

ORDINANCE NO. 1051.24

AN ORDINANCE AMENDING PART 12, CHAPTER 5, ARTICLE D, OF THE MOORE LAND DEVELOPMENT CODE BY AMENDING SUBMITTAL REQUIREMENTS FOR FINAL PLATS, AMENDING TIME LIMIT FOR CONSIDERATION OF FINAL PLATS TO 45-DAYS FROM DATE OF SUBMITTAL, ESTABLISHING A 2-YEAR EXPIRATION DATE FOR APPROVED FINAL PLATS, AND ESTABLISHING EXTENSION AND APPEALS PROCESS FOR THE SAME; ESTABLISHING REVIEW AND APPROVAL PROCESS FOR SUBDIVISION IMPROVEMENT CONSTRUCTION PLANS, ESTABLISHING A 6-MONTH EXPIRATION DATE FOR SUBDIVISION IMPROVEMENT CONSTRUCTION PLAN REVIEW PRINTS AND AN EXTENSION PROCESS FOR THE SAME; ESTABLISHING 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 D of the Moore Land Development Code, shall be amended to read as follows:

**Article 5-D Final Plat And Construction Documents**

**Sec 12-531 General Requirements**

- A. Purpose. The purpose of the final plat is to create a recorded document which accurately describes the subdivision land, both as to accurate dimensions, and as to legal provisions which are pertinent to the subdivision. Much of the reason for this step is to make the transfer of the land more simple and certain. Land sales by reference to a legally filed plat are generally less complicated and more likely to provide the precise legal situation sought. The certainty of such sales derives from the assurance of an accurate survey and processes designed to ensure the provision of facilities necessary to service the land.
- B. Submittal. **The subdivider shall prepare a final plat and submit the same in accordance with the director of community development's requirements, as provided in the application.**  
~~Fifteen dark line prints, one 11-inch by 17-inch copy of~~ The final plat shall be submitted to the office of the planning commission secretary not less than **21 forty-five (45)** days ~~or such shorter review time as might be determined by the planning staff~~ before the planning commission meeting at which it is to be considered for final approval. At the same time, there shall be submitted ~~three sets of~~ the proposed **subdivision improvement construction** plans and specifications for all improvements and the proposed restrictions in final form; provided, however, that the final plat may be approved subject to later submission of final **subdivision improvement construction** plans and specifications.
- C. ~~Impact fees. All required impact fees, including the transportation impact fee, shall be collected as set forth in the city codes and ordinances.~~
- D. Code compliance. The final plat shall comply with all city codes and ordinances.
- E. Control network. All plans shall be submitted in NAD 1983 HARN Oklahoma State Plane South, US feet coordinates using city survey monuments.

**Sec 12-532 ~~Application~~ Planning Commission Action, Final Plat Method Of Approval**

- A. Application required. ~~The subdivider shall submit with the final plat an executed copy of the application and certificate of design which is provided as appendix B to these regulations. The application is provided to assist with the preparation of final plats and to expedite the review of such plans.~~ **The subdivider shall prepare a final plat and submit the same in accordance with the director of community development's requirements, as provided in the application.**
- B. The application includes certifications to the compliance of the plat with pertinent regulations and with the requirements of good engineering practices. The application and certification are to be executed by a registered professional engineer or licensed land surveyor holding a license to practice in the state.
- C. Time of submission. The final plat of the proposed subdivision shall be submitted to the planning commission and city council for final approval within ~~two~~ **five (5)** years of the date on which the preliminary plat was approved, **unless a preliminary plat extension has been granted as outlined in Section 12-527** . ~~If not submitted for final approval within such time, the preliminary plat shall be considered as having been disapproved unless the planning commission agrees to an extension of time. The final plat shall be filed in the office of the county clerk within two years after approval by the city council and planning commission, or if not filed within such time, an extension may be granted by the planning commission upon review of the plat. If there are substantial changes in the layout of a plat, or if there are changes to public dedications shown, it will be necessary to submit a final plat for re-approval.~~
- D. The final plat shall be submitted digitally in AutoCAD or GIS shapefile format. Templates of these file types are available in the community development department.

