
Sec. 19-101. Purpose.

The subdivision of land is the first step in the process of development. The regulation of land subdividing within a formalized procedure provides for the evolution of a contract between the land owner (developer) and a governmental entity acting in behalf of the public and for the benefit of subsequent individual owners and/or tenants. Precise commitments concerning a described geographic area of proposed development are specifically set forth in relation to and in accord with graphic and written documentation as filed of record.

The arrangement of land parcels in the community for residential, commercial, and industrial uses and for streets, alleys, schools, parks and other public purposes, will determine to a large degree the conditions of health, safety, economy and amenity that prevail in the area. The quality of these conditions is of public interest. These regulations and standards for the subdivision and improvement of land are designed to make provisions for adequate light, air, open spaces, drainage, transportation, public utilities, and other needs, to insure the development and maintenance of a healthy, attractive and efficient community that provides for the conservation and protection of its human and natural resources.

In construing this chapter, it is intended that these provisions be administered so as to create an environment which will provide the setting for the accomplishment of the best possible quality of life for all of the citizens of the City of Norman and in a manner that will insure the minimum adverse effect to the environment.

This chapter is designed, intended, and should be administered in a manner to:

- A. Implement the Norman 2025 Plan in relation to:
 - 1. The use of land and land use relationships;
 - 2. The transportation system including but not limited to highways, streets, alleys, bicycle paths, bicycle lanes, sidewalks;
 - 3. Community facilities including recreational and educational facilities, fire stations, etc.;
 - 4. The extension or expansion of the sanitary sewer system including adequate easements to accommodate lines and facilities;
 - 5. The extension or expansion of the water distribution system and the provision of fire hydrants including adequate easements to accommodate lines and facilities;
 - 6. The appropriate disposition of surface runoff water; and
 - 7. The accommodation of all other utilities within adequate easements.
- B. Provide neighborhood conservation and prevent the development of slums and blight;
- C. Harmoniously relate the development of the various tracts of land to existing development and facilitate the future development of adjoining tracts;
- D. Provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract, as provided in these regulations;
- E. Provide the best possible design for the tract;
- F. Resolve any differences of interest;
- G. Establish adequate, accurate and accessible public records of land subdivision; and,
- H. Insure a maximum effort for the protection of the environment and to encourage, in the development of land, the minimum adverse effect thereto.

This chapter intends to require that all land located in the City of Norman be platted in conformance with these provisions prior to the actual accomplishment of development and that an approved final plat shall be filed

of record prior to the issuance of a required building permit for the development of any and all institutional, industrial, commercial, and residential uses; provided, however, that variations and exceptions are accommodated in article VI of this chapter enumerating those cases where the full application of these provisions is not required.

(Ord. No. 0-7273-87; Ord. No. 0-8081-60; Ord. No. 0-9697-43; Ord. No. 0-0001-15; Ord. No. 0-0405-27)

Sec. 19-102. Authority.

In order to promote the health, safety, and general welfare of present and future residents, and to bring about the coordinated, efficient, and economic development of the City of Norman, Oklahoma, the following regulations for the subdividing and developing of land within its corporate limits are adopted pursuant to all of the powers and authority derived from the Charter of the City of Norman. The exercise of the powers of subdivision regulation within the City are intended to be in pursuance of this grant of authority and not under state statutes or law, except with respect to those matters of general state concern as to which state law controls under the State Constitution. The City also may exercise powers of subdivision regulation granted by the State in respect to matters of general State concern.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15)

Sec. 19-103. Jurisdiction.

This chapter shall apply to the following forms of subdividing and/or developing of land within the corporate limits of the City:

- A. The dividing of land into two (2) or more tracts, lots, sites, or parcels, any part of which, when subdivided, shall contain less than forty (40) acres in area.
- B. The redividing of previously platted land into tracts, lots, sites, or parcels.
- C. The development of land in a manner not in strict conformance with the plat and plans filed of record.
- D. The dedicating, vacating, or reserving of any public or private easement through any tract of land regardless of the area involved, including those for use of public and private utility companies.
- E. The dedicating or reserving of any street or alley or any part thereof through any tract of land regardless of the area involved.
- F. Planned unit development as defined in this Code.
- G. The development of any parcel of land classified by zoning district as single family residential, multifamily residential, commercial, industrial, recreational, or institutional.
- H. Any tract, lot, site or parcel of land, regardless of size, which is to be developed and on which exists or will exist, because of such contemplated development, any topographic feature or improvement requiring the dedication or reservation of any easement, public or private, under the provisions of this chapter.

(Ord. No. 0-7273-87; Ord. No. 0-9697-43; Ord. No. 0-0001-15)

Sec. 19-104. Relation to zoning.

In order to provide adequate information for evaluation and decision by the Planning Commission and the City Council, and to provide documentation of intent for public record, the following requirements are mandatory:

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- A. A rezoning request which includes any amount of unplatted land shall be accompanied by a preliminary plat of the land in question, and any adjacent land which is fifty (50) percent or more owned or under option to buy by the applicant; provided, however, that any land for which a plat is not required as a prerequisite for a building permit is exempted from this requirement. The preliminary plat shall be submitted for consideration as an agenda item before the Planning Commission simultaneously with the rezoning request.
 - B. In the instance of proposed planned unit development(s), as provided in Chapter 22 of this Code, five (5) copies of a site development plan shall also be included with the submission of the preliminary plat when application is made for Planning Commission approval.
 - C. Provided that no final plat may be considered for approval by the City Council until the preliminary plat and proper zoning in terms of density, lot size, and land use has been approved by the City Council regarding the subject property.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

ARTICLE II. GENERAL PROCEDURE; ADMINISTRATION

Sec. 19-201. Agenda.

Each plat submitted for preliminary approval shall be placed on the Planning Commission's agenda only after fulfilling the appropriate requirements of this chapter. However, a plat not meeting all the requirements may be submitted if the subdivider presents with the plat a letter requesting the specific exception(s) and enumerating in detail the reason(s) therefor.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Sec. 19-202. Filing fee.

To partially defray the costs of staff review and reports, a filing fee, calculated on the basis of the total acreage included within the property proposed to be platted, shall be paid to the City at the time of submission in accord with the following:

- A. *Preliminary plats:* One hundred fifty dollars (\$150.00), plus ten dollars (\$10.00) per acre or portion thereof; provided, however, that for open space areas contained within a Rural Cluster Development the acreage charge shall not apply to that portion.
- B. *Preliminary plat renewal:* Nine hundred dollars (\$900.00).
- C. *Final plat for all zoning district classifications:* Three hundred fifty dollars (\$350.00), plus ten dollars (\$10.00) per acre or portion thereof; provided, however, that for open space areas contained within a Rural Cluster Development the acreage charge shall not apply to that portion. In addition thereto, the following fees shall be assessed to cover the cost of the City's Geographic Information System expense:
 - 1. One hundred dollars (\$100.00) per lot for every lot in each final plat.
- D. *Short form plats (section 19-604 of this chapter), and Norman Rural Certificates of Survey:* One hundred fifty dollars (\$150.00), plus ten dollars (\$10.00) per acre or portion thereof. In addition thereto, the following fees shall be assessed to cover the cost of the City's Geographic Information System expense:
 - 1. One hundred dollars (\$100.00) per lot for every lot in each final plat.

(Ord. No. 0-7273-87; Ord. No. 0-9091-35; Ord. No. 0-0001-15; Ord. No. 0-0304-79; Ord. No. 0-1011-1, § 3; Ord. No. 0-1213-32, § 1)

Sec. 19-203. Sale of property not abutting on public street.

Except as permitted by article VI of this chapter, it shall be unlawful for any person, firm or corporation to sell to any other person, firm or corporation any lot, parcel, tract or block of land to be used for other than agricultural purposes, regardless of the size or shape of said lot, parcel, tract or block, unless such lot, parcel, tract or block of land abuts on a public street or road for the distance required by the zoning regulations pertaining to the zoning district in which such lot, parcel, tract or block of land is situated, provided, however, that for all deeds filed of record prior to October 26, 1965, it shall be lawful to convey title to the total area described in each of said deeds.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15)

Sec. 19-204. Official recording.

No plat or description of land subdivision shall be filed in the office of the County Clerk, Cleveland County, until it has received approval of the preliminary plat and acceptance of the final plat by the City Council as required by law. No lots shall be sold from any plat until it has been recorded as herein provided. Failure to record such approved plat within two (2) years of approval of the final plat by the City Council shall void all approvals thereto.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Sec. 19-205. Issuance of permits.

No building permit shall be issued for any purpose with respect to any tract until a subdivision plat has been duly processed as required by law and filed of record, except as provided in article VI of this chapter.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15)

Sec. 19-206. Validity and severability.

If any provision, clause, part, or portion of this chapter is held to be invalid, or to be in conflict with any lawful order, rule, or regulation of the State, or any of its agencies, which said order, rule, or regulation lawfully supersedes the provisions of this chapter, by a court of competent jurisdiction and by final order, the remaining provisions, clauses, parts, or portions thereof shall remain in full force and effect.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15)

Sec. 19-207. Utility line extension: Improvement responsibilities.

A property owner(s) is responsible for all costs of improvements to extend a twelve-inch water line down any section line streets abutting their property and a sewer line of at least an eight-inch diameter to service their property in compliance with the City of Norman Engineering Design Criteria and Subdivision Regulations, as amended.

(Ord. No. 0-9697-30; Ord. No. 0-0001-15)

Sec. 19-208. Utility line extension: Additional improvement alternatives.

A property owner(s) or the City of Norman, or both together, may extend a water or sewer line beyond the boundaries of the owner's property. Any such improvements, beyond the boundaries of the owner's approved development, will be voluntary and all costs will be paid by the owner(s), the City of Norman, or by both in any mutually agreed to percentages, so long as such improvements are in accordance with the City of Norman Engineering Design Criteria. If other than City funds are involved, an agreement will be signed by all parties making such improvements and the City of Norman delineating the boundaries and scope of the project. Based upon the agreement or declaration by the City, a map will be made a part of this agreement which will show all abutting properties subject to payback.

(Ord. No. O-9697-30; Ord. No. O-0001-15)

Sec. 19-209. Utility line extension: Payback of costs for oversize or extended utility main construction.

- (a) All eligible costs for oversize or extension of utility lines shall be recoverable by the owner, the City, or both as appropriate. Eligible recoverable utility line extension or oversize development costs include the total improvement costs of the utility line, including all right-of-way/easement costs (both temporary and permanent) and costs for engineering, surveying, utility adjustments or relocation, excavation, backfill, subgrade preparation, pavement repair, utility line construction and other amenities, as might be required, plus two (2) percent of the total of all above costs as an administrative fee to the City. Any of the above items paid for by general obligation bonds or funds from any other governmental entity which are not subject to repayment by the City of Norman shall be deducted in determining the total improvement costs, except for right-of-way costs provided for in subsection (b) below.
- (b) The City of Norman and/or the owner(s) who funded the eligible recoverable utility line oversize or extension costs shall be reimbursed for the total improvement costs of the utility line by the abutting or serviced property owners who are responsible for utility line construction. The original funding entity(ies) shall recoup the appropriate pro-rata share for such construction. Additionally, the costs for all right-of-way acquisition shall be charged back specifically to that property assignable to such costs.
- (c) All properties physically contiguous to the right-of-way line of an arterial street containing a twelve-inch water line constructed after the effective date of this section shall be subject to the payback program charges. All properties which are either contiguous to a sanitary sewer line, taking service directly from that sanitary sewer line, or served indirectly through increased sewer capacity created as a result of the sanitary sewer line built after the effective date of this section, March 13, 1997, shall be subject to the payback program charges. The only exceptions shall be those properties which have previously constructed utility mains adjacent to and servicing such properties according to City of Norman requirements or those which have made payments for deferred construction prior to the City entering an agreement or commencing design of a designated utility line.
- (d) Each tract of property identified in subsection (c) above shall be subject to the total water line oversize or extension cost participation expense equal to such tract's pro-rata share, any applicable right-of-way costs, and inflation/deflation adjustment. Calculation of the costs for each individual tract shall be determined as follows:
 - (1) $\text{Pro-rata share} = \frac{a}{a+b} \times d$
Where a = Total improvement costs
b = Right-of-way costs

c = Total footage of the project

And d = Front footage of liable property

- (2) Right-of-way cost = Actual price paid for acquisition of right-of-way/utility easement from subject tract.
- (3) [Inflation/deflation adjustment =] Adjustment of subsections (1) and (2) using an inflation factor calculated using the Engineering News Record Construction Cost Index. The inflation factor shall be a percentage increase applied to (1) and (2) that adjusts the amount due for these costs. The initial inflation factor will be calculated by dividing the January 2000 value by the January 1990 value. To account for the actual time between adoption of the resolution and repayment of the obligation, the resulting increase will be divided by ten (10) and multiplied by the decimal equivalent of the period covered measured in years. The inflation factor will be recalculated every five (5) years with the first recalculation occurring in January 2005. The value of the inflation factor in place at the time the Council adopts the map and list for a project will be applied to that project until all funds are paid back or the obligation expires.

The total payments calculated in subsections (1), (2), and (3) above shall become a liability against property subsequent to the contracting for water line oversize or extension. For all single-family residential developments, all payback fees shall be paid in full before the filing of a plat. For all other developments, all payback charges shall be paid in full before the issuance of a building permit.

- (e) Each tract of property identified in subsection (c) above shall be subject to the total sewer line oversize or extension cost participation expense equal to such tract's pro-rata share, any applicable right-of-way costs, and inflation/deflation adjustment. Calculation of the costs for each individual tract shall be determined as follows:

- (1) Pro-rata share =

Where a = Total improvement costs

q = Design flow for property sewer

And Q = Design flow for project sewer

- (2) Right-of-way cost = Actual price paid for acquisition of right-of-way/utility easement from subject tract.
- (3) [Inflation/deflation adjustment =] Adjustment of subsections (1) and (2) using an inflation factor calculated using the Engineering News Record Construction Cost Index. The inflation factor shall be a percentage increase applied to (1) and (2) that adjusts the amount due for these costs. The initial inflation factor will be calculated by dividing the January 2000 value by the January 1990 value. To account for the actual time between adoption of the resolution and repayment of the obligation, the resulting increase will be divided by ten (10) and multiplied by the decimal equivalent of the period covered measured in years. The inflation factor will be recalculated every five (5) years with the first recalculation occurring in January 2005. The value of the inflation factor in place at the time the Council adopts the map and list for a project will be applied to that project until all funds are paid back or the obligation expires.

The total payments calculated in subsections (1), (2), and (3) shall become a liability against the property subsequent to the contracting for sewer line oversize or extension. All such obligations shall be paid in full before the filing of a plat. Provided that the pro rata share shall not be more than the cost to construct a sanitary sewer line of adequate size from the point where service is available to the property. For purposes of calculating the cost of such sanitary sewer line, unit prices from the most recent City project using that line size will be multiplied by the length of a reasonable route between the property and the point where service is available.

- (f) Within sixty (60) days following acceptance by the City of the completed improvements of the subject utility line, the City Engineer, or his designated agent, shall prepare a tract map and list of the individually affected

tracts and the estimated pro-rata share attributable to each such tract, hereinafter referred to as the "map and list." The map and list will also include all costs, if any, for right-of-way acquisition to each tract. The map and list shall be made available to the owners of all fee interests in the affected properties. Notice of the map and list shall be filed of [on] record in the office of the City Clerk and the Cleveland County Clerk. Upon written request to the City Engineer, notice shall be given within a reasonable time to the requesting party of the most current estimate of the dollar value of the participation cost of any identified tract of property. Except with reference to the filing of notice of the map and list with the office of the City Clerk, nothing shall be deemed a defect preventing the City from collecting the applicable recoupment cost under sections 19-211—19-213.

- (g) Any owner of a tract of property may, at any time after preparation of the map and list, cause the tract's total obligation to be paid to the City. Unless previously paid, the proportion of the right-of-way cost and pro-rata share attributable to that portion of a tract being developed, as adjusted by the Engineering News Record Construction Cost Index, is due as follows. For any portion of the subject tract that is proposed to develop as single-family residential, the payback charges are due prior to approval of the final plat. For any portion of the subject tract that is proposed to develop as any land use other than single-family, the payback charges are due prior to issuance of a building permit. No single-family plat shall be released for filing until the then due total costs are actually paid.
- (h) Each identified tract of property shall be subject to participation in the payback program commencing with the date that the utility line oversize/extension contract is approved by the City of Norman. As the total project cost cannot be determined and notice of the assessment of same cannot be delivered until completion of the project, the Director of Public Works of the City is hereby authorized to develop procedures for the review and approval, irrespective of the other provisions of sections 19-211—19-213, of platting procedures after authorization of the utility extension but prior to the time that the property's total share of the participation cost is determined and can be paid. Such procedures are directed to include, to the extent feasible, the assurance to property owners and developers that plat approval may proceed so as not to retard the progress of private development plans, while, at the same time, to provide financial security to the City that the property's recoupment share will be paid upon final ascertainment of the amount owed.
- (i) Unless earlier paid, each defined tract's share of the participation cost shall continue as an obligation of the property for its determined share of the total utility line oversize or extension costs, plus the appropriate inflation/deflation as outlined in subsection (d)(3) or (e)(3) above, for an through a period of fifteen (15) years from the date of issuance of the map and list required by subsection (f) or (g) above. Beginning at year sixteen (16) and continuing through year twenty (20), the pro-rata share shall decrease at a rate of twenty (20) percent of the pro-rata amount existing at the end of the fifteenth year until the pro-rata share obligation is reduced to zero dollars (\$0.00) and thus terminates at the end of the twentieth year from the date of issuance of the map and list.

(Ord. No. 0-9697-30; Ord. No. 0-9899-6; Ord. No. 0-0001-15; Ord. No. 0-0102-23)

Sec. 19-210. Definitions

The following words and phrases when used in this chapter, shall for the purposes of this chapter, have the meanings respectively ascribed to them in this article, except where the context otherwise requires:

- A. *Alley*: A minor right-of-way dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.
- B. *Best management practices (BMP)*: An effective integration of storm water management systems, with appropriate combinations of non-structural controls and structural controls which provide an optimum way to convey, store and release runoff, so as to reduce peak discharge, reduce pollutants, enhance

water quality, assist in stream and/or stream bank stabilization, prevent property damage due to flooding, and assist in sediment reduction. BMPs include, but are not limited to, the following:

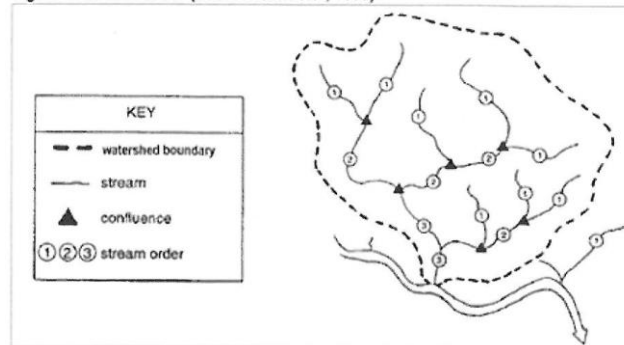
1. Structural controls such as:
 - a. Sediment forebay;
 - b. Grassed swale;
 - c. Enhanced bio-swale;
 - d. Voluntary urban nutrient management;
 - e. Statutory urban nutrient management;
 - f. Wetlands;
 - g. Extended detention-enhanced;
 - h. Retention basins;
 - i. Bioretention, surface sand, organic, and similar filters;
 - j. Soaking trench;
 - k. Infiltration trench;
 - l. Storm water pond;
 - m. Dry extended detention pond; and
 - n. In-channel detention.
 2. Non-structural controls such as:
 - a. Landscape conservation;
 - b. Reduction in impervious cover;
 - c. Schedule of maintenance activities;
 - d. Prohibition of practices;
 - e. Maintenance procedures.
 - f. Street sweeping;
 - g. Fertilizer restrictions.
- C. *Bicycle lane*: That portion of a roadway set aside and appropriately designated for the use of bicycles.
- D. *Bicycle path*: A paved facility physically separating the bicycle from motor vehicle traffic.
- E. *Block*: A parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or greenstrips, rural land or drainage channels or a combination thereof.
- F. *Buffer*: A vegetated area, including trees, shrubs, and herbaceous vegetation that exists or is established to protect a stream system, lake or reservoir, reduce pollutants, enhance water quality, assist in stream and/or stream bank stabilization, and assist in sediment reduction.
- G. *Building line*: A line parallel to the lot or property line beyond which a structure or building cannot extend, except as specifically provided under the zoning ordinance. It is equivalent to the setback or yard line.

