of the land to be subdivided, the name and address of the land surveyor, planner, engineer and the names of the abutting property owners.
- c) 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) A listing of the utility service providers.
- g) A listing of the property zoning, setback, lot area and width requirements.
- h) Locations and dimensions of all boundary lines of the proposed subdivision to the nearest one-hundredth foot including property lines, Town limits or Town lines.
- i) 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.
- j) Locations and widths of easements of all oil, gas, and petroleum product pipelines and any required setbacks.
- k) Location and width of easements for existing utilities on or abutting to the property and any required setbacks.
- l) 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 records as may be on file with the Planning Department, or any planned future well sites.
- m) Location and description of all existing structures, water bodies and watercourses.
- n) Areas subject to flooding based upon the regulatory flood and the FIRM panel map number.
- o) Names, locations and widths of all proposed streets and all right-of-way dedications as required by street classification.
- p) Location and dimension of all proposed streets, drainage ways, detention facilities, pedestrian ways, bike paths, parks, playgrounds, public ways, or other public or private reservations.
- q) All proposed lots consecutively numbered, their dimensions, and building setback lines shall be shown on the plat for each lot.
- r) Blocks consecutively numbered.
- s) A topographic map of the subdivided area with contour lines having a maximum of two (2) foot contour intervals based on United States Coastal and Geodetic Survey datum.
- t) Preliminary Deed of Dedication and Subdivision Covenants.
- u) The preliminary plat shall show on its face, and in conjunction with the key map, a summary of the total acres platted, the number of lots and blocks, the

number of reserve areas and other pertinent information as would be required to summarize the nature and character of the proposed development.

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

303 Final Plat

303.1 General

The final plat shall be at the same scale or smaller as the preliminary plat, and be prepared by a registered land surveyor licensed in the State of Oklahoma. The plat shall be prepared and contain all pertinent information in accordance with all applicable State of Oklahoma surveying and platting requirements.

The final plat shall be full size (24"x36") with a margin line around the entire sheet one (1) inch from the edge of the sheet, with no drafting, lettering, signatures, and/or seals outside of said margin line. One (1) reproducible copy of the final plat shall be on Mylar, and the remaining copies shall be blue or black line on a good grade of paper.

303.2 Required Information

Information required on the final plat shall include the following (see check list in Appendix):

- a) All applicable information from the preliminary plat (final plat does not include contours).
- b) Name of the subdivision prefaced by "Final Plat."
- c) The name and address of the owner or owners of the land to be divided, the name and address of the subdivider if other than the owner, and the name and address of the land surveyor.
- d) Date of preparation of the plat, north arrow and scale (written and graphic presentation).
- e) Key or location map showing the location of subdivisions within the mile section.
- f) An accurate legal description of the property.
- g) Total acres and total number of lots in the subdivision.
- h) 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.
- i) Boundary of the subdivided area, block boundary, street, and other right-of-way lines with distances, angles, and/or bearings. Subdivision boundary shall be tied to a section corner in the mile section. Where these lines follow a curve, the central angle, the radius, points of curvature, length of curve, chord bearing, chord length, and length of intermediate tangents shall be shown.

- j) The accurate dimensions of all property to be offered for dedication for public use, and all property reserved for the common use of the property owners within the subdivision with purpose indicated.
- k) The dimensions of all lots and lot lines, and the bearings of those lot lines not parallel or perpendicular to the street right-of-way line.
- l) Property zoning and front setback requirements.
- m) Culvert sizes, recommended finished floor elevations and surveying benchmark.
- n) All existing easements and right-of-way, filed of record, with filed book and page number and/or filed document number.
- o) Easements that serve the area being platted located outside of the boundaries of the plat and recorded reference shall be required for plat approval.
- p) Each final plat submitted to the Town for approval shall carry a deed of dedication consisting of all of the following, but not limited to; a designation of the subdivision name as an addition to Town of Inola, a legal description of the tract to be subdivided, dedication of right-of-way and easements, provisions and protections as desired by suppliers shall be defined for electric, telephone, natural gas and cable television services, supplier of water and sanitary sewer services shall be stated as necessary and provisions and protections as desired by said suppliers shall be defined, all drainage ways and reserve areas shall be defined and dedicated to appropriate ownership, driveway culvert types shall be defined and finish floors and culvert sizes shall be described as depicted on the plat. The Deed of Dedication cannot be changed by the Developer, subdivider or Home Owners Association without re-platting the subject property.
- q) Any deed restrictions or subdivision covenants applicable to the subdivision shall be shown.
- r) Language which provides for the subdivider to be responsible for all maintenance of all common areas and any privately owned facilities to include but not limited to drainage and detention areas, park areas, entry features and sidewalks; and which requires the formation of a home owners or other owners association which shall be responsible for the maintenance of all common areas and aforementioned facilities when said association has been established as set forth by the plat. The developer shall provide a Certificate of Incorporation from the Oklahoma Secretary of State and organizational minutes as proof of compliance.
- s) 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 records as may be on file with the Planning Department and the location of any planned future well sites.

