

ORDINANCE NO. 1050.24

AN ORDINANCE AMENDING PART 12, CHAPTER 5, ARTICLE C, OF THE MOORE LAND DEVELOPMENT CODE BY AMENDING SUBMITTAL REQUIREMENTS FOR PRELIMINARY PLATS, ESTABLISHING A REQUIRED PRE-APPLICATION CONFERENCE PRIOR TO PRELIMINARY PLAT SUBMITTAL, AMENDING TIME LIMIT FOR CONSIDERATION OF PRELIMINARY PLATS TO SIXTY-DAYS FROM DATE OF SUBMITTAL, ESTABLISHING A 5-YEAR EXPIRATION DATE FOR APPROVED PRELIMINARY PLATS, AND ESTABLISHING EXTENSION AND APPEALS PROCESS FOR THE SAME; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER.

Be it ordained by the Mayor and the Council of the City of Moore, Oklahoma, that Part 12, Chapter 5, Article C of the Moore Land Development Code, shall be amended to read as follows:

Article 5-C Preliminary Plat

Sec 12-521 General Requirements

- A. Purpose. The purpose of the preliminary plat is to provide early illustration of the nature of a proposed subdivision. This step in the process occurs prior to the preparation of detailed drawings of construction details in order that conflicts with surrounding lands, community plans or other factors might be avoided at an early time. Discussion of intentions or anticipated development approaches with the staff is welcomed and encouraged at any time, including prior to the actual preparation of a preliminary plat.
- B. Submittal. The subdivider shall prepare a preliminary plat for submission to the planning commission **and submit the same in accordance with the director of community development's requirements, as provided in the application.** ~~Twenty-three copies of the preliminary plat shall be submitted to the office of the secretary of the planning commission not less than 21 days or such shorter review time as might be determined by the planning staff prior to the meeting at which it is to be considered. Additionally, one 11 inch by 17 inch copy of the preliminary plat shall be submitted with the application.~~ **An application for a preliminary plat shall be accompanied by the following. Multiple plans may be shown on one (1) sheet only if all information is readable and clearly identified. Plans shall be separated for clarity upon request of the director of community development.**
1. **Preliminary Drainage Plan**
 2. **Preliminary Utility Plan**
 3. **Parks and Open Space Plan**
 4. **Preliminary Site Development Plan**
 5. **Street Layout Plan**
 6. **Other plans if deemed necessary for thorough review by the director of community development.**
- C. Code compliance. The preliminary plat must comply with all city codes and ordinances, **including but not limited to the following:**
1. **Comprehensive Plan (including all associated maps and plans);**
 2. **Zoning Ordinance;**
 3. **International Building Codes, as adopted;**

4. Stormwater Management Design Criteria;
5. International Fire Code, as adopted;
6. Other applicable portions of this Code;
7. Applicable fee ordinance/fee schedule;
8. Park dedication ordinance;
9. Engineering documents including but not limited to construction details; and
10. Federal, state and local Environmental regulations.

Sec 12-522 Application Conference

- A. Purpose. A preliminary plat application conference ~~may be requested by the developer or the community development director~~ **is required prior to the submittal of the Preliminary Plat.** The purpose of the application conference is to give the developer an opportunity to:
 - a. Discuss the proposed development with the director of public works, the planning director and the city engineer;
 - b. Obtain copies of all forms, publications, design criteria, and standards available from the city; and
 - c. Determine whether the current zoning is appropriate for the proposed development or if rezoning may be required.
- B. Conference to streamline process. The plan submittal and the conference provide an opportunity for the developer and the city to communicate and streamline the platting process.
- ~~G.~~ **G.** Submittal. The submittal for the application conference shall be ~~the same as the preliminary plat application~~ **a freehand pencil sketch or computer drawn sketch to approximate scale showing streets, lots, public areas, floodplains, proposed utility lines and drainage plan.**

Sec 12-523 Application-RESERVED

~~The subdivider shall submit with the preliminary plat an executed copy of the application and certificate of design which is provided as appendix A to these regulations. The application is provided to assist with the preparation of preliminary plats and to expedite the review of such plats. The certification of design is provided to ensure that the land planner preparing the plat has taken full cognizance of the general plan, the land use plan, and the ordinances and regulations governing the subdivision of land, and that he has, to the best of his ability, designed the subdivision in accordance therewith. Exceptions to the certification of design in accordance with stated plans and regulations may be requested in writing, stating clearly the reasons for the request, attached to the application and certificate of design and submitted therewith.~~

Sec 12-524 Contents Of Preliminary Plat

- A. General. The preliminary plat shall be drawn at a scale of not less than 100 feet to one inch and shall contain or be accompanied by the following information:
 - a. The scale, north point, and date;
 - b. The proposed name of the subdivision;
 - c. The name and address of owner of record, the subdivider and of the registered engineer or registered land surveyor;