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- H. *Cluster development*: cluster development is a method of subdividing land which allows the maximum density available within the zoning district while allowing smaller lots than those specified, provided that the land saved is reserved for permanent agricultural use or open space, ideally in common ownership for community use.
 - I. *Combustible structure*: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner and consisting of any material that, in the form in which it is used and under the conditions anticipated, will ignite and burn or will add appreciable heat to an ambient fire.
 - J. *Degradation*: any condition caused by the activities of humans which result in the prolonged impairment of any constituent of the aquatic environment.
 - K. *Development*: The erection, construction, or change of use of buildings; or the erection or construction of any additions to existing buildings where outer walls are added or altered as to location, but not including alterations or remodeling of buildings where said outer walls are not added or altered as to location. As it relates to water quality protection, any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling, or storage of equipment or materials.
 - L. *Development Committee*: The City of Norman Development Committee shall be comprised of the following staff members: The Director of Public Works (who shall be the chairman), the Director of Planning and Community Development, the Director of Utilities, the City Engineer, the Development Coordinator, and the Manager of Current Planning, or their designees.
 - M. *Director of Public Works*: The Director of Public Works of the City of Norman, including his or her designee.
 - N. *Easement*: A grant by the property owner to the public, a corporation, or persons, of the use of an area of land for specific purposes.
 - O. *Impervious cover*: Roads, parking areas, buildings, pools, patios, sheds, driveways, private sidewalks, and other impermeable construction covering the natural land surface. This shall include, but not be limited to, all streets and pavement within a subdivision. Vegetated water quality basins, vegetated swales, other vegetated conveyances for overland drainage, areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians, and public sidewalks shall not be calculated as impervious cover.
 - P. *Lot*: A subdivision of a block or other parcel intended as a unit for the transfer of ownership or for development.
 - Q. *Lot, corner*: A lot which abuts two (2) intersecting streets. The front of a lot is defined by the filed plat of the subdivision, and is addressed accordingly. Although the front door of the house should face the front yard, a house may be oriented towards the side street if the plat was designed to provide two (2) front and rear yards or if there is sufficient room to provide both a new front and rear setback.
 - R. *Lot, depth*: The average distance from the front property line of the lot adjacent to the street to its rear property line, measured in the general direction of side lines of the lot.
 - S. *Lot, double frontage*: A lot which runs through a block from street to street and which has frontage on two (2) or more streets, but not including a corner lot.
 - T. *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 the building to rear on the side line of any abutting lot.

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- U. *Lot, townhouse*: A lot shown on a townhouse plat and intended as the site of a single attached dwelling unit.
 - V. *Lot line adjustment*: A relocation of the lot lines of two (2) or more lots included in a plat which is filed of record, for the purpose of making necessary adjustments to building sites.
 - W. *Low impact development (LID)*: A comprehensive land planning and engineering design approach to development that can be used to replicate or restore natural watershed functions and/or address targeted watershed goals and objectives.
 - X. *Non-degradation*: The proper use of BMPs and pollution prevention criteria in activity so as to prevent property damage due to flooding and degradation as defined herein.
 - Y. *Non-structural controls*: Pollution prevention measures that focus on the management of pollutants by practices and procedures which minimize exposure to runoff, as well as preserve open space and natural systems. Non-structural controls may include riparian buffers, modified development practices, and regulations on pesticide, herbicide, and fertilizer use.
 - Z. *Norman 2025 Plan*: The comprehensive development plan for the City of Norman which has been officially adopted to provide long-range development policies for the City in the foreseeable future and which includes, among other things, the plan for land use, land subdivision, traffic circulation and community facilities, utilities, and drainage facilities.
 - AA. *Person*: Any natural person, corporation, partnership, joint venture, association (including homeowners or neighborhood associations), trust, or any other entity recognized by law.
 - BB. *Planning Commission*: The City Planning Commission of the City of Norman.
 - CC. *Plat, final*: A map of a land subdivision giving, in form suitable for filing in the office of the County Clerk, necessary affidavits, dedications, and acceptances, and delineating the layout of such subdivision as required herein.
 - DD. *Plat, preliminary*: A map of a proposed subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the relationship of the proposed development to topography, existing streets, drainage facilities and utilities, existing easements of record, the Norman 2025 Plan, existing urban development and zoning, and to indicate the nature of the land planning design.
 - EE. *Pollution*: The contamination or other alteration of the physical, chemical or biological properties of any stream or other water source, or such discharge of any liquid, gaseous or solid substance into any stream or other water source as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.
 - FF. *Public improvements*: Any utility, structure, or modification of topography which is, or will be, located within, under, or over a right-of-way or easement of record and which is, or will be, owned and/or maintained by other than the individual owner(s) of developed real estate.
 - GG. *Raised mound septic system*: A soil absorption system that is elevated above the natural soil surface in a suitable fill material. It is a variation of the raised bed utilizing sandy fill material but not requiring a stabilization period prior to the construction of the absorption area.
 - HH. *Raised septic system*: A wastewater absorption trench system which has been constructed in soil fill material which has been placed on top of the natural soil on a building lot.
 - II. *Reserve strip*: A strip of land located adjacent to a public easement or right-of-way which has the effect of denying access to adjacent property owners to said public easement or right-of-way.

- JJ. *Right-of-way*: Any street, avenue, parkway, highway, boulevard, road, alley, bicycle path or pedestrian walkway reserved and/or dedicated for public or private use chiefly by vehicular or pedestrian traffic. Its width shall be established as the shortest horizontal distance measured between lines delineating the right-of-way.
- KK. *Rural and suburban area*: All that part of the incorporated area of the City of Norman which is not classified on the Norman 2025 Plan for urbanization.
- LL. *Setback line*: See building line or yard line.
- MM. *Site development plan*: A plan drawn at a scale of not less than fifty (50) feet equal one (1) inch which shows the topographic characteristics of the site not more than a one (1) foot contour interval in the urban areas and not more than two (2) feet contour intervals in the rural areas; the location and dimensions of buildings, yards, courts, landscape, pedestrian and vehicular circulation and parking, fences and screening; service areas and service courts, and other features; the use of each building and area; the height of buildings; adjacent street, alleys, utility, drainage and other easements; and the relationship of the development to adjacent areas which it may affect.
- NN. *Streams*: Watercourses that are either identified through site inspection and/or notification by the United States Army Corp of Engineers or by the United States Geological Survey (USGS) 7.5 minute series (topographic) maps drawn at a scale of 1:24,000 or 1 inch = 2,000 feet. Perennial streams are those which are depicted on a USGS map with a solid blue line. Intermittent streams are those which are depicted on a USGS map with a dotted blue line.
- OO. *Stream order*: A method of numbering streams as part of a drainage basin network. Tributaries which have no branches are designated as of the first order, streams which receive two first-order tributaries are of the second order, larger branches which receive two second-order tributaries are designated third order, and so on, the main stream being always of the highest order. Designation of stream order shall be determined utilizing a USGS 7.5 minute series (topographic) map drawn at a scale of 1:24,000 or 1 inch = 2,000 feet. See Figure 1 below.

Figure 1: Stream Order (Source: Schueler, 1995)



- PP. *Stream Planning Corridor (SPC)*: The areas of land designated as an SPC in Exhibit 4-4 to the PBS&J Storm Water Master Plan dated October 2009, along both sides of a stream or natural drainage corridor that encompasses the area projected to be inundated by the one-percent chance flood event (i.e., the one-hundred-year floodplain) in any given year assuming full build-out watershed conditions (based upon the Norman 2025 Plan and subsequent updates) in those areas with 40 or more acres of drainage area in the Lake Thunderbird watershed.
- QQ. *Street*: Any public or private right-of-way which affords the primary means of access to abutting property.

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- RR. *Street, collector*: A minor street collecting traffic from other minor streets and serving as the most direct route to a major street or community facility.
- SS. *Street, cul-de-sac*: A local street having one (1) closed end terminated by a turn-around.
- TT. *Street, estate type*: A local street in a Residential Estate (R-E) or Agricultural (A-1, A-2) zone or district.
- UU. *Street, frontage or service*: A minor street located adjacent and parallel to a major street for land service to abutting properties and access to adjacent areas and for allowing control of access to the major street.
- VV. *Street, local*: A minor street which collects and distributes traffic between parcels of land and collector or arterial streets, with the principal purpose to provide access to abutting property.
- WW. *Street, major*: A freeway, principal arterial, or minor arterial designated on the adopted Transportation Plan of the City of Norman.
- XX. *Street, minor*: Any street other than one (1) designated as a freeway, principal arterial, or minor arterial on the adopted Transportation Plan of the City of Norman, but not including alleys.
- YY. *Street, public*: Any pre-existing county road heretofore annexed by the City of Norman and which forms a part of said City by reason of such annexation, or any street or road granted or dedicated to and accepted by the City of Norman.
- ZZ. *Structural controls*: Engineered solutions designed to reduce pollution in surface water runoff primarily through five basic mechanisms: Infiltration, amelioration, treatment, filtration and detention. In effect, these systems attempt to counteract the opposite tendencies of decreased infiltration, filtration and detention which urbanization imposes upon the land.
- AAA. *Subdivider (developer)*: Any person, firm, partnership, corporation, or other entity acting as a unit, subdividing or proposing to subdivide or develop land as herein defined.
- BBB. *Subdivision*: The division, re-division, or delineation of land by lots, tracts, sites or parcels for the purpose of transfer of ownership, or for urban development, or for the dedication or vacation of a public or private right-of-way or easement.
- CCC. *Swale*: A natural depression or wide shallow ditch used to temporarily store, route, or filter runoff and encourage infiltration.
- DDD. *Top of bank*: The point along a stream bank where abrupt change in slope is evident, and where the stream is generally able to overflow the banks and enter the adjacent floodplain. The top of bank may be identified from topography maps but must be verified through field inspection. Where no top of bank is discernable by the City Storm Water Engineer or his designee, measurements should be taken from the center line of the stream.
- EEE. *Transportation Plan*: The arrangement, character, extent, and width of major streets within the City of Norman as designated on the most currently adopted Land Use and Transportation Plan document.
- FFF. *Townhouse*: One (1) of a series of two (2) or more attached dwelling units, separated from one (1) another by continuous, vertical party walls without openings from basement floor to the roof deck and tight against same or through the roof and which are intended to have ownership transferred in conjunction with a platted lot.
- GGG. *Urban area*: All that part of the incorporated area of the City of Norman which is designated on the Norman 2025 Plan for urbanization.
- HHH. *Water Quality Protection Zone (WQPZ)*: A vegetated strip of land that lies along a stream or Lake Thunderbird and its adjacent wetlands, floodplains or slopes that is comprised of the stream bed and

areas adjacent to the stream bed and the distance of which is determined by subsection 19-411(B), (C) and (D) herein.

- III. *Way*: Any street, avenue, parkway, highway, boulevard, road, alley, bicycle path or pedestrian walkway reserved and/or dedicated for public or private use chiefly by vehicular or pedestrian traffic. Its width shall be established as the shortest horizontal distance measured between lines delineating the right-of-way.
- JJJ. *Wetland*: The term, as used herein, shall have the same meaning as set forth in 40 C.F.R. § 230.3.
- KKK. *Yard line*: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except as specifically provided in Chapters 18 or 22. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard, or the depth of a rear yard, the least horizontal distance between the lot line and the main building shall be used.
- LLL. *Yard line, front*: A yard extending the full width of a lot between the side property lines and being the minimum horizontal distance between the street side property line and the main building or any projection thereof.
- MMM. *Yard line, rear*: A yard extending across the rear of a lot measured between side yard lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.
- NNN. *Yard line, side*: A yard between the building and the side line of the lot and extending from the front yard line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps.

(Ord. No. O-7273-87; Ord. No. O-7576-2; Ord. No. O-7677-40; Ord. No. O-8081-60; Ord. No. O-9697-43; Ord. No. O-0001-15; Ord. No. O-0405-27; Ord. No. O-1011-52, § 1)

Sec. 19-211. Penalties.

Any individual or legal entity convicted of violating or failing to comply with the provisions of any section or subsection of this chapter shall be punished by monetary fine in an amount not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00). Furthermore, each day that a violation is permitted to exist shall constitute a separate and distinct offense, providing that any one (1) or more of such offenses may be set out in any complaint or information filed pursuant to the provisions of this Code, although separate and distinct proof of each day's offense shall be required.

(Ord. No. O-7273-87; Ord. No. O-8283-05; Ord. No. O-0001-15; Ord. No. O-0405-26; Ord. No. O-0506-10)

ARTICLE III. PLAT PREPARATION AND APPROVAL PROCEDURE

Sec. 19-301. The preliminary plat: General.

The subdivider shall prepare a preliminary plat for presentation to the City. It shall conform with the minimum requirements of the Norman 2025 Plan, and this Code, and shall include the land in question, and any

adjacent land partially or fully owned or under option by the applicant, notwithstanding that all of said land may never be finally platted.

For all cases of subdividing and development within the scope of this chapter, a preliminary plat of the land in question shall be drawn and submitted to the Planning Commission and City Council and a final plat of the land in question shall be submitted to the City Council for acceptance of dedications and improvements, as provided in this chapter.

(Ord. No. O-7273-87; Ord. No. 8586-87; Ord. No. O-9091-35; Ord. No. O-0001-15; Ord. No. O-0405-27; Ord. No. O-1213-32, § 1)

Sec. 19-302. Preliminary plat: Procedure for filing application for consideration of the Planning Commission

1. When a Preliminary Plat is submitted to the Public Works Department for consideration by the Planning Commission, a Pre-Development Informational Meeting must be held. The purpose of the Pre-Development meeting is to allow surrounding neighbors to meet with the applicant in an informal setting and share information about the proposed application. In order for the meeting to occur, the following items must be submitted to the Public Works Department:
 - (a) The written legal description of the property.
 - (b) A written description of the proposed development which provides details of the proposal that can be mailed to neighbors. The narrative should be as detailed as practicable, without being lengthy or technical. It should describe the proposed uses contained in the development, any proposed open space or parks, and connections to nearby major roads and subdivisions.
 - (c) Because this is a preliminary meeting, a fully finished preliminary plat is not required, however, three (3) full-sized drawings are required, as well as an eight and one-half (8½) inch by eleven (11) inch reduction, generally showing lots, roads, topography, floodplains, existing easements and structures, physical features (such as ponds, creeks, and large stands of trees), and proposed parks and open spaces.
 - (d) A site plan must accompany any request for commercial, industrial, multifamily, or special use, generally showing in a preliminary manner proposed buildings, parking, driveways, landscaping areas and screening.
 - (e) A certified ownership list for all property within a three hundred fifty-foot radius of the exterior boundary of the subject request.
 - (f) A completed Greenbelt Enhancement Statement if required by and in accordance with Section 4-2027 of the Code of the City of Norman.
 - (g) A filing fee of one hundred twenty-five dollars (\$125.00), which will be credited against any filing fee charged for a future preliminary plat application for the same property. This fee is nonrefundable, and must be paid each time a separate meeting is requested.

A complete Pre-Development application packet must be filed in the Planning Department by 4:00 p.m. seventeen (17) days before the regularly scheduled Pre-Development meeting. The Planning Department will make available the Pre-Development packet to the City of Norman's website as soon as possible but no later than ten (10) days before the regularly scheduled Pre-Development meeting. Pre-Development meetings will be held on an as-needed basis, and are anticipated to occur once a month. Staff will notify all persons identified on the certified ownership list, and will include a copy of the written description of the proposed project as well as any reduced drawings. If an applicant does not submit an application for Planning Commission within six (6) months from the

date of the Pre-Development meeting, a new Pre-Development meeting must be held prior to the Planning Commission hearing.

At the same time, an application packet may also be submitted for a preliminary plat. By submitting both application packets at the same time, the application will be scheduled for a Pre-Development meeting, and then a Planning Commission hearing in the month immediately subsequent to the Pre-Development meeting.

However, if the application for Planning Commission hearing is not filed in the Public Works Department at the same time the Pre-Development application is filed in the Planning Department according to the above deadline, the application will be scheduled for a Planning Commission hearing at the time that application is received in the Public Works Department.

2. In order to be included on the agenda of the Planning Commission, an application shall be in compliance with all of the following:
 - (a) Five (5) copies of the preliminary plat shall be submitted directly to the Public Works Department before 1:30 p.m. Monday, not less than thirty-one (31) days prior to the next Planning Commission meeting.
 - (b) It shall be unnecessary unless as may be otherwise required to submit with said preliminary plat the restrictive or protective covenants pertaining to said development or subdivision and which are to be filed of record in the office of the County Clerk of Cleveland County, Oklahoma.
 - (c) At the same time, where the preliminary plat is submitted for multi-family residential, commercial or industrial development, there shall be submitted five (5) copies of a site plan which shall be drawn to scale, with all necessary dimensions showing the outer lines within which each individual structure within the development is to be constructed, in addition to designated open space; the areas reserved for parking; all points of ingress and egress to existing, required, or proposed streets; all streets, alleys, drives, and firelanes, whether public or private; all public easements; the location of fire hydrants; service and dumpster areas; and required screening, landscape areas and fencing.
 - (d) When submitted, material must be in complete and final form as required in this chapter. Plats failing to meet these requirements by the filing deadline shall not be placed on the Planning Commission agenda.

(Ord. No. O-7273-87; Ord. No. O-8384-78; Ord. No. O-9798-14; Ord. No. O-0001-15; Ord. No. O-0405-61; Ord. No. O-1011-23, § 1; Ord. No. O-1213-32, § 1)

Sec. 19-303. Preliminary plat: Contents.