- t) All proposed lots consecutively numbered, their dimensions, and building setback lines, and street addresses shall be designated on a copy of a plat for each lot.
- u) Provide a disclaimer on the face of the plat as follows: *Addresses shown on this plat are accurate at the time the plat was filed. Addresses are subject to change and should not be relied on in place of the legal description.*
- v) Have filed a Home Owners Association (HOA) or Building Owners Association (BOA).
 - i. If the HOA/BOA is a corporation: A copy of the Certificate of Organization issued by the Oklahoma Secretary of State. A copy of the Articles of Incorporation filed with the Oklahoma Secretary of State. A Copy of the Organizational Minutes evidencing the election of Directors and officers and the adoption of the Bylaws. A Copy of the Bylaws.
 - ii. If the HOA/BOA is a limited liability company: A copy of the Certificate of Limited Liability Company issued by the Oklahoma Secretary of State. A copy of the Articles of Organization filed with the Oklahoma Secretary of State. A copy of the Operating Agreement setting forth the members and managers of the limited liability company.
- w) Any other information as may be deemed by the Planning Commission as reasonably necessary for the full and proper consideration of the proposed subdivision.

303.3 Required Certifications

The following certifications (see sample Certificates in Appendix) shall be required on the Final Plat or within the Deed of Dedication:

- a) Certificate of Ownership – Certification signed and acknowledged by all parties having any title interest in the land subdivided, consenting to the preparation and recording of the plat as submitted.
- b) Certificate of Survey - Certification by the owner’s registered land surveyor who prepared the plat as to the accuracy of the survey and of the plat, and that the monuments and benchmarks are accurate as to location shown, which shall state that he or she has fully complied with the requirements of these Regulations and the subdivision laws of the State of Oklahoma governing surveying, dividing and mapping of land, that the plat is a correct representation of all of the exterior boundaries of the land surveyed and the subdivision of it, and that the plat represents a survey made by such surveyor.
- c) Certification of County Treasurer - Certification that the payment of ad valorem taxes on the property is current.
- d) Planning Commission Approval Statement - Certification that the plat was duly approved by the Planning Commission.

- e) ODEQ Approval Statement - Certification that the subdivision conforms to the applicable health regulations as may be required.
- f) Board of Trustees Approval - Certification that the Board duly approved the plat and thereby accepts public roadways and/or other public improvements subject to the requirements and conditions of these subdivision regulations.

303.4 Required Supplemental Information

The supplemental information as outlined in Section 208.03 shall be submitted with the final plat prior to Board of Trustees approval.

Section 400 Design Specifications and Improvement Plans

401 General

Lots

a) Configuration

Side lot lines shall be perpendicular to the right of way, or radial to curved street lines unless otherwise included in a variance/waiver request and if so approved by the Planning Commission. Double frontage or reverse front lots should be avoided except where their use will produce definite advantages in meeting special situations in relation to topography, features or will allow for proper land use.

b) Access

Except for gated communities, every lot shall have frontage on or about a public dedicated street. Lots in gated communities shall abut interior streets within the gated community.

c) Dimensions

Lot dimensions, yard, building setback lines, and lot area shall conform to the requirements of the Zoning Ordinance and shall conform to the Oklahoma Department of Environmental Quality (ODEQ) requirements for the intended water and sewer service system.

d) Cul-De-Sac and Curved Frontage Lots

- i. The minimum lot frontage of a cul-de-sac lot shall be thirty five (35) feet at the right-of-way line.
- ii. The minimum lot frontage of a cul-de-sac lot, as required by the respective zoning classification, shall be measured, defined, and/or achieved by the length of the tangent line drawn at the midpoint of the front building line/setback arc. Said minimum frontage requirement shall be met at a front building line/setback that is no more than two (2) times the standard front building line/setback requirement as required by the respective zoning classification.

- iii. The front building line/setback of a cul-de-sac lot shall be established and shall not extend more than two (2) times the standard front building line/setback requirement as required by the respective zoning classification if so adjusted to achieve the lot frontage requirement.
- iv. Refer to Section 912.04, Culs-de-sac, the Cul-de-Sac Requirements Layout & Min. Lot Width Standard Detail.

e) Flag Lots

Flag lots are not allowed within a platted subdivision unless otherwise included in a variance/waiver request and if so approved by the Planning Commission. Flag lots may be allowed in certain circumstances where access is limited by topography or other circumstances where a hardship exists. Flag lots must meet the following requirements:

- i. The “pole” must have a minimum of thirty (30) of frontage on a dedicated public road or street.
- ii. The acreage with the “flag” portion of the lot must meet the minimum lot size requirements without considering the “pole” area.
- iii. Setback requirements for front setbacks must be counted only from the front edge of the “flag” portion without considering any of the “pole”. Front setback requirements may also be required by the Planning Director from the “pole” or an extension of the alignment of the “pole”.