- d. A key map showing the location of the proposed subdivision referenced to existing or proposed major streets and to government section lines, and including the direction and number of acres of the drainage area of which the proposed subdivision is a part; (See also subsection (A)(10) of this section)
 - e. The names, with location of intersecting boundary lines, of adjoining subdivisions and the location of city limits, if falling within or immediately adjoining the tract;
 - f. The land contours with vertical intervals not greater than two feet referenced to a United States geological survey or coast and geodetic survey benchmark or monument;
 - g. The location of existing buildings, water, watercourses, and the location of dedicated streets at the point where they adjoin or are immediately adjacent to the subdivision; provided, however, that actual measured distances shall not be required;
 - h. 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;
 - i. The location, approximate size and type of sanitary and storm sewers, water mains, culverts, power and natural gas lines and other surface and subsurface structures and pipelines existing within or immediately adjacent to the proposed subdivision; and the location, layout, type and proposed size of the following structures and utilities:
 - i. Water mains;
 - ii. Sanitary sewer mains, submains and laterals;
 - iii. Storm sewers, culverts and drainage structures; and
 - iv. Street improvements;
 - j. The location of all drainage channels and subsurface drainage structures, and the proposed method of disposing of all runoff from the proposed subdivision, and the location and size of all drainage easements relating thereto, whether they are located within or outside of the proposed plat;
 - k. The classification of every street easement within or adjacent to the subdivision in accordance with the intended use of the street based on the proposed design. This shall be done by placing the appropriate term:
 - i. Arterial;
 - ii. Collector
 - iii. Residential collector;
 - iv. Residential local; and
 - l. A title block appearing at the lower left-hand corner which shall include:
 - i. Name of the subdivision.
 - ii. Name and seal of the engineer of record or registered surveyor.
 - iii. Scale.
- B. Restrictive covenants. In such cases where a property owners association (POA) will be established, the subdivider shall submit with the submission of the preliminary plat, ten copies of all restrictive and protective covenants that will be proposed for filing with the final plat.

Sec 12-525 Planning Commission Action, Preliminary Plat Method Of Approval

- A. Planning commission. The planning commission shall: approve, approve conditionally, disapprove, or table the plat within ~~45~~ **sixty (60)** days of the date of its submission by the applicant. Approval is subject to action of the city council. If the preliminary plat is disapproved or approved conditionally, the reason for such action shall be recorded in the minutes of the commission meeting. (A copy of the minutes of the meeting shall be transmitted to the subdivider.) The reasons for disapproval or conditional approval shall refer specifically to those parts of the general plan, land use plan, or specific regulations with which the plat does not conform. On conditionally approving the plat, the ~~community development director~~ **director of community development** may require submission of a revised plat. Unless stipulation for additional time is agreed to by the subdivider, if no action be taken by the planning commission at the end of ~~45~~ **sixty (60)** days after submission, the plat shall be deemed to have been approved subject to action by the city council.
- B. City council. The city council will either concur in the action of the planning commission or take such exceptions as it may elect. If the plat conforms to all of the standards, or after agreement with the applicant is reached upon any revision which shall be filed with the planning commission or a revised copy, the subdivider may proceed with the laying out of streets and roads, the preparation of utility plans and with the preparation of a final plat. **Unless stipulation for additional time is agreed to by the subdivider, if no action be taken by the city council at the end of sixty (60) days after submission to the council by the planning commission, the plat shall be deemed to have been approved.**

Sec 12-526 Preliminary Plat Expiration

- A. **Five-year validity.**
 - a. **The approval of a preliminary plat shall remain in effect for a period of five (5) years following the date of approval, during which period the applicant shall submit and receive approval for construction plans and a final plat for the land area shown on the preliminary plat.**
 - b. **If construction plans and a final plat application have not been approved within the five-year period, the preliminary plat shall expire.**
- B. **Phased developments—Partial construction plans and final plat. If construction plans and a final plat for only a portion of the land area shown on the preliminary plat are approved by the end of the five-year period, then the preliminary plat for the remainder of the land not included on the construction plans or final plat shall expire on such date.**
- C. **Relationship to construction plans. A preliminary plat shall remain valid for five (5) years or the period of time in which approved construction plans are valid, whichever is greater.**
- D. **Void if not extended. If the preliminary plat is not extended as provided in Section 12-527, Preliminary plat extension, it shall expire and shall become null and void.**

Section 12-527 Preliminary Plat Extension

- A. **A preliminary plat may be extended for a period not to exceed one (1) year beyond the preliminary plat's expiration date. A request for extension shall be submitted to the director of community development in writing at least thirty (30) calendar days prior to expiration of the preliminary plat, and shall include reasons why the preliminary plat should be extended.**

- a. The director of community development will review the extension request and shall approve it, approve it with conditions, or deny the extension request within thirty (30) calendar days following the official filing date of the request. Should the director of community development fail to act on an extension request within thirty (30) calendar days, the extension shall be deemed to be approved.
- b. In considering an extension, the director of community development shall consider whether the following conditions exist:
 - i. A final plat has been submitted and/or approved for any portion of the property shown on the preliminary plat;
 - ii. Construction plans have been submitted and/or approved for any portion of the property shown on the preliminary plat;
 - iii. Construction is occurring on the subject property;
 - iv. The preliminary plat complies with new ordinances that impact the health, safety and general welfare of the community; and/or
 - v. There is a need for a park, school or other public facility or improvement on the property.
- c. In granting an extension, the director of community development may impose such conditions as are needed to ensure that the land will be developed in a timely fashion and that the public interest is served. Any extension may be predicated upon compliance with new development regulations and/or the applicant waiving any vested rights.
- d. The denial of an extension by the director of community development may be appealed to the City Council. A written request for such appeal shall be received by the director of community development within fourteen (14) calendar days following the denial. The City Council shall hear and consider such an appeal within thirty (30) calendar days following director of community development's receipt of the appeal request. The decision of the city council is final.

Severability. If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.

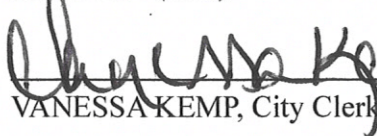
Repealer. Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 15 DAY OF APRIL, 2024.



MARK HAMM, Mayor

ATTEST: (Seal)



VANESSA KEMP, City Clerk



APPROVED AS TO FORM AND LEGALITY

Brian K. Miller

BRIAN K. MILLER, City Attorney