The preliminary plat shall be drawn at a scale of not more than one hundred (100) feet to the inch, except where impractical and shall show:

- A. The scale, north arrow, date and legend;
- B. The proposed name of the subdivision;
- C. The name and address of the owner of record, the subdivider, the owner's engineer, and the registered land surveyor preparing the plat;
- D. Legal description of the proposed subdivision, including the acreage and the number of lots proposed in the subdivision, by type;
- E. A key map showing the location of the proposed subdivision referenced to existing or proposed arterial streets or highways and to government section lines, and including the boundaries and number of acres of the drainage area of which the proposed subdivision is a part;

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- F. The names, with locations of intersecting boundary lines, of adjoining subdivisions, and the location of the Norman City limits if falling within or immediately adjoining the tract;
 - G. The land contours with vertical intervals of one (1) foot in the urban areas and two (2) feet in the rural areas referenced to a United States Geological Survey datum (1988) or Coast and Geodetic Survey bench mark or monument;
 - H. The location of dedicated streets at the point where they adjoin and/or are immediately adjacent; but actual measured distances shall not be required;
 - I. Important features such as existing permanent buildings; large trees (a minimum eight-inch caliber); streams; railway lines; oil and gas line or wells as shown on the records of the Oklahoma Corporation Commission (including abandoned gas or oil wells and dry holes which remain unplugged);
 - J. The location of all existing easements of record, sanitary and storm sewers, water mains, streets, culverts, power lines, and other surface or subsurface structures within the tract or immediately adjacent thereto, and the proposed location, layout, type, and size of the following structures and utilities:
 - 1. Water mains;
 - 2. Sanitary sewer mains, sub-mains and laterals;
 - 3. Storm sewers; and
 - 4. Street improvements.
 - K. The location of all drainage channels and subsurface drainage structures, and the proposed method of disposing of all run-off from the proposed subdivision, and the location and size of all drainage easements relating thereto, whether they be located within or outside of the proposed plat;
 - L. The length of the boundaries of the tract, measured to the nearest foot, and the proposed location and width of streets, alleys, easements, and setback lines, and the approximate lot dimensions;
 - M. The existing zoning and proposed changes of zoning in the tract and of the property immediately adjacent thereto;
 - N. One-hundred-year flood boundaries;
 - O. Water Quality Protection Zone boundaries;
 - P. Preliminary drawings showing compliance with the applicable requirements of this chapter for structural controls on development;
 - Q. A topographic map, drawn to a scale of one hundred (100) feet to one inch, or in an appropriate scale. The map should display, according the best information available, topographic information and features (including, but not limited to, faults and fractures along waterways, wetlands, and sinkholes), and the WQPZ. Current limits of the FEMA floodplain and the SPC shall be displayed;
 - R. Location of all temporary and permanent runoff detention basins, constructed and altered waterways and other physical facilities to be installed to comply with the terms of this ordinance;
 - S. Location of all existing monitoring stations, sample points or other significant devices used in measuring or assuring water quality;
 - T. Any technical surveys or studies necessary to support a request for modification of WQPZ boundaries affecting the subject parcel;
 - U. In the instance where there is one (1) or more active oil and/or gas well(s), lease road(s), tank batteries, flow lines, gas sales lines, dead man anchors or any other related equipment, located within

a proposed preliminary plat, any and all such items shall be shown on the submitted preliminary plat. Both existing conditions and any proposed changes to the existing conditions must be indicated on the preliminary plat. The information shall include, but not be limited to well access, size of the well location, including appurtenant equipment, any change in lay out or operations of the well site such as relocation of the lease road or moving of the tank batteries and flow lines, fencing, easements for flow lines, gas sales line, communication cables, and electric power lines. The information must also stipulate the parties responsible for constructing any lease road and approach and fencing. Easements necessary to provide for flow lines, gas sales lines, power supply lines and communication cables must be designated in writing. All information required must be shown on a site plan that has been reviewed and approved for compliance with oil and gas ordinances. A copy of the site plan shall be provided to the oil and gas inspector to become part of the well records until such time of the plugging and restoration of well location(s) has been completed. Oil well operators shall be notified by the oil and gas inspector of any predevelopment informational meeting(s) as an interested party where a preliminary plat contains a well(s), lease road, tank battery, flow line, gas sales line, dead man anchors, or any other related equipment that they operate. Notice shall be given in the same format as property owners within the required notice area.

- V. In the instance where property that is zoned Industrial, Commercial, Office, or Multi-Family abuts a single-family residential zone, the dumpster and/or compactor must be set back twenty (20) feet from the property line that abuts the single-family zone or single-family use.
1. This standard shall apply for all new construction. Existing businesses must also come into compliance with the terms of this section within six (6) months after the section is adopted. However, the Director of Utilities, or his designee, shall have the authority to waive or modify this requirement as potential site limitations may dictate.
 2. If a developer chooses to locate dumpsters and the required enclosures within a platted utility easement, the developer assumes all responsibility for any damage to the enclosure if utility work needs to be completed in the easement.

(Ord. No. O-7273-87; Ord. No. O-0001-15; Ord. No. O-0607-22, § 1; Ord. No. O-1011-7, § 1; Ord. No. O-1011-52, § 2; Ord. No. O-1314-44, § 1)

Sec. 19-304. Preliminary plat: Approval process.

- A. The Planning Commission shall recommend approval or disapproval of the preliminary plat to the City Council.
- B. If the Planning Commission recommends disapproval, the reasons for disapproval shall be stated in writing and refer specifically to those parts of the Norman 2025 Plan, this Code, and policies of the City with which the plat does not conform.
- C. After review and recommendation by the Planning Commission, the preliminary plat shall be presented to the City Council for their consideration.
- D. If the plat is approved by the Council as submitted, or after the applicant and City Council agree upon any revisions, the applicant may proceed with the staking of streets and roads, and with the preparation of a final plat.

(Ord. No. O-7273-87; Ord. No. O-0001-15; Ord. No. O-0405-27)

Sec. 19-305. Preliminary plat: Duration of approval.

Approval of a preliminary plat by the City Council shall be valid for a period of five (5) years from the date of approval; provided, however, that if one (1) or more final plats are filed for record within said five (5) years time frame, the preliminary plat validity shall be extended for two (2) years, or a total of seven (7) years from the initial date of approval by the City Council.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Sec. 19-306. Preliminary plat: Changes from the approved plat.

In any instance where a final plat includes: A rerouting of a collector street; a change in relationship between uses of land; an increase in the number of lots by more than five (5) percent; or a request for a change of specific elements of the preliminary plat, then the preliminary plat must be reapproved, and the subdivider shall pay a full preliminary plat filing fee on that part of the preliminary plat not previously filed of record as a final plat.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15)

Sec. 19-307. The preliminary plat: Requirements for administrative renewal.

- A. Prior to the expiration of a preliminary plat, previously approved by Planning Commission and City Council, the period of validity may be administratively renewed by the Development Committee for one (1) subsequent five-year term upon application by the property owner if the following requirements are met:
 - 1. The renewal fee of nine hundred dollars (\$900.00) is paid upon application for renewal of the preliminary plat.
 - 2. The preliminary plat to be renewed is identical to the preliminary plat on file or contains only minor amendments.
- B. Submission of plat and site plan. If the preliminary plat to be renewed is identical to the preliminary plat currently on file, resubmittal of copies of the preliminary plat and site plan is not required. If the preliminary plat to be renewed contains minor amendments to the preliminary plat currently on file, the following items must be submitted with the application for renewal for review by the Development Committee: five (5) copies of the preliminary plat that comply with Section 19-303 and five (5) copies of a site plan that comply with the requirements of Section 19-302(2)(c).
- C. All proposed amendments to the preliminary plat currently on file will be reviewed by the Development Committee for a determination of whether the proposed amendments are minor or major as provided herein. Major amendments cannot be approved administratively by the Development Committee and must go through the normal development process described in Section 19-302 and Section 19-304 herein. Minor amendments to the preliminary plat can be administratively approved after a favorable determination by the Development Committee.
- D. Major amendments to the preliminary plat are those that significantly alter the layout and use of the preliminary plat, increase the number of lots by more than ten (10) percent, alter any streets except as allowed in [Subsection] F. below, or significantly alter the design or scope of the preliminary plat.
- E. Changes to parkland location, for either a permanent or temporary park, may be approved administratively by the Development Committee but only upon approval by the Director of Parks and Recreation, or his or her designee. If the Director of Parks and Recreation or his or her designee denies a proposed change in parkland location, the application for renewal of the preliminary plat cannot be approved administratively.

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- F. Street alterations may be approved by the Development Committee if necessitated by a request for an increase or decrease in the number of lots, so long as the layout of the streets are not substantially altered. All alterations to streets must conform to adopted public safety and traffic management standards before being approved administratively.
 - G. Final plats, submitted after administrative renewal, must comply with all intervening modifications to Chapter 19 to other pertinent City of Norman regulations occurring from the date of approval of the preliminary plat to submission of the final plat for approval. Accordingly, if a preliminary plat is administratively renewed, at the time of renewal, a notation must be placed on the preliminary plat that states: "Approval of the corresponding final plat, when presented to City Council for such approval and acceptance, must comply with any and all intervening modifications to Chapter 19, or other pertinent chapter, of the Code of Ordinances of the City of Norman occurring from the date of first approval to the date of submission of the final plat to City Council for approval."

(Ord. No. 0-1213-32, § 1)

Sec. 19-308. The final plat: General.

The subdivider shall prepare a final plat for presentation to the City Council. It shall conform with the minimum standards of this Code and with the preliminary plat approved by the City Council.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, amended and renumbered former § 19-307 as § 19-308.

Sec. 19-309. Final plat: Procedure for filing application for consideration of the City Council.

In order to be included on the agenda of the City Council, an application shall be in compliance with all of the following:

- A. Three (3) dark line prints of a final plat, neatly drawn, shall be submitted to the Public Works Department before 1:30 p.m. Monday, not less than thirty-one (31) days prior to the next City Council meeting.
- B. At the same time, there shall be submitted three (3) sets of the proposed plans and specifications in final form for all required public improvements.
 - 1. Prior to the installation and construction of the required public improvements within any subdivision, plans and specifications therefor shall be prepared by a registered professional engineer and submitted to the City through the Public Works Department. That department shall, if warranted after the examination and inspection of said plans and specifications, submit to the City Council, a report that, in its opinion, the plans and specifications comply with all current ordinances and standards applicable thereto. No installation or construction of any public utility or required public improvement shall be commenced without approved plans and specifications and permission from the Public Works Department.
 - 2. Three (3) sets of plans and specifications for all required public improvements shall be filed with the City through the Public Works Department for final approval. The Development Committee shall review and approve such plans prior to the consideration of the final plat by the City Council.
 - 3. City approval of public improvement plans for any required public improvement or any part thereof is null and void two (2) years from the date of approval unless said public improvements

are under construction and will be completed within ninety (90) days. Plans for which approval has expired shall be resubmitted for review and current approval before any work is undertaken on the project and coincident with any consideration of the renewal of a corporate surety bond associated therewith; provided, however, this shall not preclude the City from instituting a legal action to recover under said corporate surety bond.

- C. In the instance where the means of sewage disposal is proposed by individual septic tank and filter fields, the final plat shall be accompanied by a copy of the Department of Environmental Quality Form Number 641-581B, entitled Report for On-site Sewage Disposal, or any applicable form which supersedes said form for each lot contained within the final plat. Said form shall be executed by a registered professional engineer or by a registered professional sanitarian.
- D. In the instance of where the means of sewage disposal is proposed by individual septic tank and filter fields, one (1) dark line print of the final plat denoting the location on each lot where percolation tests have been performed shall be filed with the application for approval of the final plat.
- E. In the case of a plat proposing the reserving or dedicating of land or amenities to be used in common by owners of lots in a single-family residential subdivision, or in the case of a plat or Norman Rural Certificate of Survey that contains any portion of the WQPZ, the applicant shall submit evidence acceptable to the City Attorney that all necessary steps have been taken for:
 - 1. The establishment of a mandatory Property Owner's Association ("POA") or establishment of another acceptable arrangement for adequate maintenance of the common elements and any designated non-structural controls for stormwater management. All mandatory POAs shall submit a Declaration of Covenants, Conditions and Restrictions (the "Declaration") which establishes a minimum framework that provides for the fair and effective administration of the POA and thereby assures the greater likelihood that the interests of the City and its citizens are secure and which include the following provisions:
 - (a) A list of all common property in the plat, by legal description. A specific description of all of the common elements within the subdivision including any abutting arterial roadways, the uses allowed for each common element and a description of the person responsible for initially constructing or installing each common element and the responsibility for maintaining the common element after initial installation;
 - (b) In those plats containing any portion of the WQPZ, a list of any non-structural controls located on the property.
 - (c) Once the declarant no longer controls the association, the declarant shall provide to the board of directors the following:
 - (1) All association books and records including minutes books and rules and regulations which may have been promulgated,
 - (2) A statement of receipts and expenditures from the date of the recording of the association documents to the end of the accounting period immediately succeeding the first election of the board of directors by the home owners,
 - (3) A copy of the latest available approved plans and specifications for all improvements in the project and as-built plans if available,
 - (4) All insurance policies currently in force,
 - (5) All unexpired warranties relative to any common improvements,
 - (6) Any contracts in which the association is a contracting party, and

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- (7) A list of manufacturers of paints, roofing materials, and other similar materials if specified for use on the association property. The POA shall keep detailed records of receipts and expenditures affecting the operation and administration of the POA. All financial books and records shall be kept in accordance with sound accounting principles applied on a consistent basis. Financial records must be made available to lot owners at reasonable business hours or at a mutually convenient time and location, within five (5) days after receipt of a written notice identifying the specific books and records of the POA requested to be reviewed;
- (d) A requirement for annual meetings of the POA, with prior notice of the time, place, and agenda sent to each registered member of the POA, by mail or electronically;
- (e) The POA shall have the power to impose and collect both annual and special assessments as well as capital reserves, and the ability to impose fines, penalties, and liens to ensure compliance with the terms of the declaration. The amount of the annual assessments or the methodology used to determine the amount and the manner in which changes in assessments are made must be disclosed. The developer shall provide a list of all of the capital components and their initial cost to the POA, and a statement from the developer's engineer or architect indicating the useful life of each such element. The POA shall maintain an annual "reserve assessment" equal to the initial cost of each component divided by the estimated number of years that each component is expected to remain useful, i.e. a ten thousand dollars (\$10,000.00) component with a useful life of ten years would require that \$1000 be included in each annual budget, divided equally by the number of members in the association.
- (f) During the declarant control period, the declaration may be amended as provided in the declaration. After the termination of the declarant control period, the declaration may be amended by the vote of three-fourths ($\frac{3}{4}$) of the owners of the lots within the subdivision. Any amendment which attempts to convey ownership or maintenance of a common element to a person other than the person designated at the time of the approval of the final plat by the City Council must be approved by the City Council;
- (g) Before being recorded in the real property records of Cleveland County, any corrective amendment or supplement to the Declaration, including a correction of a mathematical mistake, an inconsistency or scrivener's error, a clarification of an ambiguity with respect to an objectively verifiable fact (including recalculating the liability for assessments) must be approved by the City Attorney. Any denial of a proposed amendment may be appealed to the City Council;
- (h) A statement that if the POA fails to maintain any common area that results in a code violation, the City shall have the right to perform corrective maintenance, after giving the POA thirty (30) days written notice and an opportunity to cure. The costs of said abatement are the responsibility of the POA and if such costs are not promptly paid, the City shall have the right to enforce such collection by all remedies available to the City at law or in equity; and
- (i) Builders are required to permanently post notice in a prominent place in all model homes, sales offices, and all open spaces larger than twenty thousand (20,000) square feet stating that a Property Owners Association has been established and membership is mandatory for all property owners. The builder or his agent must disclose that there is a mandatory association and shall provide a summary of the association documents specifically including the annual assessments and a five year projection of dues income and association

expenses, including amounts required for reserves. A current summary must be provided to all purchasers at least fifteen days before closing.

- (j) All POAs must annually register with the City Clerk's office and provide a list of elected officers and their contact information or with the name and contact information for the agent or attorney of record for the POA. A fee of (twenty-five dollars) \$25.00 shall be charged for the initial registration, and ten dollars (\$10.00) for each renewal;
 - 2. The submission of the Declaration or other documentation which reflects any change from the terms initially approved for review by the City Attorney and approval by the City Council if any of the foregoing City interests might be involved; and
 - 3. The disposition of the common elements in the event of the dissolution of the POA.
- F. The final plat shall conform with the preliminary plat as approved by the City Council, and shall not include the rerouting of a collector street, a change in the relationship between uses of land, an increase in the number of lots by more than five (5) percent, or a change of specific elements of the preliminary plat. Plats failing to meet these requirements or other requirements of this chapter shall not be placed on the City Council agenda.

(Ord. No. O-7273-87; Ord. No. O-8384-78; Ord. No. O-9798-14; Ord. No. O-0001-15; Ord. No. O-0809-15; Ord. No. O-1011-52, § 3; Ord. No. O-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. O-1213-32, adopted March 26, 2013, amended and renumbered former § 19-308 as § 19-309.

Sec. 19-310. Final plat: Contents.