Block Length Requirements

The lengths, width and shapes of blocks shall be determined in accordance with the following:

- a) Zoning requirements applicable to lot sizes and dimensions.
- b) Needs for convenient access, circulation, control and safety of street traffic.
- c) Limitations and opportunities of topography and physical features within and adjacent to the development.
- d) Block lengths (street lengths) for residential use shall not be longer than one thousand eight hundred (1,800) feet, measured along the centerline of the abutting streets, unless; curvilinear streets that offset the full width of the right-of-way, cul-de-sac, eyebrow, or island is provided.
- e) Blocks used for residential purposes should be of sufficient width to allow for two (2) tiers of lots of appropriate depth, except where adjacent to major streets, limited access highways, railroads, waterways, or when prevented by topographical conditions.

- f) Blocks intended for business and industrial use should be of a width and depth suitable for the intended use, with due allowance for off-street parking and loading facilities.

Building Lines / Setbacks

Building lines / setbacks shall be shown or denoted on all plats for the intended use as follows:

- a) Front yard setbacks shall be shown graphically on the face of the plat on every lot as established by the Zoning Ordinance.
- b) All rear and side yard setbacks shall be shown graphically on the face of the plat on every lot as established by the Zoning Ordinance or listed on the face of the plat or listed within the Deed of Dedication.
- c) Where a Planned Unit Development has been approved under the provisions of the Zoning Ordinance, any setback lines established therein shall be recognized and shown or listed as described in Sections a) and b) above.
- d) Where the average natural slope of the first fifty (50) feet of any lot exceeds twenty (20) percent, the Planning Commission may appropriately reduce the building lines required under this section.

402 Conceptual/Preliminary Improvement Plans

General

The conceptual roadway and drainage improvement plans shall be prepared by a registered professional engineer licensed to practice in the State of Oklahoma. They shall be submitted with the preliminary plat and be in accordance with the requirements and specifications of the Town of Inola through these Subdivision Regulations, Engineering Design Criteria Manual, and/or other provisions as set by the Town of Inola. They shall be accompanied with, or show the following:

- a) The location and proposed width of each proposed street and right-of-way, sidewalk and pedestrian way.
- b) The location, size, dimensions and points of access as applicable for existing streets.
- c) The paving section and street drainage utilizing either borrow ditches or curb and gutter shall be shown.
- d) The location and size of all proposed easements.
- e) Proposed water layout, and sanitary sewer layout if applicable.
- f) Preliminary Drainage Plan.
- g) Preliminary culvert locations.
- h) The locations for proposed detention facilities.

- i) Any other items that maybe required per the Engineering Design Criteria Manual

403 Final Improvement Plans and Engineering Reports

Construction Plans

The final construction plans for improvements and reports shall be prepared by a registered professional engineer licensed to practice in the State of Oklahoma, shall be submitted in accordance with the requirements and specifications of the department or agency having jurisdiction over the improvements, and shall include the following:

- a) The design and utility information included in the conceptual plans as applicable.
- b) Existing and proposed ground profiles shall be shown along the centerline of each proposed street, with proposed grades and proposed elevations at a minimum of fifty (50) foot intervals.
- c) Typical cross-section of each proposed street, bicycle path, pedestrian way and sidewalk showing the type and width of pavement.
- d) 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.
- e) The proposed location, entrance and exit locations, and method of access for maintenance of detention or retention facilities.
- f) The drainage plan shall show the design calculations for all proposed borrow ditch sections, and shall show the following: type and size of culverts, minimum slope of culverts, type of end sections, capacity calculations and erosion protections (e.g., rock rip rap).
- g) If curb and gutter streets are utilized, design calculations for inlets, storms sewer, channels and street flow shall be provided including hydraulic grade lines and energy grade lines.
- h) Grading plans:
 - i) Detailed Grading Plan - A detailed grading plan shall be required providing, at a minimum the following: existing contours, proposed contours, minimum finished floor elevations, directional drainage flow arrows, and storm drain improvements.
- i) A typical plan set shall include, but not limited to the following: Cover, Preliminary Plat, Drainage Area Map, Grading Plan, Roadway Plan and profiles, Special Culverts, Stormwater Pollution Prevention Plan sheet, and standard detail sheets.

Engineering Reports

Applicable engineering reports shall be submitted, at a minimum, including: Drainage and Detention Report, Storm Water Pollution Prevention Plan (SWPPP) and Report, and Paving/Geo-technical Report.

- a) Drainage and Detention Report - This report shall include the drainage area map and all pre- and post- runoff calculations. Calculations regarding the sizing, layout and capacities of all structures, channels, ditches or other stormwater facilities shall be included. The detention information shall include specific sizing with inflow and outflow structure details. HEC-HMS or other modeling inputs and results shall be included with hydrographs for all design storms.
- b) SWPPP and Report - All applicable regulations and requirements of ODEQ shall be met. The plan shall include sedimentation and erosion control measures to be utilized. The report shall include the Notice of Intent (NOI) and the General Permit OKR10 - *Stormwater Discharges from Construction Activities Within the State of Oklahoma* as issued by the Oklahoma Department of Environmental Quality.
- c) Paving/Geotechnical Report - This report is required to determine the subgrade treatment requirements and to evaluate the pavement section requirements. The street cross-section shall meet the minimum requirements shown in the Standard Drawings. An alternate paving section may be required or would be considered based upon the geotechnical report.

404 Monumentation Requirements

All Monumentation shall be in accordance with all applicable State of Oklahoma surveying requirements and the minimum requirements as follows:

- a) Monuments set must be in sufficient number and durability so as not to be readily disturbed, to assure together with monuments already existing, the perpetuation or re-establishment of any point or line of the survey. Monuments shall be constructed of material capable of being detected with conventional instruments for finding ferrous or magnetic objects;
- b) Must be placed at each point in the boundary of the subdivision, which shall be a minimum of fifteen (15) inches in length with a minimum diameter of three eighths (3/8) inch iron pipe or bar;
- c) Monuments must be placed at each corner of each lot in the subdivision and shall be a minimum of fifteen (15) inches in length with a minimum diameter of three-eighths (3/8) inch iron pipe or bar;
- d) Monument must be placed along the centerline of each street within the subdivision at all street intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, center of cul-de-sacs and center of eyebrows which shall be a minimum of fifteen (15) inches in length with a minimum diameter of three eighths (3/8) inch iron pipe or bar, chiseled marks in the concrete, or pK nails in asphalt;

- e) In such cases where the placement of a required monument at its proper location is impractical, 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;
- f) Brass caps for vertical control must be set in concrete, stamped with the elevation (N.G.V.D and the registration number of the Registered Professional Land Surveyor in responsible charge preceded by the letters "RPLS". 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; and
- g) Any monument set by a Registered Professional Land Surveyor to mark or reference a point on a boundary, lot line, or lot corner must be permanently and visibly marked or tagged with a durable marker in accordance with State regulations.

Section 500 Lot Split / Combination Procedures and Standards

501 Authority

The Planning Commission, pursuant to the powers and jurisdiction vested through Title 11, Oklahoma Statutes, Section 41-101 et seq. and 45-101 et seq. and as required herein, does hereby exercise the power and authority to review, approve and disapprove transfers of land hereinafter referred to as lot-splits as defined within these Subdivision Regulations.

502 Intent and Purpose – Lot Split

The regulations contained in this Section are intended to establish reasonable standards as allowed by these Subdivision Regulations for lot-splits. A lot split may be applicable for a subdivision of land when all of the following criteria are met:

- a) Does not contain more than four (4) total lots, parcels, or tracts including the lots to be split and any remaining tract. If this criterion cannot be met, the subdivision platting process applies.
- b) The lots front on an existing street. Each respective lot frontage shall on a public maintained road, or a private roadway and easement, and conform to the appropriate zoning designation frontage and access requirements. Lots splits onto private roadways and/or easements shall forwarded to the Planning Commission for review and approval, refer to Section 403. All private roadways and related easements shall be designed and approved in accordance with Oklahoma State Statues governing such facilities.
- c) Does not involve a new street or alley.
- d) A closing or vacation of any street, alley, setback line, access control or easement is not required or proposed.
- e) Such action would not result in significant increases in service requirements or will not interfere with any existing service levels.
- f) All lots will have direct access to a street or maintained Town/County road.
- g) A substandard sized lot or non-conforming lot or parcel will not be created.
- h) All of the lots shall be of sufficient area to properly accommodate a suitable sewage disposal system as approved by the Oklahoma Department of Environmental Quality (ODEQ), if one is required.
- i) If lot, parcel, or tract is located within a current platted subdivision, a copy of the covenants shall be provided by the applicant.
- j) There is adequate easement access by utility companies unless appropriate easements are dedicated as approved by those respective companies.

503 Procedure – Lot Split

General

Lot Splits Requiring Waivers: For those lots splits that involve a waiver of a subdivision regulations or zoning requirements, the review procedure shall follow the guidelines listed in the appropriate section below. The Planning Commission shall approve or disapprove the application.

Application Form and Drawing

A lot-split application shall be filed with the Town Clerk and the appropriate fee paid in accordance with the following requirements:

- a) Where the application is to be reviewed by the Planning Commission Staff alone, four (4) copies of a survey meeting the requirements of Oklahoma State Statutes and prepared by a land surveyor registered in the State of Oklahoma shall accompany the split. Where possible, the survey 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, additional copies shall be distributed by the applicant and documentation regarding the reviews will be provided to the Planning Commission.
- c) The survey drawing itself shall include a legal description of existing and proposed lots, all existing and future lot boundaries, all existing buildings and improvements and their distances from lot lines, utility and easement locations, flood plain information, adjacent streets and street right-of-way and paving widths, existing access limitations, a north arrow, scale and any other property information or features that may be applicable.
- d) All separately attached drawings shall be limited to legal size paper.
- e) Where the applicant is requesting a waiver, said request shall be stated on the application form, including the reasons for such requests.
- f) The applicant should provide letters from any utility providers that serve the lots or other documentation regarding the accessibility to utilities and need for utility easements of each respective utility.