- A. The final plat shall be drawn on a scale of one hundred (100) feet to the inch from an accurate survey and on sheets whose dimensions do not exceed twenty-two (22) inches by thirty-two (32) inches between border lines on a mylar or equivalent standard twenty-four (24) by thirty-six (36) inch sheet. However, in the instance of the platting of a small area, the scale of the drawing may be changed such that one (1) inch will equal less than one hundred (100) feet in order to allow a larger representation of the tract; and, for platting of large lot subdivisions in the rural area containing more than one hundred (100) acres, then a scale of one (1) inch equals two hundred (200) feet may be used. On every sheet of every plat there shall be a key map showing the location of the subdivision referenced to government survey section lines and major streets and a legal description. If more than two (2) sheets are required for the plat, the key map shall show the number of the sheet for each area. A border of one (1) inch surrounding the sheet shall be left blank at the top, bottom, and right hand side, and a margin of three (3) inches at the left side for binding purposes.
- B. The final plat shall contain the information required for approval of a preliminary plat. Every sheet of the final plat shall also include the following:
 - 1. Name of the subdivision;
 - 2. The legal description of the subdivision referenced to section, township, range, name of city, county, and state, shall be placed on every page of the final plat;
 - 3. Names of the owner(s) of the land to be divided, the land surveyor, and the engineer;
 - 4. Date of preparation of the plat, north arrow, legend, and scale (written and graphic);
 - 5. Location map showing location of subdivisions within the mile section; total acres and total number of lots of the subdivision;
 - 6. The location and description of all permanent survey monuments in or near the tract, to at least one (1) of which the subdivision shall be referenced;

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7. The length of all required lines dimensioned in feet and decimals thereof, and the value of all required true bearings and angles dimensioned in degrees and minutes, as hereafter specified;
 8. All plat boundary lines with lengths of courses to hundredths of a foot and bearings to seconds. These boundaries shall be determined by an accurate survey in the field, which shall be balanced and closed with an error not to exceed one (1) to ten thousand (10,000). Survey shall be tied and computed to the City of Norman plane coordinate system. Location of adjoining land boundary lines, with adjacent subdivisions identified by official names;
 9. The lines of all proposed streets fully dimensioned by lengths and bearings or angles [including chord bearing and length for curvilinear features], angles of intersection and widths (including widths along the line of any intersecting street);
 10. The length of all arcs, radii, points of curvature, points of tangency, points of intersection, and central angles for all curvilinear streets and radii or cut-backs for all property returns;
 11. All existing easements and rights-of-way, (with limitation of the easement right definitely stated on the plat), including the book and page number where separate instruments are filed; easements located outside the boundaries, of the plat, required for plat approval;
 12. The lines of all proposed parcels of land, whether lots or blocks, fully dimensioned in feet to hundredths, by lengths and bearings or angles [including chord bearing and length for curvilinear features], except that where a lot line meets a street line at right angles, the angle or bearing value may be omitted;
 13. Parcel identification system. The blocks numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block, with the exception that any blocks designated for public or common ownership shall be designated with consecutive capital letters beginning with the letter "A", as opposed to numbers. If only a portion of a block shown on an approved preliminary plat is included in a final plat, the block and consecutive lot numbers shall be shown only for that portion of the block included in the final plat. When the remaining portion of the block is platted at a later time, the remainder of such block shall bear a different block number and the lot numbers shall be consecutively numbered beginning with the number one (1);
 14. All proposed lots in each subdivision shall be sequentially numbered, according to the address system adopted by the City of Norman. North and east side lots shall have odd-numbered addresses. South and west side lots shall have even-numbered addresses. Street, Avenue, Place, Court, etc. with the same street prefix shall not have the same lot address numbers. All street names and numbers shall be assigned by the Public Works Department. Street names shall be assigned during the preliminary plat process and street addresses assigned during the final plat process. After assignment, street addresses shall be designated and printed on each lot of record by the developer, unless otherwise approved during the plat review process;
 15. The accurate outline of any property which is offered for dedication for public use, and of all property that may be reserved by covenant, in the deeds for the common use of the property owners in the subdivisions, with the purpose indicated thereon. All lands dedicated to the public other than streets or roads shall be marked "dedicated to the public";
 16. The location of all building lines, setback lines, easements of record, and easements being dedicated for public services or utilities with dimensions to the nearest foot showing their location;
 17. The location of any land lying within any identified special flood hazard area, a flood having an average frequency of occurrence in the order of once in one hundred (100) years, as determined by the most recent flood hazard boundaries map published by the Federal Emergency Management Agency, or adopted by the City Council;

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18. Reference to any separate instruments, including restrictive covenants, filed in the office of the County Clerk which directly affect the land being subdivided;
 19. The following information shall be included for every oil or gas well, existing, inactive, or abandoned, as shown by the records of the Oklahoma Corporation Commission (OCC), and/or permitted by the City of Norman, according to the records of the City of Norman Oil and Gas Inspector's office;
 - (a) Verify the physical location of the well bore with a survey to accuracy of one (1) foot.
 - (b) All buildings shall be a minimum of one hundred twenty-five (125) feet from the well bore of an active or unplugged well, or a plugged well not meeting the then current specifications of the Oklahoma Corporation Commission and City of Norman Oil and Gas ordinance; (0-0506-29, February 14, 2006)
 - (c) All buildings shall be a minimum of forty-five (45) feet from the well bore of a plugged well meeting the then current specification of the Oklahoma Corporation Commission and City of Norman Oil and Gas ordinance; (0-0405-27, February 22, 2005; 0-0506-29, February 14, 2006)
 - (d) Plugged or closed wells may be allowed in the public street right-of-way under the following circumstances if no modification to the well casing is needed due to construction of the subdivision. Where modification to the well casing will be required due to construction of the subdivision, those modifications shall be made as directed by the Oklahoma Corporation Commission. Upon completion of the required modifications, the modified well may be allowed in the public street right-of-way. Appropriately closed or plugged wells allowed in the public street right-of-way shall meet the following conditions:
 - (1) The well shall be very near the center of the street;
 - (2) A manhole with a minimum five-foot diameter shall be building over the well to allow future access to the well; however, a larger diameter manhole may be required where deemed necessary at the direction of the Public Works Director.
 - (3) The design of the manhole shall include an eight-inch minimum concrete floor that lies a minimum of twelve (12) inches below the top of the casing, and the wording "Plugged Oil Well" shall be on the manhole lid;
 - (4) The street system shall be built such that there is more than one (1) route to every home that could be blocked by work on the well.
 20. The proper acknowledgement of owners and the consent by the mortgagee to plat restrictions; and,
 21. The following certification and appropriate signatures shall be made and shown on the submitted original tracing in black ink:
 - (a) Owner's certificate and dedication, executed and acknowledged. The certificate shall be substantially in the following form: "As owner, I hereby certify that I have caused the land described in this plat to be surveyed, divided, mapped, dedicated and access rights reserved as represented on the plat." Dedication of the streets, easements, and other public areas shall be made as a part of this certificate. This certificate shall be executed in the same manner as a real estate conveyance is executed;
 - (b) Certificate by the owner's surveyor to the effect that the owner's surveyor has fully complied with the requirements of the City of Norman Subdivision regulations and the subdivision laws of the State of Oklahoma governing surveying, dividing, and mapping of the land; that the plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it; that the plat represents a survey made by the surveyor and that all monuments and

benchmarks indicated thereon actually exist in their location, size, and material are correctly shown;

- (c) Certificate of bonded abstractor, executed;
- (d) Certificate for release of mortgage for any portion dedicated to the public, executed and acknowledged;
- (e) County Treasurer's certificate, executed;
- (f) Certificate of City Council acceptance of ways, easements, and public land dedications; and,
- (g) Certificate by the Chairman of the City of Norman Development Committee that the improvements comply with the approved standards and specifications.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-0405-27, § 1; Ord. No. 0-0506-29; Ord. No. 0-0607-53, § 1; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, amended and renumbered former § 19-309 as § 19-310.

Sec. 19-311. Final plat: Boundary traverse closure.

Boundary traverse closure data based on the engineer's calculations thereof, in a format compatible with the City's computer system, shall be provided to the Public Works Department at the time of submission of the final plat.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Former § 19-310, renumbered as § 19-311, has been included in the provisions of Ord. No. 0-1213, § 1, adopted March 26, 2013, at the request of the city.

Sec. 19-312. Final plat [approval]: City council action.

- A. The City Council shall approve or disapprove the final plat. Approval shall be shown on the plat with the date of such approval and over the signature of the Mayor.
- B. If the final plat be disapproved, the reasons for such action shall be specifically stated in writing, a copy of which, signed by the Mayor, shall be transmitted with the tracing and prints to the applicant.
- C. No plat shall be approved which does not comply with this chapter.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, amended, retitled, and renumbered former § 19-311 as § 19-312. In order to avoid duplication of sections, the editor has added "approval" to the title.

Sec. 19-313. Permit for public improvements required.

A permit issued by the Public Works Department shall be required prior to any construction of offsite improvements located within street and alley rights-of-way, and a permit issued by the Public Works Department shall be required prior to any construction of public improvements to be located in rights-of-way, utility, or drainage easements, as required by this Code.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, renumbered former § 19-312 as § 19-313.

Sec. 19-314. Accomplishment of improvements: General procedure.

- A. The accomplishment of the improvements required herein shall be assured by either one (1) of two (2) methods, or a combination of these two (2) methods to assure the construction of all required public improvements, as follows:
1. Construction and tentative approval by the City of required public improvements prior to the filing of the approved final plat; and/or,
 2. Filing with the Public Works Department of a surety, in accordance with section 19-315 to secure the actual construction of required improvements.

(Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, renumbered former § 19-313 as § 19-314.

Sec. 19-315. Improvement construction prior to filing and/or submitting a surety to secure the actual construction of required improvements.

- A. Normally a subdivider elects to install and construct any or all of the public improvements required herein prior to the filing of a final plat. Under such circumstances, the procedure shall be as follows:
1. The subdivider shall submit a written request to the Public Works Department indicating in specific detail the required public improvements which the subdivider proposes to install and construct prior to the filing of the approved final plat.
 2. The Public Works Department shall review the construction drawings and documents and prepare a written report for the Development Committee.
 3. The Development Committee shall approve the program for accomplishing all required public improvements is feasible and in compliance with the approved preliminary plat and not contrary to the public interest. If approved, the City of Norman Public Works Department is authorized to issue construction permits for all required public improvements.
 4. In all cases where the Development Committee approves a program of construction of required public improvements prior to the filing of a final plat, a copy of the final plat, without benefit of required signatures of City officials, shall be held in escrow by the City through the Public Works Department. It shall not be released for any purpose until the approved program of construction is completed and all public improvements are accepted by authorization of the City Council. Subsequent to the acceptance of all required public improvements included in the construction program and the accomplishment of all other commitments, if any, of the subdivider, the final plat shall be executed by the City and recorded at the County Courthouse.
 5. An approved program of construction under this method shall be completed within a period of two (2) years. Two (2) years from the date of approval by the Development Committee, the approval of any construction program which has not been initiated shall become null and void.
- B. Coincident with the acceptance of the final plat by the City Council of any public dedications within the subdivision, the subdivider may elect to submit an acceptable corporate surety bond, cash, certificate of deposit, or irrevocable letter of credit drawn on a banking institution qualified to do business in the State of Oklahoma for all required improvements. Vegetative cover should be planted when drainage improvements

are installed, but may be deferred for up to six (6) months depending on weather conditions. Construction of sidewalks can be deferred for a period of two (2) years, or until on-site construction is completed. The procedure for bonding any public improvements is as follows:

1. Said surety shall be submitted to the Public Works Director. Said surety shall be executed on an approved City of Norman Bond Form, and be approved as to form and legality by the City Attorney. The terms of said bond (hereinafter referred to as a "subdivision bond") shall provide that it be conditioned that if the subdivider has not, within the stated period of time from the date of City acceptance of said subdivision bond, completed the installation of all required improvements within the subdivision, the subdivider and/or the subdivider's surety shall be required to forthwith pay over to the City a sum sufficient to contract, after competitive bidding, for the installation and construction of all said required public improvements not theretofore installed and constructed by the subdivider. Said sum shall constitute one hundred (100) percent of the cost of construction of the bonded improvements.
2. In the event that the subdivider is the principal on any delinquent corporate surety bond, the obligations of which have not been fulfilled, said subdivider shall be required to provide as surety, cash, certificate of deposit, or an irrevocable letter of credit as described above, for any improvement not installed and/or constructed by the subdivider prior to the filing of the final plat.
3. It shall be the responsibility of the subdividers posting any form of surety—bond, cash, certificate of deposit, or an irrevocable letter of credit—to inform the City of Norman, through its Director of Public Works when the subdivider's obligations under said surety have been fulfilled and to request release from the times and conditions of the posted surety. (See also section 19-316B.5.)
4. Any construction surety, regardless of form, shall be accompanied by a certified engineer's estimate, prepared by registered, professional engineer licensed to practice in the State of Oklahoma, certifying that the bond amount is sufficient to cover the current cost of constructing the bonded improvement.

(Ord. No. O-7273-87; Ord. No. O-7374-21; Ord. No. O-7778-43; Ord. No. O-8182-3; Ord. No. O-0001-15; Ord. No. O-0809-35, § 1; Ord. No. O-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. O-1213-32, adopted March 26, 2013, amended and renumbered former § 19-314 as § 19-315.

Sec. 19-316. Completion and City acceptance of public improvement.

- A. At such time as the subdivider has completed the installation and construction of all public utilities and improvements herein required within the subdivision, the subdivider may seek acceptance for all such improvements by the City. No public improvements shall be accepted for maintenance or for any other purpose by the City until or unless they are constructed in accordance with the City's "Standard Specifications and Construction Drawing" and "Engineering Design Criteria." The City Council shall authorize the Mayor to sign the plat and accept the improvements and dedications on behalf of the City based upon the certification by the City of Norman Development Committee that all required improvements have been satisfactorily completed and all bonds are in order and have been approved by the City Attorney.
- B. The procedure for consideration of acceptance of the dedication of public improvements and maintenance bonds herein required shall be as follows:
 1. The individual or legal entity responsible for causing a public improvement to be constructed shall make written request through the Public Works Department that such public improvements be accepted by the City.

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2. One set of reproducible as-built plans and all required maintenance bonds shall be submitted in conjunction with said written request. As-built drawings shall also be provided on electronic media compatible with the City's computer-aided drafting and design (CADD) system.
 3. The project engineer shall submit a written statement indicating that the plat improvements have been constructed in accordance with the approved plans, that the as-built plans are a true and accurate representation of said public improvements, that the project engineer is satisfied with said public improvements, and that the project engineer recommends acceptance by the City.
 4. The Public Works Department shall submit a written report to the City of Norman Development Committee indicating the following:
 - (a) That said public improvements have been constructed in compliance with approved plans and specifications and all requirements of the Code of the City of Norman;
 - (b) That the as-built plans provide a true and accurate representation of the public improvements; and
 - (c) That all required maintenance bonds have been submitted and examined by the City Attorney and are in order.
 5. Upon the approval of the City of Norman Development Committee of the written report from the Public Works Department, the final plat and bonds shall be submitted to the Mayor for his signature and official acceptance of the dedications, improvements and required maintenance bonds; and, where applicable, release of the surety from liability under the subdivision bond where the provisions of said bond have been fully performed.

(Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, renumbered former § 19-315 as § 19-316.

Sec. 19-317. Final plat: City Council action.

- A. Before recording the final plat, it shall be submitted to, and accepted by, the City Council.
- B. Acceptance of the plat shall be shown over the signature of the Mayor and attested by the City Clerk or Deputy City Clerk, in accordance with section 19-316.A.
- C. The rejection of any such plat shall be deemed a refusal of the proposed dedications shown thereon.

(Ord. No. 0-7273-87; Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, renumbered former § 19-316 as § 19-317.

Sec. 19-318. Final plat; recording.

The owner or the owner's engineer shall submit the original tracing of any plat and the recording fee for filing of said plat in the office of the Cleveland County Clerk to the Public Works Department at the time approval by the City of Norman Development Committee is requested in writing. All required signatures shall be properly affixed. The City will retain possession of said original, securing City Council signatures. The Public Works Department will make reproductions and dark line prints for recording purposes, and will record said plat at the owner's expense within ten (10) days after approval of the final plat by the City of Norman Development

Committee. In such cases where a subdivision is to be bonded and filed prior to the improvements, said bonds will be approved by the City Council at the time of acceptance.

(Ord. No. O-7273-87; Ord. No. O-0001-15; Ord. No. O-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. O-1213-32, adopted March 26, 2013, amended and renumbered former § 19-317 as § 19-318.

Sec. 19-319. Procedure for amendment of site plans.

In such cases where a site plan has been required for a lot, tract or parcel of land by section 19-302C of this Code, and the proposed development of the lot, tract, or parcel deviates from the filed site plan, the site plan may be amended under the following procedure:

- A. An amended site plan shall be submitted to the Public Works Department.
- B. Such amended site plan shall conform to all of the requirements of the Code of the City of Norman. Further, the amended site plan may not deviate from the approved site plan by:
 - 1. Adding more than five (5) percent to the gross building area;
 - 2. Adding more than five (5) percent to the parking area;
 - 3. Reducing landscaped areas by more than five (5) percent; or,
 - 4. Changing the basic layout and configuration of building, parking, ingress, egress, or other conditions.

If the above conditions are complied with, and upon the unanimous vote of the City of Norman Development Committee and the Fire Marshal (or their designees), the amended site plan may be approved by affixing their signatures thereto.

- C. Additional public improvements and amended improvements plans may be required as a condition of approval of the amended site plan where, in the judgment of the Director of Public Works, the Director of Planning and Community Development, or his designee, or the Fire Marshal, such additional public improvements are necessitated by changes in the amended site plan.
- D. Any disapproved amended site plan may be appealed to the Planning Commission and subsequently to the City Council where by a majority vote the amended site plan may be approved.
- E. No provision of this section shall be construed to exempt a tract from further platting as may be required by this chapter.

(Ord. No. O-7273-87; Ord. No. O-9697-1; Ord. No. O-0001-15; Ord. No. O-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. O-1213-32, adopted March 26, 2013, renumbered former § 19-318 as § 19-319.

Sec. 19-320. Procedure for amendment of final plats.

In such case where a final plat has been reviewed and approved by the City Council, the owner may submit, prior to its recording, to the City of Norman Development Committee an amended final plat. The City of Norman Development Committee may approve said amended final plat provided that there are no changes which significantly alter the layout, use, number of lots, or other material features of the plat. It is intended that such adjustments might include such things as minor lot configurations or slight adjustments necessitated in the field at the time of construction of improvements. If the unanimous vote of the City of Norman Development Committee

concur, then said final plat will be accepted and filed of record in accordance with the remaining procedures of this Code. Otherwise, any such change including any additional dedications of easements or rights-of-way will necessitate a review and acceptance on the part of the City Council.

(Ord. No. 0-0001-15; Ord. No. 0-1213-32, § 1)

Editor's note(s)—Section 1 of Ord. No. 0-1213-32, adopted March 26, 2013, amended and renumbered former § 19-319 as § 19-320.

ARTICLE IV. DESIGN

Sec. 19-401. Design principles.

The quality of design of the city is dependent on the quality of design of the individual subdivisions that compose it. Good community design requires the coordination of the efforts of each subdivider and developer of land within the area. Therefore, the design of each subdivision shall be prepared in accordance with the principles established by the Norman 2025 Plan for land use, circulation, community facilities and public utility services and in accordance with the following general principles:

- A. It is intended that the Norman urban area shall be designed as a group of integrated residential neighborhoods and appropriate commercial, industrial and public facilities. The neighborhood, as a planning unit, is intended as an area principally for residential use, and of a size that can be served by one (1) elementary school. Space for religious, recreational, educational and shopping facilities to serve the residents of the neighborhood should be provided and designed as an integral part of each neighborhood.
- B. The quality of life in rural Norman is dependent upon the preservation of those environmental elements which form the basis for the initial attraction of rural dwellers. The purpose of cluster development is to provide for desirable and proper open space, tree cover, recreation areas, or scenic vistas; all with the intent of preserving the natural beauty while at the same time maintaining the same or higher maximum dwelling unit density limitations of each zoning district. To achieve these goals:
 - 1. Variations in lot area are permitted, including development of lots smaller than those specified in the zoning ordinance.
 - 2. Procedures are established to assure adequate maintenance and restricted use of open space areas for agricultural use or for the benefit of the inhabitants of the subdivision, or for dedication to public use.
- C. The size of lots and blocks and other areas for residential, commercial, industrial and public uses should be designed to provide adequate light, air, open space, landscaping with living plants and off-street parking and loading facilities.
- D. The arrangement of lots and blocks and the street system should be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees should be preserved. The system of sidewalks, bicycle paths, and roadways and the lot layout should be designed to take advantage of the visual qualities of the area.
- E. Circulation within the urban area should be provided in accordance with the following design principles:
 - 1. Major streets should be located on the perimeter of the residential neighborhood.