Lot Split Requiring Waivers

For those lot-splits that involve a waiver of a provision of these Regulations, the procedure shall be as follows:

- a) The lot split application must be submitted at least thirty (30) days prior to the next regular meeting of the Planning Commission.
- b) The Planning Commission shall present the application and waiver request including all applicable documentation as utility letters and/or ODEQ approval to the Engineer for review and recommendation.
- c) The recommendation of the Engineer shall be compiled.

- d) The Planning Commission shall hold a hearing on the lot-split as follows:
- i. Notice of such hearing shall be required only on lot-splits requiring waivers and be given to the abutting property owners (including lot owners separated only by a residential street) by the mailing of a written notice ten (10) days prior to the hearing before the Planning Commission of the application for waiver and lot-split approval;
 - ii. The Planning Commission shall review the requested lot-split and either approve or disapprove the requested waiver;
 - iii. If approved, the lot-split approval may also be subject to the approval of the Board of Adjustment if a variance of a zoning requirement is involved;
 - iv. If the application is disapproved, the applicant may appeal the decision of the Planning Commission to the Board of Trustees.
 - v. Reasonable conditions may be imposed by the Planning Commission in the granting of a modification from these Subdivision Regulations.

504 Certificate of Approval – Lot Split

Approval shall be shown by certification on the instrument of transfer as required by Oklahoma State Statutes. The Chairperson or such other Officer of the Planning Commission as designated by such Chairperson shall sign the certification.

Upon affixing said written approval by the Planning Commission, the subdivider may then file the instrument with the County Clerk, the approval being an official document that will be contained in the abstract of the property being split

505 Approval Guidelines – Lot Split

Approval or disapproval of lot-splits shall be based upon the following guidelines:

Lots

- a) Lot dimensions shall conform to the Zoning Ordinance including bulk and area requirements and shall meet the requirements set forth in the Planning and Design section of these Regulations.
- b) In the case of lots not served by public sanitary sewers and/or public water, such lots shall be of sufficient area to properly accommodate a suitable private sewage disposal system and otherwise meet the requirements of the ODEQ.
- c) Corner lots and double frontage lots should have such 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 build able space remains.

Easements and Utilities

There shall be adequate access to all 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 providers.

Access and Streets

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.

Where land to be split contains within its boundaries areas designated for street right-of-way on the Major Street Plan, the split shall not be approved where street right-of-way fails 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 or suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the Major Street Plan for the particular street involved; and
- c) Development made possible by the split itself will not measurably increase the burden of traffic on an adjacent street to such an extent that it would adversely affect the health, safety, and welfare of the public; or
- d) Existing structures lie in the right-of-way proposed by the Major Street Plan that precludes the construction of roadway improvements.

Should the Engineer determine that the right-of-way requirements as designated in these subdivision regulations and on the Major Street Plan be required, a lot split procedure is not applicable for the property.

Water Supply and Wastewater Disposal

- a) Where a tract to be split abuts a public sanitary sewer, no split shall be approved until or unless the approval of the other appropriate agency is obtained.
- b) Lot sizes shall meet the requirements of the ODEQ.

506 Lot Combination Procedures

The owner(s) of two or more adjoining lots or parcels of land under common ownership may apply to the Planning Commission Staff to voluntarily combine such lots or parcels into a single parcel of land (a “combined parcel”) for the purpose of complying with the applicable requirements of the Zoning Code and Subdivision Regulations.

- a) Procedure. The applicant shall submit an application for a voluntary combined parcel by filing the following items with Town Clerk:
 - i. Application, in a form provided by the Planning Commission;
 - ii. Collection of a fee set by the Board of Trustees
 - iii. The consent of all owners of the combined parcel;
 - iv. Separate legal descriptions of the existing undivided lots or parcels of record. Legal descriptions shall consist of Lot, Block, Subdivision Name, Town, 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;

- v. A scaled drawing consisting of one paper copy and one electronic copy in Computer Aided Design (CAD) format 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 water, sewer, storm drainage and any other utilities and easements, and a north arrow and scale; and,
 - vi. A survey, one paper copy and one electronic copy in CAD format, prepared by a land surveyor registered in the State of Oklahoma of the proposed combined lot that includes a legal description, proposed lot lines, all existing buildings and improvements and their distances from lot lines, adjacent streets and street widths, proposed water, sewer, storm drainage and any other utilities and easements, existing access limitations, and a north arrow and scale.
 - vii. A warranty deed describing the lot combination and containing the following statement, “This property is hereby combined into one lot and cannot be separated without approval from the Town of Inola – Town of Inola Metropolitan Area Planning Commission.”
- b) Review and Acceptance. After Items a (i) through a (vii) are submitted, the application will be reviewed by Planning Commission Staff. The lots to be combined must both have the same type of zoning district. If the lot combination is approved, the Planning Commission will stamp the deed for the lot combination and provide it to the owner(s). The applicant shall file the stamped warranty deed in the office of the County Clerk, for recordation and then provide a copy to the Town of Inola for filing.

507 Lot Line Adjustment

Adjustment of Lot Lines between adjacent lots shall be consistent with the following review procedures and limitations:

- a) A boundary line adjustment shall not:
 - i. Result in the creation of an additional lot or the creation of more than one additional building site; Result in lot that does not qualify as a building site pursuant to the zoning ordinance; Relocate an entire lot from one parent parcel into another parent parcel; Reduce the overall area in a plat or minor plat devoted to open space; Be inconsistent with any restrictions or conditions of approval for a recorded plat or minor plat; Involve lots which do not have a common boundary; or

Circumvent the subdivision or minor subdivision procedures set forth in these regulations

- b) The applicant shall submit an application for a lot line adjustment by filing the following items with Town Clerk:
 - i. Application, in a form provided by the Planning Commission;
 - ii. Filing fee set by the Board of Trustees;
 - iii. The consent of all owners of the lot line adjustment;
 - iv. Separate legal descriptions of the existing lots or parcels of record. Legal descriptions shall consist of Lot, Block, Subdivision Name, Town, 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;
 - v. A scaled drawing consisting of one paper copy and one electronic copy in Computer Aided Design (CAD) format 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 water, sewer, storm drainage and any other utilities and easements, and a north arrow and scale; and,
 - vi. A survey, one paper copy and one electronic copy in CAD format, prepared by a land surveyor registered in the State of Oklahoma of the proposed combined lot that includes a legal description, proposed lot lines, all existing buildings and improvements and their distances from lot lines, adjacent streets and street widths, proposed water, sewer, storm drainage and any other utilities and easements, existing access limitations, and a north arrow and scale.
 - vii. A warranty deed describing the lot line adjustment for both lots.
- c) Review and Acceptance. After Items a (i) through a (vii) are submitted, the application will be reviewed by Planning Commission Staff. The lots to be combined must both have the same type of zoning district. If the lot line adjustment is approved, the Planning Commission will stamp the deed for the lot combination and provide it to the owner(s). The applicant shall file the stamped warranty deed in the office of the County Clerk for recordation and then provide a copy to the Town of Inola for filing.

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Section 600 Definitions and References

601 Definitions

For the purposes of these regulations, the words below shall be used hereafter defined.

Abutting: For the purposes of providing notice, abutting shall mean contiguous or separated there from only by a non-arterial street.

Access Easement: A privately owned strip of land, dedicated as an easement, to provide vehicular access to the public right-of-way. Access easements shall not be named.

Alley: A minor right-of-way dedicated for public use which gives a secondary or inferior means of vehicular access to the back or side properties otherwise abutting a street, and which may be used for public utility purposes but is not intended for general traffic circulation.

All-weather Material: A hard surface, dust-free material capable during ordinary use of withstanding normal weather conditions without substantial deterioration. Gravel, or screenings alone, without the use of a petroleum or cement binder, does not meet the definition of an all-weather dust-free material.

As-built Plans: See "Record Drawings".

Base Course: The layer or layers of specified or selected materials of design thickness placed on a sub-base or a sub-grade to support a surface course.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, a railroad right-of-way, shoreline of a waterway, or boundary line of a subdivision, county or municipality.

Board or Board of Commissioners: The Board of Commissioners of Town of Inola, Oklahoma.

Borrow Ditch: A constructed open excavation or ditch constructed for the purpose of carrying off surface water.

Bridge: A structure, including supports, erected over a depression or obstruction such as water, highway, or railway, having a track or passageway carrying traffic, and having an opening measured along the center of the roadway of more than twenty feet between abutments or springline of arches or extreme ends of openings for multiple boxes.

Channel: A natural or artificial water course.

Collector Street: A street intended to move traffic from local streets to arterial streets.

Comprehensive Plan: A master plan for the physical development of the Town prepared and adopted by the Planning Commission and approved by Town Board pursuant to applicable state statutes and subsequent amendments thereto, and includes any part of such plan.

Construction: Any act of placing, configuring or installing materials or the demolition of existing structures or features for the purpose of creating new structures, features, utilities, or other infrastructure.

Town Engineer: A state licensed engineer hired or appointed by the Town Trustees

Culvert: Any structure not classified as a bridge that provides an opening under the roadway.

Deed of Dedication: Each final plat submitted to the Town for approval shall carry a deed of dedication consisting of all of the following, but not limited to; a designation of the subdivision name as an addition to Town of Inola, a legal description of the tract to be subdivided, dedication of right-of-way and easements, provisions and protections as desired by suppliers shall be defined for electric, telephone, natural gas and cable television services, supplier of water and sanitary sewer services shall be stated as necessary and provisions and protections as desired by said suppliers shall be defined, all drainage ways and reserve areas shall be defined and dedicated to appropriate ownership, driveway culvert types shall be defined and finish floors and culvert sizes shall be described as depicted on the plat. The Deed of Dedication cannot be changed by the Developer, Subdivider or Home Owners Association without re-platting the subject property.

Easement: Authorization to use and access a defined area of a property for a specific purpose; with the property owner generally utilizing and maintaining said area subject to the easement area remaining unencumbered for the specified easement use.

Engineering Design Criteria: The criteria for engineering design and construction of infrastructure and other improvements related to the development of subdivisions adopted and included in these Subdivision Regulations and the Standard Drawings; and any additions thereto.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain or Flood-Prone Area: Any land area susceptible to being inundated by water from any source. See "Flood or Flooding".