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2. Minor streets should be designed to provide access to each parcel of land under separate ownership and to sub-areas of apartment complexes within residential districts in a manner that will discourage use by through traffic. They should be planned so that future expansion will not require the conversion of minor streets to major streets.
 3. Commercial or industrial subdivisions should have access to a major street by means of a street system designed for such use, but they should not have access to residential streets in such a manner that encourages or promotes the movement of foreign traffic through residential neighborhoods.
 4. Collector streets should be designed to provide a direct route from other minor streets to the major street and expressway system and to provide access to public facilities within the neighborhood; however, collector streets should not be aligned in a manner that will encourage their use by through traffic.
 5. Ingress and egress to single family residential properties should be provided only on minor streets.
 6. Pedestrian ways should be separated from roadways used by vehicular traffic. Sidewalks should be designed to provide all residential building sites with direct access to all neighborhood facilities, including the elementary school, parks and playgrounds, churches, and shopping centers.
 7. Bicycle lanes and bicycle paths, where provided, should be in accordance with the adopted Bicycle Plan.
- F. Minimum standards for development are contained in this Code (including this chapter). However, the Norman 2025 Plan expresses policies designed to achieve optimum quality of development in the urban and suburban areas. If only the minimum standards are followed, as expressed by the various ordinances regulating land development, a standardization of minimum development will occur. This will produce a monotonous urban setting. Subdivision design should be of a quality to carry out the purpose and spirit of the policies expressed in the Norman 2025 Plan and in this chapter rather than be limited to the minimum standards required herein.

(Ord. No. O-7273-87; Ord. No. O-8981-60; Ord. No. O-9697-43; Ord. No. O-0001-15; Ord. No. O-0405-27)

Sec. 19-402. Subdivision design standards: Alleys.

- A. Alleys are not generally required in residential developments.
- B. In commercial and industrial areas with lots greater than one (1) acre, alleys are not generally needed. Whenever alleys are not provided, definite and assured provision shall be made for utility easements, emergency access, and service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.
- C. If provided, alleys serving residential, commercial and industrial areas shall not be less than twenty (20) feet in width.
- D. Alley intersections and sharp changes in alignment shall be avoided, but where necessary corners shall be cut off sufficiently to permit safe vehicular movement.
- E. Dead-end alleys shall be avoided where possible and should be extended when abutting properties are developed. If unavoidable, dead end alleys shall be provided with adequate turnaround facilities at the dead-end, as determined by the Public Works Department.

(Ord. No. O-7273-87; Ord. No. O-7576-17; Ord. No. O-0001-15)

Sec. 19-403. Subdivision design standards: Access and availability of fire and police protection and sanitation.

In the development of land, whether according to traditional patterns or under a variation of Planned Unit Development, adequate consideration shall be given to fire, sanitation, and police protection. Pursuant to this end the following guidelines are mandatory:

- A. Each dwelling unit shall have an entry located not more than one hundred and fifty (150) feet from a parking lot, private drive or public street in order to provide access for emergency services.
- B. In areas of the City where City water service is available, all building facades shall be serviced by fire hydrants installed in accord with standards and specifications of the Code of the City of Norman and so located such that totality of each facade can be serviced by not more than three hundred (300) feet of fire hose laid down by a fire vehicle.

(Ord. No. O-7273-87; Ord. No. O-0001-15)

Cross reference(s)—Fire prevention, Ch. 9.

Sec. 19-404. Subdivision design standards: Blocks.

- A. The lengths, widths, and shapes of blocks shall be determined with due regard to the following:
 - 1. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
 - 2. Zoning requirements applicable to lot sizes and dimensions;
 - 3. Needs for convenient access, circulation, control, and safety of street traffic; and,
 - 4. Limitations and opportunities of topography.
- B. Blocks for residential use shall not generally be longer than seven hundred (700) feet, measured along the centerline of the block. When a block exceeds seven hundred (700) feet in length, the City Council may require a mid-block sidewalk within a dedicated easement not less than twenty (20) feet in width and a paved crosswalk not less than five (5) feet in width. Fencing may not be placed within the easement.
- C. Blocks used for residential purposes should be of sufficient width to allow for two (2) tiers of lots of appropriate depth, except in those cases where one (1) tier of lots rears into a railroad, a major street as defined herein, or a different use area.
- D. Blocks intended for commercial 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 and such blocks shall abut a street dedicated to the public on at least one (1) side.

(Ord. No. O-7273-87; Ord. No. O-0001-15)

Sec. 19-405. Subdivision design standards: Building lines.

- A. Front yard building lines and exterior side yard building lines shall be provided in accordance with the front yards and exterior side yards established for the various districts in Chapter 22 of this Code.
- B. Restrictions requiring buildings to be located within the building lines shown on the plat shall be set forth on the plat or on a separate recorded instrument.

(Ord. No. O-7273-87; Ord. No. O-0001-15)

Sec. 19-406. Subdivision design standards: Easements.

- A. The subdivider shall dedicate to the public appropriate easements to the end that each and every lot, piece, or parcel of land within a subdivision shall have access to all utilities authorized by the City of Norman.
- B. Where alleys are not provided, easements not less than ten (10) feet wide shall be provided along the rear of each lot and along side lot lines, where necessary, for use by authorized utilities. Aerial easements and easements of greater width for either the extension of main storm and sanitary sewers and other utilities or the accommodation of utilities in unique situations such as, but not limited to, lots rearing onto unplatted land may be required where it is deemed necessary on advice of the Public Works Director.
- C. Where a subdivision is traversed by a water course, drainage channel, or stream, there shall be provided a right-of-way and access thereto for drainage, public parks, and public utility purposes.
- D. Pipe lines carrying petroleum products shall be located in a dedicated easement.
 - 1. Pipelines with a length greater than two miles will require an easement of not less than fifty (50) feet in width. The required easement may be greater than fifty (50) feet on the advice of the Public Works Director.
 - 2. Pipelines carrying petroleum products from the well head to a tank battery or major pipeline will require a separation from a habitable structure no less than twenty-one and one-half (21.5) feet. When the concentration of Hydrogen sulfide gas exceeds three hundred parts per million (300 ppm) a separate hazards analysis will be required to determine the required separation. If the concentration of natural gas in the pipeline exceeds the amount carried in a four (4) inch pipe at sixty pounds per square inch (60 psi), the separation will be calculated using the formula $w=0.69 \times \text{Sq root } (y \times p \times d^2)$. Where w is the minimum separation in feet, p is the maximum rated pressure of the line in pounds per square inch, y is the weight fraction of natural gas in the pipeline, and d is the diameter of the line in inches.
- E. In all subdivisions located in the A-1 and A-2 Agricultural Districts and in the R-E, Residential Estate Dwelling District, utility and drainage easements having a minimum width of twenty-five (25) feet shall be provided adjacent to and outside of the designated right-of-way of all dedicated and private streets.

(Ord. No. O-7272-87; Ord. No. O-0001-15; Ord. No. O-0506-40)

Sec. 19-407. Subdivision design standards: Lots.

- A. Residential lots for single-family detached dwelling units and duplexes shall be not less than fifty (50) feet in width at the front building line and shall abut a street a distance of not less than thirty-five (35) feet, except that a corner lot shall be not less than sixty (60) feet in width at the front building line.
- B. Residential lots for multifamily development shall be not less than fifty (50) feet in width, measured at the building line, for a single-family or two-family dwelling and ten (10) feet additional width for each additional dwelling unit occupying the lot, up to a maximum of three hundred (300) feet. Such lot shall abut a public street for a distance of not less than thirty-five (35) feet.
- C. Side lot lines shall be approximately at right angles to straight street lines or radial to curved street lines.
- D. The depth of residential lots, other than townhouse lots or lots zoned R-1-A, shall not be less than one hundred (100) feet.
- E. The area of residential lots shall not be less than that which is required by Chapter 22 of this Code.
- F. Double frontage and reverse frontage lots shall be avoided except where they are needed to provided for the separation of residential development from major streets or to overcome specific disadvantages of

topography and orientation. A planting screen easement of at least ten (10) feet shall be provided along the portion of the lots abutting such a major street or other uses where screening is required. These shall be no right of access across a planting screen easement, except where sidewalks and/or bicycle paths are deemed appropriate, and where individual lot owners wish to install a non-vehicular opaque gated opening not to exceed four (4) feet in width.

- G. For corner lots, but not including those in midblock siding on crosswalk rights-of-way, a property return with a radius of twenty-five (25) feet or a twenty-five-foot cut-back with chord may be required; provided, however, if in the opinion of the Planning Commission there is an existing or potential future need, a larger radius or cut-back not to exceed forty (40) feet may be required. On lots reserved to business use, the radius of the return or an equivalent cut-back shall not be less than twenty-five (25) feet.
- H. Corner lots for residential use shall be at least ten (10) feet wider than interior lots.
- I. In subdivisions for commercial and industrial use, lots should be of appropriate size and arrangement to provide for appropriate sanitation service, adequate off-street parking, and loading facilities based on the intended use and such lots shall abut a public street, frontage or otherwise, on a minimum of one side.

(Ord. No. O-7273-87; Ord. No. O-0001-15; Ord. No. O-0708-50, § 1)

Sec. 19-408. Subdivision design standards: Public areas and open space.

Public parks, playgrounds, school sites, public rights-of-way, other public areas and open spaces thereon shall be provided in accordance with the requirements and standards set forth in the Norman 2025 Plan and in the policies and ordinances relating thereto.

(Ord. No. O-7273-87; Ord. No. O-8081-60; Ord. No. O-9697-43; Ord. No. O-0001-15; Ord. No. O-0405-27)

Sec. 19-409. Subdivision design standards: Sidewalks.

- A. All subdivisions or sections thereof within the limits of the urban area as reflected in the Norman 2025 Plan, as amended or to be amended, which were approved by the City Council after September 13, 1966, except those subdivisions within the A-1 and A-2 Agricultural zones, the R-E, Residential Estate zone, and Rural Cluster Developments under the Planned Unit Development Ordinance of the City, shall have installed in them sidewalks to serve each lot and parcel of land situated within such subdivision and, in addition, sidewalks shall be required in those unplatted parcels which are, or will be in the future, contiguous to subdivisions wherein sidewalks are required. Provided, however, that sidewalks shall not be required adjacent to local or collector streets within the I-1, Light Industrial Zoning District or I-2, Heavy Industrial Zoning District. Sidewalks shall be required adjacent to all streets abutting such industrial subdivisions and adjacent to any street classified as an arterial on the Transportation Plan which penetrates said industrial subdivisions.
- B. No plat shall receive the approval or acceptance of the City Council unless provisions are therein contained for the installation of sidewalks as required by this chapter. On streets forming the exterior boundary of any subdivision, the developer or owner thereof shall be required to install sidewalks only on that side of such boundary street which lies adjacent to the developer's subdivision.
- C. All sidewalks shall meet handicapped access requirements per Americans with Disabilities Act (ADA) or any successive federal requirements or standards governing accessibility.

(Ord. No. O-7273-87; Ord. No. O-8081-60; Ord. No. O-9697-43; Ord. No. O-0001-15; Ord. No. O-0405-27)

Sec. 19-410. Subdivision design standards: Streets.

All lots and blocks provided in a subdivision shall abut on a street adequate to accommodate all traffic generated, in a reasonable and safe manner. The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the City's "Transportation Plan" and the regulations and City's "Standard Specifications and Construction Drawings" and "Engineering Design Criteria" relating thereto and they shall be designed in accordance with the following provisions:

- A. Each subdivision shall provide for the continuation of all arterials and highways as shown on the adopted Transportation Plan.
- B. Residential development adjacent to an arterial street designated on the Transportation Plan shall comply with the following:
 - 1. Only backing or siding residential lots shall be used adjacent to the above described roadways unless a frontage road is provided for local access purposes. This shall not apply to any residential lots two (2) acres or more in size.
 - 2. Steel mesh fencing at least four (4) feet high with permanent evergreen plant screening, at least three (3) feet high, or an opaque fence approved by the City of Norman, shall be installed by the developer within the required screening easement at the right-of-way line behind or at the side of residential lots and shall be maintained by the developer for one (1) year from the date of installation. There shall be no openings in any fence for vehicular access onto the above described roadways except at street intersections, and at approved openings to commercial areas.
 - 3. Subdivision streets shall not open onto an arterial street except at an average interval of not less than one-quarter ($\frac{1}{4}$) mile, measured from the centerlines.
 - 4. The maintenance of all required fencing and the arterial right-of-way must be addressed by the developer. Maintenance shall be provided by a mandatory property owners' association or other acceptable arrangement. Such provisions cannot be changed without the express written approval of the City of Norman.
- C. Commercial and industrial subdivisions shall provide access from each parcel to a major street by means of a street system designed for such use, but they shall not have access to residential streets in a manner that encourages or promotes the movement of foreign traffic through residential neighborhoods.
- D. Minor streets shall be laid out so that their use by through traffic will be discouraged.
- E. Collector streets shall be used in the subdivision wherever traffic is being collected from minor streets to provide access to a major street or community facility. Any street shall be deemed a collector street when it serves more than seventy-five (75) dwelling units.
- F. Ingress and egress to multifamily areas having seventy-five (75) or more units shall be provided only on collector streets or frontage roads of appropriate design.
- G. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land may be required. Such distances also shall be determined with due regard for the requirements of approach grades and future grade separation structures.
- H. Reserve strips controlling access to streets shall be prohibited except where their control is placed with the City under conditions approved by the City Council.

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- I. A tentative plan of a proposed future street system shall be shown on the preliminary plat.
 - J. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connections for such resubdivision.
 - K. A street crossing another street should continue on the same alignment; however, if it does not, then the off-set shall not be less than one hundred twenty-five (125) feet measured from the street centerlines.
 - L. Street right-of-way widths and paving widths shall be in accordance with the Norman Transportation Plan and the Code of the City of Norman.
 - M. The grades and the horizontal and vertical alignment for all streets shall be in accordance with the "Engineering Design Criteria" of the City of Norman.
 - N. Streets designed for local service only, such as cul-de-sac and loop streets, shall be used to the maximum feasible extent in the subdivision. Streets adjacent to (or separated therefrom only by a single row of lots) public use areas shall be connected thereto with appropriate sidewalks and bicycle paths in dedicated easements.
 - O. A cul-de-sac, except for Residential Estates and Norman Rural Certificates of Survey, shall not exceed six hundred (600) feet in length, measured from the centerline of the intersecting street to the center of the turnaround, and if more than one hundred fifty (150) feet in length shall be provided with a circular turnaround having a radius of not less than fifty (50) feet at the property line and not less than forty-two (42) feet at the face in front of the curb. In large lot rural subdivisions, cul-de-sac length shall not exceed twelve hundred (1,200) feet or sixteen (16) lots, whichever is greater.
 - P. Half streets shall be prohibited.
 - Q. The arrangement of streets shall be such as to cause no undue hardship either on a subdivider or in the subdividing of adjacent properties. The dedication of street rights-of-way to facilitate the development of adjoining properties may be required.
 - R. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names and house numbers shall be assigned in accordance with the City system and shall be subject to approval of the Public Works Department.
 - S. Vehicular entrances to commercially or industrially zoned or used areas shall conform to Section 9.9 of Oklahoma Department of Transportation's (ODOT's) "Roadway Design Manual." Specific variations from this policy may be approved by the City Engineer.
 - T. Street intersection design, including sight distance and right-of-way, shall be in accordance with the City's "Engineering Design Criteria".

(Ord. No. 0-7273-87; Ord. No. 0-8081-60; Ord. No. 0-9697-43; Ord. No. 0-0001-15)

Sec. 19-411. Water Quality Protection Zone design standards.

- A. The Water Quality Protection Zone (WQPZ) for a stream system shall consist of a vegetated strip of land, preferably undisturbed and natural, extending along both sides of a stream and its adjacent wetlands, floodplains, or slopes. The width shall be adjusted to include contiguous sensitive areas, such as steep slopes, where development or disturbance may adversely affect water quality, streams, wetlands, or other water bodies.
- B. The required base width for all WQPZs shall be equal to:

1. The greater of the following:
 - a. One hundred (100) feet in width, measured from the top of the bank, on either side of the stream; or
 - b. The designated Stream Planning Corridor as delineated on Exhibit 4-4 to the Storm Water Master Plan, dated October 2009, and accepted by City Council on November 10, 2009, and as available on the appropriate scale through the Public Works Department, or as indicated by the applicant's independent engineering analysis; or
 - c. The FEMA floodplain; or
2. An alternative width equal to twenty-five (25) feet in width, measured from the top of the bank, on either side of the stream when a reduction in nitrogen of at least seventy-five (75) percent and a reduction in phosphorus of at least fifty-eight (58) percent is achieved through the use of an engineered process that is certified by a licensed Professional Engineer. A development plan using an alternative width less than the SPC shall also document protection against flooding and bank erosion that would be anticipated during the one-percent-chance flood event in a given year assuming full build-out watershed conditions in those areas with forty (40) or more acres of drainage area in the Lake Thunderbird watershed. For the purpose of determining the applicable reduction in the base width of the buffer, the table below may be utilized to determine pollutant removal for a particular structural control, as long as such control is constructed in accordance with the specifications for said control contained in Wichita/Sedgwick County Stormwater Manual.

Table of Design Pollutant Removal Efficiencies for Stormwater Controls (%)				
Structural Control	Total Suspended Solids	Total Phosphorus	Total Nitrogen	Metals
Stormwater Pond	80	55	30	50
Dry Extended Detention Pond	60	35	25	25
Enhanced Dry Swales	90	50	50	40
Grass Channel	50	25	20	30
Infiltration Trench	90	60	60	90
Soaking Trench	90	60	60	90
Vegetative Filter Strips	50	20	20	40
Surface Sand Filters	80	50	30	50

- C. For each portion of any twenty-five-foot segment of the buffer, as set forth in subsection 19-411(B), that has a slope over twenty (20) percent, twenty-five (25) feet shall be added to the width of the WQPZ. To determine the extent of steep slopes, a cross section of the topography every one hundred (100) feet shall be prepared and utilized by the applicant.
- D. In second-order streams with continuous water or in higher order streams, twenty-five (25) feet shall be added to the base width outlined in subsection 19-411(B) above.

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- E. Drainage easements, of sufficient size to carry the runoff of a one-percent chance flood event from all drainage areas on the Plat greater than forty (40) acres within the WQPZ must be shown on dotted lines on the preliminary and final plats, along with a written legal description of any such easement, all certified by a licensed Professional Engineer. Such easement shall be granted to the City of Norman for the purpose of access for inspecting, repairing, and maintaining drainage channels.
 - F. For all developments, particularly those containing some portion of the WQPZ, utilization of low impact development strategies are encouraged. For plats or Norman Rural Certificates of Survey that include portions of the WQPZ, the current Engineering Design Criteria may be modified when Low Impact Development strategies are utilized in accordance with City of Wichita/Sedgwick County Stormwater Manual.
 - G. Water pollution hazards. The following land uses and/or activities are designated as potential water pollution hazards and must be set back from the top of the bank of any stream or waterbody by the distance indicated below:
 - 1. Storage of hazardous substances—(Three hundred (300) feet)
 - 2. Aboveground or underground petroleum storage facilities—(Three hundred (300) feet)
 - 3. Drainfields from onsite sewage disposal and treatment systems (i.e., septic systems)—(Two hundred (200) feet)
 - 4. Raised septic systems and raised mound septic systems—(Five hundred (500) feet)
 - 5. Solid waste landfills or junkyards—(Six hundred (600) feet)
 - 6. Subsurface discharges from a wastewater treatment plant—(Two hundred (200) feet)
 - 7. Land application of biosolids—(Two hundred (200) feet)
 - H. WQPZ design restrictions. Except as required for initial construction, there shall be no clearing, grading, construction that disturbs vegetation on any portion of the WQPZ, the width of which is determined by subsection 19-411(B), (C) and (D) herein. Any development containing a WQPZ shall not be designed to contain within that zone any permanent structures or portions of septic systems, except for structural controls or other enhancing design features that will further the objectives of this ordinance.
 - I. All applications for preliminary plats and Norman Rural Certificates of Survey that contain any portion of property within the WQPZ shall also submit a report outlining the Best Management Practices to be employed.