Frontage: The linear measurement of a lot boundary which abuts a public street.

Governing Body: The Board of commissioners of Town of Inola, Oklahoma.

Grade: The slope of a road, street or other public way, specified in percent (%) of vertical to horizontal measurements.

Half-Mile-Line: The north-south or east-west line, which bisects a one square mile section of land.

Health Department: The County-County Health Department of Inola-Town of Inola, Oklahoma, or the Oklahoma Department of Environmental Quality (ODEQ).

Jurisdiction: See “Territorial Jurisdiction.”

Lot, Double Frontage: A lot which runs through a block from street to street and has frontage on two (2) or more streets, as distinguished from a corner lot.

Lot, Flag: A square parcel of land (flag) that is accessible only by a very long narrow strip leading from a main right of way (pole).

Lot, Key: A lot having a side lot line abutting the rear lot line of another lot.

Lot, Lot of Record: A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of the County in which the lot is located or a parcel of land, the deed of which is recorded in the office of the County Clerk of the County in which the parcel is located.

Lot, Reverse Frontage: A corner lot of such size and shape that a building erected on it might logically be designed to face on either adjoining street, thus causing it to rear on the side lot line of an abutting lot.

Lot-Split: Any subdivision containing not more than three (3) lots and fronting on an existing street, not involving any new street or road 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 Plan, Zoning Ordinance, or these Subdivision Regulations.

Major Street: See “Street, Major”.

Major Street Plan: The part of the Comprehensive Plan which relates to major streets and highways.

Minor Street: See “Street, Minor”.

Minor Subdivision Plat: Subdivision Plat requiring no new streets and minimal infrastructure extension that is processed through an abbreviated process.

Open Space: Space on the ground, which is not built upon or otherwise improved to an impervious state (such as for buildings, drives or walkways) and which is maintained for active or passive recreational or buffer type uses.

Planning Commission or Commission: The Town of Inola Planning Commission.

Planned Unit Development (PUD): A discretionary type of development for a tract of land under single ownership or control, based upon an approved development plan and Sketch Plat permitting flexibility of principal land uses, lot sizes and accessory uses not otherwise available under conventional zoning and the related development standards.

Planned Unit Development Minor Amendment: Any modification deemed to be minor and that does not involve an increase in the height, area, bulk, or intensity of land uses; the designation of additional permitted uses or the elimination of permitted uses; the reduction in perimeter yards for the Planned Unit Development;

the addition of driveways or access points to the Planned Unit Development; the reduction in the amount of required parking for any use located within the Planned Unit Development; or the kind of building materials and styles of architecture within the Planned Unit Development District. Minor amendments must go before the Planning Commission for approval.

Plat, Final: A map or chart of land subdivision prepared in accordance with these Subdivision Regulations in a form suitable for filing in the office of the County Clerk, including necessary affidavits, dedications, and acceptances, and containing a complete engineering description including references to field markers sufficient to locate on the ground all streets, alleys, blocks, lots, and other elements of the subdivision.

Plat, Preliminary: A map or chart of a proposed land subdivision prepared in accordance with these Subdivision Regulations showing the concept, character, and general details of the proposed development.

Plat, Sketch: A map or chart of a proposed land division prepared after a pre-application conference in accordance with these Subdivision Regulations showing the general layout of streets and reservations of land, street improvements, drainage, water and sewerage, floodplains, the availability of existing utilities and other related information.

Plans: The approved plans, profiles, typical cross sections, working drawings and supplemental drawings, or exact reproductions thereof, which show the location, character, dimensions, and details of the work to be performed.

Quarter-Mile Line: A north-south or east-west line that bisects the north, south, east or west half of the section.

Record Drawings: The drawings as issued for construction on which the subdivider's engineer, upon completion of the work, has shown changes due to addenda or change orders and other information which said engineer considers significant based on record documents furnished by the contractor and/or inspector to said engineer and which were annotated by the contractor to show changes made during construction.

Restrictive Covenants: An agreement of public record that restricts the use or occupancy of real property and sets forth a formal binding agreement that runs with such land and binds future land owners, his or her successors, or assigns to such agreements.

Right-of-way: A tract of land purchased, sold, granted, and/or conveyed to the public by means of "fee simple" in that public holds title to said tract of land. A public 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, or for other special use. The usage of the term "right-of-way" for purposes of other than the platting of land shall mean that every right-of-way thereafter established and shown on the final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within

the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or otherwise involving construction or maintenance by a public agency shall be dedicated to the 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 by the Town.

Roadway: see Street.

Registered Engineer: A professional engineer registered and licensed to practice in the State of Oklahoma.

Registered Land Surveyor: A land surveyor registered and licensed to practice in the State of Oklahoma.

Required Improvement: An improvement required by the Planning Commission in accordance with these Subdivision Regulations as a condition for approval of the plat.

Reserve Area: An area or part of a plat identified on the face of the plat and set aside for park land, stormwater detention or similar purposes which are specified on the face of the plat..