(Ord. No. 0-1011-52, § 4)

ARTICLE V. IMPROVEMENTS

Sec. 19-501. Purpose.

- A. The statement of conditions and commitments associated with development is a matter of concern to both public and private interests of the community. It is essential that the commitments of the landowner (developer), the commitments of the City, and the conditions associated with land subdivision be set forth in a precise manner which will clearly specify intent and the nature of the obligations and conditions assumed by all parties involved.
- B. It is the purpose of this article to specify the nature of improvements which shall be required in conjunction with the subdividing and development of land; to identify the methods which will assure the City of Norman and the public that said required improvements will be accomplished; and further to prohibit the issuance of

a building permit for construction within a recorded, platted subdivision prior to the completion and City acceptance of all required public improvements within the subdivision.

(Ord. No. O-7273-87; Ord. No. 0-0001-15; Ord. No. 0-0405-45)

Sec. 19-502. Improvements to be logical extension or expansion.

The development plan for required public improvements shall be approved by the City only after it is found that a proposed development, when considered in conjunction with the entire subdivision and the areas surrounding or adjacent to it, will contain public utilities and improvements which will be consistent and compatible in structure, quality, construction, performance and appearance and will constitute logical and orderly extensions of existing public improvements, as well as future improvements to be installed within and without the boundaries of the subdivision.

(Ord. No. O-7273-87; Ord. No. O-7980-17; Ord. No. 0-0001-15)

Sec. 19-503. Improvements required.

- A. Unless specifically excluded or excepted in this chapter, a subdivider shall install and construct the following specified public improvements in conformance with the standards and specifications of this Code:
 - 1. Alleys;
 - 2. Fencing and permanent evergreen plant screening;
 - 3. Fire hydrants;
 - 4. Permanent markers;
 - 5. Sanitary sewers;
 - 6. Sidewalks;
 - 7. Storm sewers and appurtenant drainage structures; when required to drain any part or all of the subdivision;
 - 8. Streets; and,
 - 9. Water mains.
- B. Hereafter in this article, the phrase "required public improvements" shall refer to and mean these nine (9) enumerated required improvements, and the phrase "public improvements" shall be construed as including these nine (9) enumerated required improvements.
- C. Construction standards shall be in accordance with those set forth in "Standard Specifications and Construction Drawings" and "Engineering Design Criteria" as adopted by the City of Norman.

(Ord. No. O-7273-87; Ord. No. 0-0001-15)

Sec. 19-504. Building permit.

- A. No building permit shall be issued for any lot prior to the construction of all public improvements as are required by this Code and which have been accepted by the City, except as may be provided for in section 19-602 of this Code.

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- B. No building permit shall ever be issued for any structure on any tract of land which has not been, when required, subdivided or platted in accordance with this Code.
 - C. No building permit shall be issued for any development on any tract of land for which a site plan is required, unless such development is in conformity with the approved site plan.

(Ord. No. O-7273-87; Ord. No. 0-0001-15)

Sec. 19-505. Fencing and permanent evergreen plant screening.

All fencing and permanent evergreen plant screening required by this chapter shall be installed in accordance with specifications of the City of Norman and in accordance with the following provisions:

- A. Required fencing and permanent evergreen plant screening shall be completed following the installation of the required streets, sidewalks, drainage and utility construction in the adjacent right-of-way.
- B. Such fencing and plants shall be installed prior to the occupancy of any dwelling unit located on any lot adjacent to the fence.

(Ord. No. O-7273-87; Ord. No. 0-0001-15)

Sec. 19-506. Maintenance and supervision.

Where a subdivision contains sewers, sewage treatment facilities, water supply systems, parks and grounds held in common, or other physical facilities necessary or desirable for the welfare of the area, or that are of common use or benefit which are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made for a Property Owner Association (POA) or other mechanism which is acceptable to the City for the proper and continuous operation, maintenance, and supervision of such facilities. Maintenance shall include perimeter screening, mowing and landscaping along arterial streets. Membership dues in the POA shall be set which are appropriate to the maintenance requirements. It shall be mandatory that all property owners in the subdivision become members of the POA. A copy of the agreements providing for the proper and continuous operation, maintenance and supervision of such facilities shall be presented to the Planning Commission at the time of final platting and shall be filed of record with the plat of the land thereof. After filing, such provisions may not be amended or altered without the prior written consent of the City of Norman.

(Ord. No. O-7273-87; Ord. No. 0-0001-15)

Sec. 19-507. Permanent markers.

Subdivisions and specific points therein shall be marked as follows:

- A. Standard concrete monuments in accord with the adopted standard of the City shall be placed at all corners and changes in direction of the boundary of the subdivision. Where boundaries are comprised of curves, the point of curvature (P.C.), point of intersection (P.I.), point of tangency (P.T.) shall be monumented. All monuments shall be placed flush with the ground and the four (4) corner monuments shall have at least two (2) reference points established with tie distances not to exceed two hundred fifty (250) feet. In cases where boundaries have more than four (4) corners, the reference ties shall be provided as directed by the Public Works Department.
- B. One (1) permanent benchmark, referenced to the U.S. Geological Survey Datum (mean sea level) shall be established within each subdivision.

C. The required bench mark shall be in place prior to filing the final plat.

(Ord. No. O-7273-87; Ord. No. O-0001-15)

Sec. 19-508. Sanitary sewers.

- A. In urban areas the subdivider shall install sanitary sewer lines in accordance with this Code and the City's "Standard Specifications and Construction Drawings" and "Engineering Design Criteria".
- B. Individual sewage systems, when allowed, shall be approved by the Public Works Department and Department of Environmental Quality. In the instance where individual sewage disposal is proposed by means of septic tank and filter fields, each lot, block or tract shall contain at least two (2) acres, unless contained in an approved planned unit development (PUD) or conveyed by a single deed prior to June 29, 1973 and have a suitable location for such treatment system evidenced by one (1) or more soil profile tests, the number of such tests for each lot to be determined by the Public Works Department and the Department of Environmental Quality. Said soil profile tests shall be performed by a registered professional engineer or a registered professional sanitarian and shall not be approved by the Public Works Department unless the results of said soil profile test meet the minimum requirements of the Department of Environmental Quality regulations currently in effect.
- C. "Standard Specifications and Construction Drawings" as adopted by the City shall be followed for sewer lines connected to the City collection facilities. If City facilities are not available, a treatment system where allowed under this Code, shall be installed and approved by the Public Works Department and the Department of Environmental Quality.
- D. The provisions herein set forth shall apply regardless of the zoning district or area of the tract of land involved, provided however, that at such time as City sewer service becomes available and is installed within five hundred (500) feet of the tract of land involved, the owner of said tract shall discontinue the private system and connect to the City sewer line as required by chapter 21 of this Code.
- E. Whenever ninety-five (95) percent of the design capacity of a wastewater collection system is allocated through the approval of final plats, as determined by the City Engineer, no additional final plats shall be approved for that collection system until such time as the capacity of said waste water collection system is increased or until an increase in the capacity of the collection system has been approved, as a part of the program of improvements for a final plat. It is the intention of this section to prohibit new plats until such time as the capacity is increased or until said increase has been approved as a condition for the filing of the plat.

(Ord. No. O-7273-87; Ord. No. O-8384-11; Ord. No. O-0001-15; Ord. No. O-0405-45)

Sec. 19-509. Sidewalks.

- A. All sidewalks required by this chapter shall be completed either:
 - 1. At the time the streets are installed; or
 - 2. On each lot or parcel of land subsequent to the improvement of said lot or parcel of land but prior to the final inspection of such improvements by the Public Works Department.
- B. In the event that the owner or developer elects to construct sidewalks subsequent to the improvement of a lot or parcel of land but prior to the final inspection of such improvement by the Public Works Department, the owner or developer shall submit to the Council of the City of Norman, through its Director of Public Works, a surety which satisfies the requirements of section 19-408 of this Code. If, at the expiration of the subdivision bond, seventy (70) percent of the lots on any one (1) side of a street in a particular block have

been developed, the developer shall have completed, installed and constructed the remainder of sidewalks on the one (1) side of the street within the block to serve each and every lot thereon situated, and no renewal bond will be allowed for such sidewalks. If, at the expiration of the subdivision bond, less than seventy (70) percent of the lots on any one (1) side of a street in a particular block have been developed, all sidewalks have not been completed, the developer may present, through the Director of Public Works for submission to the City Council for acceptance, a renewal bond. An engineer's estimate shall accompany the renewal bond, prepared and sealed by a registered engineer in the State of Oklahoma, setting forth a current cost of constructing the sidewalks. The form of surety on the renewal bond shall satisfy the requirements of section 19-408 of this Code. It is the intent of this section that the developer shall be permitted to maintain a bond for a maximum of four (4) years, at which time all remaining sidewalks must be installed.

(Ord. No. O-7273-87; Ord. No. O-7778-44; Ord. No. O-8182-4; Ord. No. O-8687-7; Ord. No. O-8990-4; Ord. No. O-0001-15)

Sec. 19-510. Storm sewers and drainage.

Storm sewers and drainage facilities shall be provided and constructed in compliance with the City's "Standard Specifications and Construction Drawings" and "Engineering Design Criteria".

(Ord. No. O-7273-87; Ord. No. O-0001-15)

Sec. 19-511. Street and alley improvements.

The subdivider of any subdivision designed to be used for residential, commercial, industrial, or other uses shall lay out, grade, or otherwise improve all streets and alleys that are designated on the approved plat or that directly serve the subdivision in compliance with the standards and specifications of this Code and in compliance with the following provisions:

- A. Streets and alleys in the urban area shall be laid out, graded and otherwise improved as specified in the applicable standards and specifications governing such construction. Such street layout and all improvement shall be done under the supervision of the Public Works Department and shall be subject to inspection and approval in accordance with the standards and specifications of this Code.
- B. Street right-of-way and pavement widths shall comply with all of the elements of the Norman 2025 Plan and the regulations relating thereto. The paving design of the intersection of any new street with a state or federal highway shall be approved by the Oklahoma Department of Transportation.

(Ord. No. O-7372-87; Ord. No. O-0001-15; Ord. No. O-0405-27)

Sec. 19-512. Water lines.

- A. In urban areas the subdivider shall install water lines and fire hydrants in compliance with the City's "Standard Specifications and Construction Drawings" and "Engineering Design Criteria".
- B. In rural and suburban areas water systems shall be in compliance with the following:
 - 1. "Standard Specifications and Construction Drawings" and "Engineering Design Criteria" as adopted by the City shall be followed for water lines tied to City-owned distribution facilities. If City facilities are not available, the City may require the installation of water wells and pumping facilities in accordance with City standards and specifications, and a distribution system approved by the Public Works Department and dedicated to the City; or,

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2. Individual wells where allowed shall be approved by the Public Works Department and the Department of Environmental Quality.

(Ord. No. O-7273-87; Ord. No. O-0001-15)

Sec. 19-513. Vegetative cover and erosion/sedimentation control measures for drainage improvements.

- A. All vegetative cover and erosion/sedimentation control measures required by this chapter shall be completed either:
 1. At the time the drainage improvements are installed, or
 2. On each lot within a subdivision plat or parcel of land subsequent to the improvements of all lots within said subdivision plat or parcel of land, but prior to the final inspections of such improvements by the Public Works Department.
- B. In the event that the owner or developer elects to construct vegetative cover and erosion/sedimentation control measures subsequent to the improvement of a lot or parcel of land but prior to the final inspection of such improvement by the Public Works Department, the owner or developer shall submit to the Council of the City of Norman, through its Director of Public Works, the following sureties:
 1. A surety in the form of cash or certificate of deposit to insure that vegetative cover or sedimentation control measures are provided within six (6) months following acceptance of the subdivision improvements by the City Council. An engineer's estimate shall accompany said surety, prepared and sealed by a Registered Engineer in the State of Oklahoma, setting forth the current cost of said vegetative cover and erosion/sedimentation control measures. If, after six (6) months the required vegetative cover and erosion/sedimentation control measures have not been completed, said surety will be called and the City will proceed to have said vegetative cover and erosion/sedimentation control measures installed.
 2. A surety in the form of a corporate surety bond, cash, certificate of deposit, or an irrevocable letter of credit as required by this article and section 19-314 of this Code to insure the establishment of said vegetative cover and erosion/sedimentation control measures. The surety shall be for a period of four (4) years. An engineer's estimate shall accompany the subdivision bond, prepared and sealed by a Registered Engineer in the State of Oklahoma, setting forth the current cost of said vegetative cover. If, at the expiration of said subdivision bond all vegetative cover and erosion/sedimentation control measures have not been completed, the developer may present, through the Director of Public Works for submission to the City Council for acceptance, a renewal bond, prepared and sealed by a Registered Engineer in the State of Oklahoma, setting forth the current cost of said vegetative cover and erosion/sedimentation control measures. The form of surety on said renewal bond shall be cash, certificate of deposit, or an irrevocable letter of credit. If, at the expiration of said renewal bond the required vegetative cover and erosion/sedimentation control measures have not been completed, said bond will be called and the City will proceed to have said vegetative cover and erosion/sedimentation control measures installed and established.
- C. All vegetative cover and erosion/sedimentation control measures herein shall be constructed according to the "Standard Specifications and Construction Drawings" and "Engineering Design Criteria" adopted by the City of Norman.
 1. Vegetative cover and erosion/sedimentation control measures shall be shown on drainage plans.

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2. All other drainage improvements must be in place, in functional condition, and ready for acceptance by the City Council prior to the acceptance of a surety for vegetative cover and erosion/sedimentation control measures under this subsection.

(Ord. No. O-8384-24; Ord. No. O-8485-15; Ord. No. O-0001-15)

Sec. 19-514. Water quality protection zone management and maintenance.

- A. All preliminary plats, final plats, and Norman Rural Certificates of Survey shall clearly:
 1. Show the extent of any WQPZ on the subject property.
 2. Label the WQPZ.
 3. Provide a note to reference any WQPZ stating: "There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the Director of Public Works unless such disturbance is done in accordance with [subsection] 19-514(E) of the Norman City Code.
 4. Provide a note to reference any protective covenants governing all WQPZ areas stating: "Any WQPZ shown hereon is subject to protective covenants that may be found in the land records and that restrict disturbance and use of these areas."
 5. All subdivisions containing a WQPZ area shall ensure maintenance of the non-structural controls/aspects in the WQPZ area by its Property Owners' Association through the filing of a protective covenant, which is required to be submitted to the City Attorney's office for approval. The covenant shall be recorded in the land records and shall run with the land and continue in perpetuity. Any changes to the covenants and restrictions shall be consistent with the provisions herein.
- B. An offer of dedication of a WQPZ to the City of Norman does not convey to the general public the right of access to this area unless such a right is explicitly set forth in said dedication. Further, an offer of dedication of a WQPZ is not a mandate for a public trail system or any portion thereof.
- C. The Public Works Department shall inspect the buffer annually and following severe storms for evidence of sediment deposition, erosion, or concentrated flow channels and corrective actions taken to ensure the integrity and functions of the WQPZ.
- D. Any portion of the WQPZ that is within thirty (30) feet of a combustible structure shall be maintained (regardless of the underlying zoning designation) as provided in Section 10-209.
- E. Portions of the WQPZ that are not within thirty (30) feet of a combustible structure may be left undisturbed and natural, and in no event, shall grassy vegetation in this area be mowed or otherwise cut down to less than six (6) inches tall.

(Ord. No. O-1011-52, § 5)

ARTICLE VI. VARIATIONS AND EXCEPTIONS

Sec. 19-601. Variations.

- A. Occasionally the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardship or inequity. The City Council may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or public improvements, so that the subdivider may develop the subject property in a reasonable manner. At the same time, the public welfare and interests

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of the City must be protected and the general intent and spirit of this chapter are preserved by granting such variance. Such modification may be granted upon written request of the subdivider or the subdivider's engineer, stating the reason for each modification, and may be approved by vote of the regular membership of the City Council, with the recommendation of the Planning Commission, subject to the acceptance of the plat and the dedications thereon by the City Council; provided, however, that a variation based on unique condition(s) shall not be granted when the unique condition(s) was created or contributed to by the subdivider.

- B. WQPZ Averaging. The width of the WQPZ may be reduced in some circumstances to accommodate unusual or historical development patterns, shallow lots, stream crossings, or storm water ponds. Any averaging of the WQPZ must be done in accordance with the following:
1. An overall average WQPZ width of at least the base width as determined in [subsection] 19-411(B) must be achieved within the boundaries of the property to be developed. The WQPZ on adjoining properties cannot be included with buffer averaging on a separate property, even if owned by the same property owner.
 2. The average width must be calculated based upon the entire length of stream bank that is located within the boundaries of the property to be developed. When calculating the WQPZ length, the natural stream channel should be followed.
 3. WQPZ averaging shall be applied to each side of a stream independently. If the property being developed encompasses both sides of a stream, WQPZ averaging can be applied to both sides of the stream, but must be applied to both sides of the stream independently, unless the natural topography of the stream makes one side of the stream not conducive to the establishment of a WQPZ and in that event, averaging using both sides may be utilized.
 4. WQPZ averaging is prohibited in developments that have, or will have after development areas that have slopes greater than fifteen (15) percent that are located within fifty (50) feet of the stream to be buffered.
 5. Appeal from Decision of Public Works Director. If the applicant desires to appeal from the decision of the Public Works Director or his or her designee made in accordance with this subsection, the applicant may file such request, and any documentation supporting said appeal, with the City Clerk. The City Clerk will place the appeal on the agenda of the next available regular City Council meeting. The decision of the Public Works Director, or his or her designee, may be upheld or overturned by vote of the regular membership of the City Council.
- C. Whenever infrastructure has been installed that will benefit the full build-out of a preliminary plat which was approved within five (5) years prior to the effective date of this ordinance, the preliminary plat shall not be deemed expired, for purposes only of the application of this ordinance, even after the passage of three (3) years from the date of approval of the preliminary plat, or five (5) years from the date of approval of the preliminary plat if a final plat has been filed on part of the land embraced in the preliminary plat.

(Ord. No. O-7273-87; Ord. No. O-0001-15; Ord. No. O-1011-52, § 6)

Sec. 19-602. Exception for issuing a building permit.

- A. *Exception from Platting in A-1, A-2, and RE zoning districts:*
1. In the A-1, A-2 and RE zones, building permits may be obtained on all tracts of ten (10) acres or more which abut on a minimum fifty-foot private roadway easement, granted to abutting property owners, which connects to a City street without the requirement to plat if the land and roadway easement were filed of record prior to February 7, 1984. The instrument which establishes this easement shall

indicate that it is intended for future roadway purposes and shall not be accepted nor maintained by the City until and unless constructed according to the City's street standards. This easement shall contain a provision which expressly grants right of access to police, fire, sanitation, inspection, and health department vehicles and personnel who are in the process of performing their normal responsibilities as City, county, state or federal employees. All other zoning requirements for the particular zone in which these tracts are located shall be complied with and satisfied.

2. In the A-1, A-2 and RE zoning districts, building permits may be obtained on all tracts of five (5) acres or greater that abut a public street that is open, and which were filed of record on or before June 27, 1997. Prior to receiving a building permit to construct a new residential dwelling on such tracts, the owner must deliver to the City a duly executed roadway and utility easement for all adjoining public or section line roads which abut the property, in an amount sufficient to accommodate the proposed roadways as reflected on the adopted City of Norman Transportation Plan. Dedication is not mandatory for building permits which do not constitute a change of use, such as a residential addition, or which involve agricultural uses. For tracts containing more than forty (40) acres, the roadway easement would only be required adjacent to that portion of the entire tract that approximates a forty (40) acre parcel. Such tracts shall comply with all other zoning requirements of the City of Norman. The purpose of all such dedications is to facilitate the eventual improvement of rural roadways. Any private improvements within the expanded roadway easement may remain until a roadway project occurs, at which time the City would either pay for any existing improvements or institute condemnation action to acquire the real property as required by law. All existing improvements must be noted on the dedication.

B. *Deferral of public improvements:*

1. It is the purpose of this section to provide, in specific cases, as are hereinafter designated, a procedure whereby the City Council may temporarily defer the construction of certain public improvements required by the Code of the City of Norman at the time of acceptance of a final plat within a subdivision; provided that the City Council, in its sole judgment, deems that such deferment shall be immediately in the interest of public health, safety, or general welfare. It is the further purpose of this section to provide in specific cases where construction of required drainage improvements outside the boundary of a subdivision plat or other tract of land cannot be accomplished because the necessary easements or rights-of-way cannot be reasonably obtained, a procedure whereby the City Council may temporarily defer the construction of certain public improvements required by the Code of the City of Norman at the time of acceptance of a final plat and the associated program of improvements.
2. The City Council, after recommendation from the Director of Public Works, may accept a final plat and authorize the issuance of building permits prior to the construction of such deferred public improvements required by the Code of the City of Norman in the following situations:
 - (a) Where incompatible grades exist;
 - (b) Where there are inadequate or a lack of connecting facilities;
 - (c) Where construction of the improvement would not immediately function for its intended use; or
 - (d) Where such improvement would be replaced by a planned future project.
3. The City Council, after recommendation from the Director of Public Works, may accept a final plat and the program of improvements and defer public drainage improvements with the condition that the deferred drainage improvements are a part of the program of improvements but are the responsibility of the City of Norman to construct under the following situations:
 - (a) Where construction of required drainage improvements outside the boundary of a subdivision plat or other tract of land cannot be accomplished because the necessary easements or rights-of-way cannot reasonably be obtained; or

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- (b) Where documentation is provided which demonstrates that reasonable and proper attempts have been made to obtain the necessary easements and rights-of-way to construct the drainage improvements required by the City and that these attempts have been unsuccessful.
 - (c) Deferral of such improvements shall not result in any increased flooding of any street or habitable structure.
4. Whenever it is deemed necessary by the City Council to defer construction of any improvement, other than drainage under section 19-602B.3, the applicant shall pay the cost, as determined by the Director of Public Works, of future improvements to the City within ten (10) days of City Council acceptance of the final plat. Payment of cost shall be in cash or certificate of deposit.

In the case of deferred construction recommended under subsection 19-602B.3. above, the applicant shall make the following payments:

- (a) An initial payment based on the engineer's estimate of the cost of construction as approved by the Director of Public Works plus the estimated costs of right-of-way acquisition and competitive bidding. The initial payment shall be in cash or certificate of deposit and shall be made within ten (10) days of City Council acceptance of the final plat.
 - (b) A final payment based on the actual cost of construction, right-of-way acquisition, and competitive bidding minus the initial payment. If the initial payment is greater than the actual cost, the difference will be returned to the applicant upon action of the Council upon request from the applicant. The final payment shall be in cash.
5. Monies received by the City under the authority of this section shall be separately accounted for and expended for no other purpose than in conjunction with the later construction of deferred improvement, except for deferred drainage improvements.
 6. Monies received by the City under authority of this section for drainage improvements must be separately accounted for, but may be used for a drainage improvement other than the specific deferred improvement with the approval of the City Council if the proposed drainage improvement addresses a problem of the tract of land that the specific deferred improvement serves. The applicant is relieved of the obligation for the deferred improvement when its deferred funds are expended.
 7. If construction of the deferred facility has not commenced within ten (10) years from the date of deferment, then the cost paid or the certificate of deposit may be returned upon action of the Council upon written request of the payor.
 8. A deferment as contemplated by this section shall be submitted to the Development Committee for a recommendation of approval or disapproval at the same time the final plat is submitted. The deferment and recommendation shall then be submitted to the City Council for its consideration at the same time the final plat is submitted for acceptance.

C. *Concurrent construction:*

1. It is the purpose of this section to provide, under specific circumstances as are hereinafter designated, a procedure whereby building permits may be issued prior to the construction of all public improvements which are required by other portions of this Code; provided, however, that only a "Foundation only" permit will be issued until such time as the water portion of said public improvements have been completed, inspected and approved by the City of Norman Development Committee.
2. In Multi-Family, Commercial, and Industrial Developments, building permits may be issued prior to the construction of such public improvements required by the Code of the City of Norman when all of the following conditions have been met:

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- (a) All water improvements required by this code have been completed and certified by the Department of Public Works in accordance with Section 19-315B.4. Maintenance bonds for these improvements shall be in the sum of one hundred (100) percent of the total actual cost of construction of the completed improvement; and, may be accepted upon the unanimous vote of the City of Norman Development Committee, at which time the Mayor is authorized to accept the maintenance bond on behalf of the City;
 - (b) The construction of public street, sanitary sewer, and surface drainage improvements not installed prior to issuance of building permits shall be secured as follows:
 - (1) The amount of surety shall be in the sum of one-hundred twenty-five (125) percent of the certified engineer's estimate required by Section 19-314B.4. of this Code; and
 - (c) The subdivider shall provide and maintain an all-weather surface means of ingress and egress, satisfactory to the Director of Public Works and the Fire Chief, to all structures to facilitate emergency vehicle access; and
 - (d) The subdivider shall provide and maintain such temporary drainage structures or improvements as may be deemed necessary by the Director of Public Works or the Director's representative.
 3. In R-1, Single-Family Dwelling Districts, R-1-A, Single-Family Attached Dwelling Districts, R-2, Two-Family Dwelling Districts, and Planned Unit Developments for only single-family homes, building permits may be issued prior to the completion of all such public improvements as are required by the Code of the City of Norman, and the Final Plat may be filed in the office of the Cleveland County Clerk, when all of the following conditions have been met:
 - (a) All water and sewer improvements (both on-site and off-site) and the As-Built Plans have been completed and certified by the Director of Public Works in accordance with Section 19-315B.4. Maintenance bonds for these improvements shall be in the sum of one hundred (100) percent of the total actual cost of the construction of the completed improvements, and may be accepted upon the unanimous vote of the City of Norman Development Committee, at which time the Mayor is authorized to accept the maintenance bond on behalf of the City; and
 - (b) After the four-inch base course of asphaltic concrete pavement or the full-depth six-inch Portland cement concrete pavement has been completed and certified by the Director of Public Works in accordance with Section 19-315B.4., the construction of any remaining course(s) of asphalt for public streets, plus storm drainage improvements, not installed prior to issuance of building permits shall be secured as follows:
 - (1) The amount of surety shall be in the sum of One hundred twenty-five (125) percent of the certified engineer's estimate required by Section 19-314B.4. of this Code; and,
 - (c) The subdivider shall provide and maintain temporary drainage structures or improvements as may be deemed necessary by the Director of Public Works or said Director's designated representative; and
 - (d) The As-Built Subdivision Grading Plan for all lots in the subdivision shall have been completed according to Norman ordinances and regulations, filed, and certified by the Director of Public Works.
 4. No occupancy permit shall be issued for any lot or structure in the subdivision prior to the completion and acceptance of all required public improvements in the subdivision. The following statement shall be noted on any building permit and prominently displayed by the builder in any residential zoning district in which concurrent construction is utilized: "A Certificate of Occupancy will not be issued for this structure until all required public improvements are completed and accepted by the City."

(Ord. No. O-7273-87; Ord. No. O-7677-15; Ord. No. O-7778-51; Ord. No. O-7778-59; Ord. No. O-7980-67; Ord. No. O-8182-2; Ord. No. O-8485-42; Ord. No. O-9091-35; Ord. No. O-0001-15; Ord. No. O-0809-35, § 2; Ord. No. O-1112-30, § 1; Ord. No. O-1213-32, § 1)

Sec. 19-603. Exception to allow lot line adjustments.

A. The purpose of this section is to allow adjustments to be made to lot lines of platted lots for the purpose of transferring a portion of a lot to an adjacent lot. This process is not intended for adjusting large numbers of lot lines in a subdivision. Lot line adjustments are permitted only when adjacent property owners wish to transfer small amounts of land between each other for mutual convenience.

Said lot line adjustments shall be permitted for the purpose stated, but shall not violate any of the provisions of Chapter 22 of this Code or of the design and improvement provisions of this chapter, and shall meet the following conditions:

1. No additional lot shall be created by any lot line adjustment;
 2. No lot line adjustment shall be allowed unless all required public improvements are either completed and accepted by the City of Norman, or their construction is secured under applicable requirements contained in this chapter;
 3. All proposed residential dwelling sites contained in a proposed lot line adjustment shall have a width at the front building line which is equal to or greater than the narrowest width lot, measured at the front building line, which fronts on the same street as said proposed dwelling site and which is located within the same block, or is across the street from the same block, in which said dwelling site is located;
 4. All proposed lots or building sites involved in a lot line adjustment shall have adequate utility easements and access to a public street;
 5. Unusable lots shall not be created as a result of any lot line adjustment; and,
 6. In the case of lots not served by public water and/or public sanitary sewers, such lots shall have sufficient area to properly accommodate a suitable private water supply and sewage disposal device. Appropriate tests shall be made accordingly, with adequate determination to be made by the Oklahoma Department of Environmental Quality and reported by it to the Engineering Staff.
- B. Lot line adjustments shall be administered by a Lot Adjustment Committee composed of the City Engineer, the Building Official, and the Director of Planning and Community Development, or their designee. Each lot line adjustment shall be processed in accord with a standardized form and procedure, and be accompanied by a fee of fifty dollars (\$50.00) for each lot that will be adjusted.
- C. The Lot Adjustment Committee may approve or disapprove a request. Approval of a request shall be by unanimous signed consent of the total membership of the Lot Adjustment Committee. Any disapproved request may be appealed to the Planning Commission and subsequently to the City Council.

(Ord. No. O-7273-87; Ord. No. O-7576-2; Ord. No. O-9697-1; Ord. No. O-0001-15; Ord. No. O-0506-35)

Sec. 19-604. Partial exception for plats containing three or fewer lots.

Whenever there is a tract of land of less than three (3) acres comprising the total area of a single ownership which is to be re-subdivided into three (3) or fewer lots where all required public improvements are in place and accepted by the City, the proposed subdivision may be exempt from the procedural provisions of this chapter and a preliminary and final plat may not be required; but this shall not constitute an exemption from any of the design

or public improvement requirements contained herein. Provided, however, when public infrastructure as required in section 19-503 of this Code have been previously constructed and accepted by the City, the owner may request a partial exemption from the current standards from the City Council. Such request shall be accompanied by a report from a Registered Professional Engineer licensed to practice in the State of Oklahoma. Such report shall contain a complete accounting of the infrastructure that had been previously accepted and its ability to service the additional lots that are proposed. No exemption shall be granted where the health, safety or welfare of any current or future occupant or neighbor will be compromised by absence of adequate water lines, alleys, fire hydrants, sewer lines, screening or drainage. Exemptions which shall be designated as "short form plats" may be permitted under the following procedures:

- A. An accurate survey of the tract, prepared by a land surveyor registered in the State of Oklahoma, and the proposed subdivision thereof shall be submitted to the Public Works Department. A site plan shall be submitted with the proposed "short form plat" in commercial and industrial zoning districts.
- B. The following information shall be included for every oil or gas well, existing, inactive, or abandoned, as shown by the records of the Oklahoma Corporation Commission (OCC), and/or permitted by the City of Norman, according to the records of the City of Norman Oil and Gas Inspector's office;
 - (1) Verify the physical location of the well bore with an accuracy of one (1) foot;
 - (2) All buildings shall be a minimum of one hundred twenty-five (125) feet from the well bore of an active or unplugged well, or a plugged well not meeting the then current specifications of the Oklahoma Corporation Commission and City of Norman Oil and Gas ordinance;
 - (3) All buildings shall be a minimum of forty-five (45) feet from the well bore of a plugged well meeting the then current specifications of the Oklahoma Corporation Commission and the City of Norman Oil and Gas ordinance.
- C. The Public Works and Planning staffs shall review the proposed "short form plat" to insure compliance with all design and public improvement requirements of this chapter and they shall prepare a written report thereon, which shall be submitted to the Planning Commission for consideration at the next regular meeting of the Planning Commission.
- D. If the application is approved by the Planning Commission, it shall be certified by the signature of the Chairman of the Planning Commission and attested by the Secretary member. If the application is denied, the reasons for denial shall be stated in writing with reference made to the express provision of this Code to which the proposed "short form plat" does not conform, and a copy thereof shall be transmitted to the applicant.

(Ord. No. O-7273-87; Ord. No. O-7576-15; Ord. No. O-0001-15; Ord. No. O-0304-57; Ord. No. O-0405-27; Ord. No. O-0506-29)

Sec. 19-605. Exception from platting a single tract for single-family residential development.

- A. A building permit shall not be denied for single-family residential development to be located on a tract of land when all of the following conditions are satisfied:
 - (1) The total area owned by the applicant shall have been conveyed by a single deed prior to June 29, 1973, or prior to annexation as part of the City;
 - (2) All required street rights-of-way shall have been previously dedicated; and
 - (3) All required easements shall have been previously granted.
- B. In all cases where required public improvements are not in place, the requirement for the construction of said required public improvements shall not be waived but the requirement to post bond shall be waived

and the installation of required public improvements may be postponed until such time that an operational project can be accomplished by an improvement district.

(Ord. No. O-7273-87; Ord. No. O-7475-21; Ord. No. O-7677-40, § 2; Ord. No. O-0001-15)

Sec. 19-606. Exception to allow Norman Rural Certificates of Survey as plats in A-1 and A-2 Zoning Districts.

A. It is the purpose of this exception to allow lots of ten (10) acres or more to be developed and sold adjacent to public or private roadways in the A-1 and A-2 Agricultural Districts; however, private roadways should be constructed and maintained in such a manner that said roadways may be traversed and used by police, fire and other official vehicles of all municipal, county, state and federal agencies. Lots created under this process shall be designated as "Norman Rural Certificate of Survey Subdivisions" and may be permitted under the following procedures (Ord. No. O-0203-34):

1. Any applicant contemplating a Certificate of Survey may voluntarily request a pre-development meeting, subject to the same filing requirements. The purpose of the meeting is to allow surrounding neighbors to meet with the applicant in an informal setting and share information about the proposed application. In order for the meeting to occur, the following items must be submitted to the Public Works Department:
 - (a) A copy of the deed to the property.
 - (b) A written description of the proposed development which provides details of the proposal that can be mailed to neighbors. The narrative should be as detailed as practicable, without being length[y] or technical. It should describe the proposed type of homes contained in the development, any proposed open space or parks, and connections to nearby major roads and subdivisions.
 - (c) Because this is a preliminary meeting, a fully finished Certificate of Survey is not required, however, three (3) full-sized drawings are required, as well as an eight and one-half (8½) inch by eleven (11) inch reduction, generally showing lots, roads, topography, flood plains, existing easements and structures, physical features (such as ponds, creeks, and large stands of trees), and proposed open spaces and greenbelts.
 - (d) A certified ownership list for all property within a three-hundred fifty-foot radius of the exterior boundary of the subject request.
 - (e) A filing fee of one hundred twenty-five dollars (\$125.00), which will be credited against any filing fee charged for a future Rural Certificate of Survey application for the same property. This fee is non-refundable, and must be paid each time a separate meeting is requested.

A complete application packet must be received in the Public Works Department by 4:00 p.m. seventeen (17) days before the regularly scheduled Pre-Development meeting. Such meetings will be held on an as-needed basis, and are anticipated to occur at least once a month. Staff will notify all persons identified on the certified ownership list, and will include a copy of the written description of the proposed project as well as any reduced drawings.

2. An accurate survey of the lot, prepared by a land surveyor registered in the State of Oklahoma, and the proposed subdivision thereof shall be submitted to the Public Works Department and shall show the same information required for a preliminary plat as referenced in Section 19-303 of this Code, except the ground contours may be drawn at five-foot intervals in such cases where the average ground slope is three (3) percent or greater.