Reserve Strip: A strip of land typically created to by the owner to be privately retained to prevent, restrict or otherwise control access to public utilities or streets. Such strips are not permitted under these Subdivision Regulations.

Secretary: The Secretary of the Planning Commission being the designee of the Planning Commission or the Director.

Section Line Road: A thoroughfare existing or constructed along a statutory section line.

Setback: The distance, existing or planned, between a building and the nearest property line or a street right-of-way.

Shoulder: The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, for the lateral support of base and surface courses.

Standard Specifications for Construction: The specifications acting in conjunction with the Design Criteria adopted by the Town for regulating the nature, extent, dimensions, construction, and financing of improvements in subdivisions. Where the Town has elected to exercise extraterritorial subdivision jurisdiction, such specifications shall include a map showing the extent of such jurisdiction. These Specifications may also be referred to as the Construction Standards.

Street: A public right-of-way that affords the primary means of access to abutting property or serves as a thoroughfare for vehicular traffic or both, but excludes alleys. The following types of streets are recognized by the Comprehensive Plan and these Subdivision Regulations:

Street, Arterial: A thoroughfare designated on the Major Street Plan that carries a significant portion of interurban vehicle traffic at moderate speeds with some

traffic stops. See also “Street, Primary/Major Arterial”, “Street Secondary/Minor Arterial”, “Street/Minor Arterial Alternate,” or “Street, Collector” in this section.

Street, Border: A street located adjacent to a railroad, drainage way, park, open space area or limited access highway.

Street, Collector: A thoroughfare designated on the Major Street Plan that is intended to move traffic from minor streets 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 to 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, Frontage or Service: A minor street auxiliary to and located on the side of a major street for service to abutting properties and adjacent areas and for control of access.

Street, Major: Highways, Arterials (primary/principal and secondary/minor), and Collector streets shown on the Major Street Plan.

Street, Minor (Local): Any trafficway of limited length not classified on the Major Street Plan that provides direct access to abutting tracts of land and access to more heavily traveled streets, and that is designed in such a manner to discourage its use by through traffic.

Street, Primary/Principal Arterial: A thoroughfare designated on the Major Street Plan that carries a significant portion of interurban vehicular traffic at a moderate rate of speed.

Street, Secondary/Minor Arterial: A thoroughfare designated on the Major Street Plan that carries a significant portion of interurban vehicular traffic having some traffic stops.

Street, Through: A street with access in two directions to a primary or secondary arterial street; or such access existing in one direction and a planned access in a second direction as approved by the Planning Commission and Board of Commissioners.

Subbase: The layer or layers of specified or selected material of designed thicknesses placed on a subgrade to support a base course.

Subdivider (or Developer): Any person, firm, partnership, corporation, or other entity, acting as a unit, subdividing or proposing to subdivide land as herein defined.

Subdividing: The dividing of land into two (2) or more lots, parcels, tracts, or areas, any one (1) of which when divided has an area of less than ten (10) acres, or any dividing of land involving the vacating or dedicating of right-of-way or the alignment of an existing or proposed street or highway or public utility easement, or the re-subdividing of land heretofore divided into lots, sites, or parcels, whether such dividing or re-subdividing is by means of a map or plat or metes-and-bounds descriptions.

Subdivision: A tract of land that has been subdivided or is proposed to be subdivided.

Subdivision Regulations: The Subdivision Regulations of Town of Inola.

Subgrade: The top surface of a road bed upon which the pavement structure and shoulders are constructed.

Warranty Period: The title ownership and responsibility for maintenance of Reserve Areas shall remain with the Subdivider until or unless conveyed to a home owners association or accepted by the governing body. The Subdivider or owner shall grant to the governing body perpetual easements for drainage, utilities and other public purposes as specified in the covenants or deeds of dedication. If a Reserve Area falls within a right-of-way (e.g. Entrance Island), the Reserve Area must be contained in a roadway easement. The governing body shall have no liability for any damage to any private improvements occasioned by the maintenance or reconstruction of utilities or infrastructure located in the Reserve Area.

Way: Any street, avenue, parkway, highway, boulevard, road, or alley reserved and/or dedicated for public or private use chiefly by vehicular or pedestrian traffic.

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Town of Inola , “Engineering Design Criteria Manual”.

Federal Highway Administration, “Manual on Uniform Traffic Control Devices (MUTCD) 2003 Edition with Revisions Number 1 and 2 Incorporated.” FHWA, December 2007.

Natural Resourced Conservation Service (NRCS), “Urban Hydrology for Small Watersheds, TR-55.” United States Department of Agriculture Technical Release 55, June 1986.

United States Department of Agricultural, Natural Resource Conservation Service, “National Engineering Handbook”,

Oklahoma Department of Transportation, “State of Oklahoma County Roads Design Guidelines Manual.” ODOT, June 1991.

Oklahoma Department of Transportation and the Association of County Commissioners of Oklahoma “State of Oklahoma County Highway System Design Guidelines Manual 2013”

Oklahoma Department of Transportation, “1999 Standard Specifications for Highway Construction” ODOT, June 1999.