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3. The following information shall be included for every oil or gas well, existing, inactive, or abandoned, as shown by the records of the Oklahoma Corporation Commission (OCC) and/or permitted by the City of Norman, according to the records of the City of Norman Oil and Gas Inspector's office;
 - (a) The location of the well bore with an accuracy of one (1) foot;
 - (b) All buildings shall be a minimum of one hundred twenty-five (125) feet from the well bore of an active or unplugged well, or a plugged well not meeting the then current specifications of the Oklahoma Corporation Commission and City of Norman Oil and Gas ordinance;
 - (c) All buildings shall be a minimum of forty-five (45) feet from the well bore of a plugged well meeting the then current specifications of the Oklahoma Corporation Commission and the City of Norman Oil and Gas ordinance.
 4. Planning and Public Works Departments' Staffs shall review and prepare a written report on the proposed "Norman Rural Certificate of Survey Subdivision" to ensure compliance with the applicable provisions of the City's "Standard Specifications and Construction Drawings" and "Engineering Design Criteria" (Section 16-101 (a)). The applicant shall also submit for such review a certified copy of all instruments for the granting and maintenance of any required private easements and, by separate instrument, a duly executed roadway and utility easement for all adjoining public or section line roadways as reflected in the adopted City of Norman Transportation Plan. Staff's written report will be submitted to Planning Commission for their recommendation of approval or disapproval.
 5. The Norman Rural Certificate of Survey will be forwarded to the City Council for final action. If the application is approved by the City Council, it shall be certified by the signature of the Mayor and attested by the City Clerk. Upon approval the developer shall guarantee the proper construction of the proposed development by providing the City with an acceptable performance bond with surety as required in section 19-314 of Chapter 19 of the City Code. All street and drainage easements and improvement plans as well as provisions for their maintenance shall be approved by the City of Norman Development Committee prior to the filing of the Norman Rural Certificate of Survey with the County Clerk, to ensure compliance with all standards referenced herein. Provisions for maintenance will be required through the establishment of a property owner's association and the deposit of a two-year, fifteen (15) percent maintenance bond in the name of the property owner's association.
 6. Whenever the tract is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the private road standard contained in Standard Drawing No. ST28 of the "Standard Specifications and Construction Drawings" would result in substantial hardship or inequity, the City Council may vary or modify, except as otherwise indicated, the minimum street standard, provided that no more than four (4) lots or residences are served by said private roadway so that the applicant may develop said property in a reasonable manner, but so, at the same time, the public welfare and interests of the City are protected and the general intent and spirit of this ordinance [section] are preserved. Such modification may be granted upon written request of the applicant or the applicant's engineer, stating the reason for waiver of the private road standard, and may be approved by majority vote of the regular membership of the City Council. It is not intended for this waiver procedure to be applied to anything other than the width of private road standard required by this section.
 7. The following additional requirements shall apply to all land containing subdivisions defined above which create private streets:
 - (a) Prior to the sale of any land within said subdivision, the subdivider shall erect, at all entrances to the subdivision, within the private drive and street rights-of-way, in a clearly conspicuous location, an enameled metal sign, no less than eighteen (18) inches by twenty-four (24) inches in dimension, with lettering thereon of no less than two (2) inches per letter in height, bearing the words: "CITY MAINTENANCE ENDS HERE." The sign shall be firmly affixed to a metal post no less than two (2) inches in diameter by two (2) metal bolts,

which post shall be permanently set into the ground as required by the Public Works Department. Said sign shall be no less than four (4) feet above the surface of the ground and shall be maintained in good repair by the subdivider and by the owners of the property within said subdivision.

- (b) No deed of conveyance shall ever be filed of record conveying any land within said subdivision until such time as the owner thereof has stated on the face of the deed, prior to its delivery to the prospective purchaser, the following language: "The property herein conveyed abuts on a private street which shall not be maintained by the City." Prior to the recording of any such deed, it must first be presented to and approved by the Director of Public Works and the Director of Planning and Community Development, or their designees, and no building permit shall be issued for the improvement of any such land until such Departmental approval has been granted.

(Ord. No. 0-0001-15; Ord. No. 0-0405-27; Ord. No. 0-0405-61; Ord. No. 0-0506-29; Ord. No. 0-1011-52, § 7; Ord. No. 0-1213-32, § 1)

Sec. 19-607. Exception to exclude section line roads from Residential Estate plats or Rural Cluster Planned Unit Developments under specified conditions.

The purpose of this section is to allow owners of RE or Rural Cluster Planned Unit Development zoned lands to exclude the improvement of section line roads when the following requirements are met:

- A. No lot within the subdivision obtains direct access to the section line road;
- B. The subdivision includes the dedication of the required right-of-way along the section line road in accordance with the Norman 2025 Plan;
- C. The section line road has been previously opened by the City, county or state as a section line road; and,
- D. The section line road is a passable all-weather road, graded for drainage, has acceptable borrow ditches for drainage and is in a good state of repair constructed to the minimum design standard for section line roads adjacent to such subdivisions.

(Ord. No. 0-8182-39; Ord. No. 0-8384-25; Ord. No. 0-0001-15; Ord. No. 0-0405-27)

Sec. 19-608. Exception to allow private streets in Planned Unit Developments.

- A. It is the purpose of this section to allow for the development of private streets in Planned Unit Developments approved under Section 22:432.4, subject to compliance with all other subdivision requirements contained in this Code. All such streets shall be reviewed, inspected and built to the same construction standards as public improvements.
- B. All private streets, roads, and drives within said subdivisions shall be maintained by the owners of property within such subdivisions. The City shall have no responsibility whatever for their maintenance and repair.
- C. Private streets, roads, and drives within said subdivision shall always remain open to police, fire, and other official vehicles of all municipal, county, state, and federal agencies.
- D. The following additional requirements shall apply to all land contained in private road, Planned Unit Development subdivisions:
 - 1. Prior to the sale of any land within said subdivision, the subdivider shall erect, at all entrances to the subdivision, within the private drive and street rights-of-way, in a clearly conspicuous location, an enameled metal sign, no less than eighteen (18) inches by twenty-four (24) inches in dimension, with lettering thereon of no less than two (2) inches per letter in height, bearing the words: "City

Maintenance Ends Here." The sign shall be firmly affixed to a metal post no less than two (2) inches in diameter by two (2) metal bolts, which post shall be permanently set into the ground as required by the Public Works Department. Said sign shall be no less than four (4) feet above the surface of the ground and shall be maintained in good repair by the subdivider and by the owners of the property within said subdivision.

2. No deed of conveyance shall ever be filed of record for any land within said subdivision unless said deed clearly states that "all property owners within this subdivision shall automatically become members of a Homeowners Association, whose responsibility includes complete maintenance of all private road(s) and common area(s) within this Planned Unit Development." Prior to the recording of any such deed, it must first be presented to and approved by the Director of Public Works and the Director of Planning and Community Development, or their designees.
3. In order to assure that private roads and facilities are properly installed and inspected, no building permit shall be issued for any lot until City Staff has reported to the City Council that all proposed improvements, whether public or private, are installed in compliance with approved plans and specifications.

(Ord. No. O-8788-38; Ord. No. O-9697-1; Ord. No. O-0001-15)

ARTICLE VII. PUBLIC PARK LAND DEDICATION

Sec. 19-701. Applicability.

This article shall apply to all residential subdivision plats having a dwelling unit density of greater than one (1) unit per acre, and/or the owners or applicants for approval thereof, pursuant to the authority of Article VIII, section 2 of the Charter of the City. Anything herein to the contrary notwithstanding, all final plats submitted to the City from and after January 22, 1976 shall meet the requirements of this article, regardless of whether the preliminary plat had been approved before or after January 22, 1976.

(Ord. No. O-7576-21; Ord. No. O-9899-31; Ord. No. O-0001-15)

Sec. 19-702. Dedication of land.

All persons, firms or corporations subdividing land under provisions of the Code of the City for residential purposes within the boundaries of said City shall, prior to the recording of their respective final plat, and subject to the other provisions hereinafter following: (1) Dedicate land to be used solely and exclusively for public park and recreation purposes or (2) Make an equivalent monetary contribution based upon a value of the land required to be dedicated, in lieu of the actual transfer of land; or (3) Dedicate land to a mandatory property owners association (P.O.A.) for private recreation purposes.

Whether or not land or money or credit shall be accepted by the City shall be at the sole option of the City Council. However, such option shall be available to the Council only if the total population for the pertinent preliminary plat, as projected under the provisions of this article, is less than two thousand five hundred (2,500) persons.

(Ord. No. O-7576-21; Ord. No. O-9394-46; Ord. No. O-9899-31; Ord. No. O-0001-15)

Sec. 19-703. Reservation of future public park and recreation sites.

The Board of Parks Commissioners shall participate in the design of neighborhood master plans in order to approve of proposed public park and recreation land sites. Future public park and recreation sites as designated in the approved neighborhood master plans or as approved by the Board of Parks Commissioners and Planning Commission shall be delineated on the preliminary plat and reserved for dedication or purchase. A preliminary plat shall not be placed on a Planning Commission agenda until such plat has been reviewed by the Board of Parks Commissioners for public park dedication requirements. Submission of such preliminary plat shall constitute consent by the landowner for the City to zone all of such delineated areas into a "Park Land" (PL) zoning category, provided such preliminary plat has been approved. Uses permitted in such "Park Land" zoning category shall be limited to public parks and recreational areas; provided, however, that the grazing of animals and growing of crops may be permitted prior to dedication to the City. The Director of Parks and Recreation, upon request, shall inform the Cleveland County Tax Assessor of the property involved, that it has been reserved for the public benefit, and shall request that it be assessed on the tax rolls at the minimum value.

(Ord. No. O-7576-21; Ord. No. O-9394-46; Ord. No. O-0001-15)

Sec. 19-704. Standards for determining amount of land and/or fee.

- A. The acreage to be contributed prior to the final approval by the City Council of any residential subdivision plat shall be determined by the following formula.

$$2.5 \text{ acres} \times \text{Each } 1,000 \text{ person projected to occupy the fully developed subdivision} = \text{Amount of land to be contributed}$$

Which is

$$0.0025 \text{ acres} \times \text{No. persons per dwelling unit} \times \text{No. dwelling units projected for subdivision} = \text{Amount of land to be contributed}$$

- B. In determining the number of persons projected to occupy a subdivision the Director of Parks and Recreation in consultation with the Department of Planning and Community Development is authorized and directed to make such projections utilizing the following table:

Zoning district	Number persons per dwelling unit	Number dwelling units per gross acre of subdivision
R-1	2.62	5 or no. of lots in a final plat
RM-4	2.62	11 or no. of lots in a final plat
R-2	1.77	10 or 2 per lot in a final plat
RM-2	1.77	13 or number of units in approved site plan
R-3	1.77	15 or number of units in approved site plan
RM-6	1.77	21 or number of units in approved site plan
R-O	1.77	35 or number of units in approve site plan
PUD	Based on housing type	Number of units authorized by ordinance

The standards provided in the table above shall be used for calculating the number of persons per dwelling unit and the number of dwelling units projected for a subdivision. Standards for the number of persons per

dwelling unit shall be based upon the most recent Federal Decennial Census. In the event that property zoned for multi-family use is platted for single-family use, the formula for single-family use shall apply. Should the approved site plan or final plat ever be modified to increase the number of dwelling units, an additional parkland dedication fee shall be due and payable.

- C. In those instances where the formula used above shows that less than two thousand five hundred (2,500) persons will ultimately occupy any given subdivision as reflected by the preliminary plat submitted for approval, the Board of Parks Commissioners shall review said plat and promptly recommend whether land or money should be required of the subdivider. Such recommendation may be appealed to the City Council by the subdivider.
1. If public parkland is to be required, then the amount of land determined by subsections (a) and (b) of this section shall be reserved and delineated on the preliminary plat in a location approved by the Board of Parks Commissioners and the appropriate portion thereof (as determined by the above formula) shall be dedicated or conveyed to the City at the time of recording the final plat. To insure that the appropriate portion of the delineated reserved parkland shall be acquired by the City whenever a final plat is recorded which embraces part of the land included in the preliminary plat, the following procedure shall be followed: Approval by the Planning Commission of a preliminary plat wherein dedication of public parkland is required shall be conditional on the subdivider delivering to the City a fully executed "parkland reservation" in a form prescribed by the City Council. Such "parkland reservation" shall be submitted with the preliminary plat and be acknowledged by the subdivider before a notary public and shall meet the following standards:
 - (a) It must give a legal description of the entire area embraced within the preliminary plat;
 - (b) It must give a legal description of the delineated land and recite that such land is reserved for dedication or conveyance to the City of Norman for public park and recreational purposes, pursuant to the Charter and the Code of the City;
 - (c) It must warrant that the subdivider is the owner of all land embraced in the preliminary plat and, further, that the land delineated and reserved for public park and recreational purposes will be conveyed to the City free and clear of any mortgages, liens or encumbrances;
 - (d) It must recite that whenever a final plat is recorded covering any part of the land embraced within the preliminary plat, a proportionate part of the reserved parkland shall be dedicated and conveyed in fee to the City and the owner of such proportionate part shall be estopped to deny the right of the City to acquire title to such proportionate part;
 - (e) It must be accepted by the City Council and filed for record with the Cleveland County Clerk with filing costs being paid by the subdivider.

Whenever the parkland dedication requirements of the Charter and Code of the City have been satisfied as to any preliminary plat upon which a "parkland reservation" has been filed, the Council shall cause notice of satisfaction and release of the reservation to be executed and filed with the Cleveland County Clerk.

2. If a fee in lieu of a land contribution is required, the amount of fee shall be determined at the time of final platting, according to the following formula:
$$\text{Fair market value of land per acre} \times \text{Amount of land required to be dedicated according to subsections (a) and (b) of this section} = \text{Fee in lieu of land dedication}$$

The subdivider shall tender and pay over to the City a cashier's check for such fee immediately prior to recording the final plat.

 - (a) Time of determining the value of land. The fair market value of the land shall be determined no more than six (6) months before submission of the final plat to the City Council.

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- (b) Basis for determining the value of land. The representative cash value of the land that would otherwise be required to be dedicated shall be the full and fair market value of the raw land plus a proportionate share of those incidental costs as defined in section 19-705C. which would be attached to a subdivider in those cases where land itself was given. Such value shall be determined by averaging the value of all residentially zoned acreage in the preliminary plat.
- (c) Method of determining value of land. The fair market value shall be determined by negotiations between the subdivider and the City. If negotiations have failed to reach agreement by the time the final plat is submitted, then within five (5) days an Appraisal Board shall be appointed to determine the fair market value, whose appraisal shall be final and binding on both parties. The Appraisal Board shall consist of three (3) qualified real estate appraisers, one (1) selected by the City, one (1) selected by the subdivider, and one (1) selected by the chosen appraisers. The appraisers' fee shall be paid jointly by the City and the subdivider. Within ten (10) days, the Appraisal Board shall tender a report of the fair market value of the land as of the date the Appraisal Board was appointed.
- D. Instead of dedicating land for a public park or paying a fee in lieu of such land, the developer may choose to dedicate land for park or open space to a private property owners association. Such option shall be indicated on the preliminary plat submitted for approval by the Board of Park Commissioners.
1. If private parkland is proposed, then twice the amount of land determined by subsections (a) and (b) of this section shall be reserved and delineated on the preliminary plat.
 2. Recognizing that a wide variety of recreational opportunities may demand different types of open space, land that may not meet all of the suitability standards of public parkland contained in section 19-705 could be utilized as private open space. Nevertheless, certain areas may not be counted as an acceptable substitute for public park areas. No floodplain area, detention pond, drainage way, or water body shall be countable, although circulation areas around or through such areas may be counted if such are reasonably flat and are not inundated during storm events and are at least ten (10) feet wide.
 3. All such open spaces must be contained in an area that is, or will be, dedicated to a mandatory property owners association. Restrictive covenants running with the land shall be submitted with any final plat indicating that the mandatory property owners association shall remain perpetually responsible for the maintenance of all common areas indicated on the preliminary and final plat. Covenants affecting any common park and open space areas may not be changed without the express approval of the City Council.
- Submission of any preliminary plat containing private open space which is to substitute for public parkland shall constitute consent by the landowner for the City to zone all of the delineated open spaces into a "Park Land" (PL) zoning category.
- E. In such case as the Council, upon the recommendation of the Board of Parks Commissioners, shall determine, a subdivider may dedicate more land than would be required by the formulas herein set out and receive a written credit against future mandatory public parkland dedications. Where a subdivider dedicates land against future requirements, the development which is thereby relieved of all or part of its mandatory parkland dedication requirement must be in the same general area as that served by the dedicated credit land, such general area to be at the City's sole determination. The credit shall attach to the relieved land and remain with the relieved land, regardless of change in ownership thereof.
- F. In the event a subdivider deviates from the approved preliminary plat in final platting or rezones land within the preliminary plat which has the effect of increasing the density of population over the earlier population density estimates made under this article or where the use of property is changed from a nonresidential use to a residential use the owner or subdivider shall be obligated to provide additional land or fee to compensate for the increase in population prior to the City issuing a building permit or occupancy permit.

(Ord. No. O-7576-21; Ord. No. O-7677-22; Ord. No. 9394-46; Ord. No. O-9697-1; Ord. No. O-9899-31; Ord. No. O-0001-15)

Sec. 19-705. Suitability of the land.

Any land to be dedicated for public park purposes to meet the requirements of this article shall be reasonably located and adaptable for use as an active neighborhood public park and recreation facility. Such determination shall be made by the Board of Park Commissioners, whose decision may be appealed to the City Council. Factors to be used in evaluating the adequacy of the proposed public park and recreation areas include, but are not limited to, the following:

- A. *Unity*: The dedicated land should form a single parcel or tract of land at least five (5) acres in size unless the Board of Parks Commissioners determined that a smaller tract would be in the public interest, or that additional contiguous land will be reasonably available for dedication to or purchase by the City.
- B. *Shape*: The shape of the parcel or tract of land to be dedicated should be appropriate for public parks and recreation purposes.
- C. *Access*: Public access to public park land delineated on a preliminary plat shall be insured by provision of at least fifty (50) feet of street frontage, in a manner satisfactory to the Board of Parks Commissioners. At the time the land abutting the delineated areas is developed, the subdivider of such abutting land shall furnish and pay for paving all abutting street frontage and shall provide water and sewer access to the boundary of one (1) side of the delineated area to meet minimum requirements as determined by the Public Works Department.
- D. *Topography*: The land to be dedicated to meet the requirement of this article should be suitable for public parks and recreation activities. In that regard fifty (50) percent of the dedicated land area should not exceed five (5) percent grade. The Parks and Recreation Department's Five Year Plan and the General Plan for the City of Norman shall be considered when evaluating land proposals for dedication.

(Ord. No. O-7576-21; Ord. No. O-9394-46; Ord. No. O-0001-15)

Sec. 19-706. Use of money paid in lieu of dedicating of land.

- A. A separate fund to be deposited at the highest interest rate permitted by law to be entitled "park fee fund" shall be and is hereby created and the money paid in by owners, subdividers, and applicants at final approval of subdivision plats in lieu of the dedication of land and interest thereon, shall be held in such fund in trust to be used solely and exclusively for the purpose of purchasing or improving public neighborhood park and recreational land in the general area in which the subdivision is located.
- B. At such time as the Council, based upon the recommendations of the Board of Parks Commissioners, determines that there are sufficient funds derived from a certain area in the park fee fund to purchase usable parkland, the Council shall cause negotiations to be undertaken to purchase the site by mutual agreement or by condemnation proceedings. In making such determination for the purchase of said site, the conditions of section 19-705 above shall be taken into consideration. The principal and interest deposited and kept in the park fee fund shall be used solely for the purpose of purchasing land or providing improvements for public neighborhood park and recreation uses, as provided in subsection C. and shall never be used for maintaining or operating public park facilities, or for any other purpose.
- C. The use of funds for park improvements, as provided in subsections A. and B. above described, may occur only when a neighborhood park has reached its maximum size or is otherwise surrounded by existing development. The City Council, upon the recommendation of the Board of Parks Commissioners, may utilize

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any new park fee dedications, including accrued interest, to construct park improvements within that neighborhood park.

(Ord. No. O-7576-21; Ord. No. O-9394-46; Ord. No. O-0001-15)

Sec. 19-707. Form of dedication.

Land accepted for public dedication under the requirements of this article shall be conveyed by both of the following methods:

- A. By dedication within the plat to be filed for record in the Office of the County Clerk of Cleveland County, Oklahoma; and
- B. By special warranty deed transferring the property in fee simple to the City of Norman.

In any event, land must be free and clear of any mortgages, liens or encumbrances at the time of such dedication or conveyance.

(Ord. No. O-7576-21; Ord. No. O-9394-46; Ord. No. O-0001-15)