**Section 12-532.1 Final Plat Expiration**

- A. **The approval of a final plat shall remain in effect for a period of two (2) years following the date of approval by City Council, during which period the applicant shall submit and receive approval for subdivision improvement construction plans and complete construction of all subdivision improvements for the land area shown on the final plat. If construction of all subdivision improvements has not been completed and accepted by the city council within the two-year period, the final plat shall expire, provided, however, that the final plat shall remain valid for the period of time in which approved subdivision improvement construction plans are valid, whichever time is greater.**
- B. **Void if not extended. If the final plat is not extended as provided in Section 12-532.2, it shall expire and shall become null and void.**

**Section 12-532.2 Final Plat Extension**

- A. **Final Plat Extension. A final plat may be extended for a period not to exceed one (1) year beyond the final 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 final plat, and shall include reasons why the final plat should be extended. The director of community development shall 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. Extension considerations. In considering an extension, the director of community development shall consider whether the following conditions exist:**
- 1. Construction plans have been submitted and/or approved for the property shown on the final plat;**
  - 2. Construction is occurring on the subject property;**
  - 3. The final plat complies with new ordinances that impact the health, safety and general welfare of the community; and/or**
  - 4. There is a need for a park, school or other public facility or improvement on the property.**
- C. Extension conditions. 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. Appeal of the director's denial of the final plat extension. 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.**

#### **Sec 12-533 Contents**

- A. Plat preparation.** The final plat shall be prepared by a registered professional engineer or registered land surveyor holding a license to practice in the state. The plat must bear the seal and signature of a registered land surveyor.
- B. Drafting.** The final plat shall be drawn at a scale of 100 feet to the inch from an accurate survey and on sheets whose dimensions are 24 inches by 36 inches. On the first 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. If more than two sheets are required for the plat, the key map shall show the number of the sheet for each area. The borders of the sheets shall be 1½ inches at top and bottom, two inches at left, and one inch at right.
- C. Contents.** The final plat shall show:
1. The location and description of all section corners and permanent survey monuments in or near the tract, to at least one of which the subdivision shall be referenced;
  2. 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;
  3. The boundary lines of the land being subdivided fully dimensioned by length and bearings, and the location of boundary lines of adjoining land, with adjacent subdivisions identified by official names. Material which is not a part of the subdivision shall be shown in dashed or dotted lines;
  4. The lines of all proposed streets fully dimensioned by the lengths and bearings or angles;

5. The lines of all proposed alleys. Where the length or direction of an alley is not readily discernable from data given for lot and block lines, the length and bearing shall be given;
6. The widths, and names where appropriate, of all proposed streets and alleys, and of all adjacent streets, alleys and easements which shall be properly located;
7. The lines of all proposed lots fully dimensioned by lengths and bearings or angles, except that where a lot line meets a street line at right angles, the angle may be shown as a symbol;
8. The outline of any property which is offered for dedication to public use fully dimensioned by lengths and bearings, with the areas other than streets to be marked "public";
9. The blocks numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block, with areas to be excluded from platting marked "reserved" or "not a part";
10. The location of all building lines, setback lines, and easements for public services or utilities with dimensions showing their locations;
11. The radii, arcs, points of tangency, points of intersection, and central angles and curve data for curvilinear streets and radii for all property returns;
12. The proper acknowledgements of owners and the consent by the mortgagee to plat dedications;
13. The following which shall be made and shown on a reproducible tracing:
  - i. Owner's certificate and dedication, signed;
  - ii. Surveyor's certificate of survey;
  - iii. Certificate for release of mortgage for any portion dedicated to the public;
  - iv. Reference to any separate instruments, including restrictive covenants, filed in the office of the county clerk which directly affect the land being subdivided;
  - v. Certificate of planning commission approval;
  - vi. Certification of city council's acceptance of streets, easements and public land dedications; and
  - vii. County treasurer's certificate;
14. A title which shall include:
  - i. Name of the subdivision;
  - ii. Name of the city, county and state; and
  - iii. Location and description of the subdivision referenced to section, range and township;
15. A title block appearing at the lower left-hand corner which shall include:
  - i. Name of the subdivision;
  - ii. Name and seal of the registered land surveyor;
  - iii. Scale.

**Sec 12-534 Subdivision Improvement Construction Plans**

- A. General. Subdivision Improvement Construction plans shall include the following:
  1. All improvements shall be designed in accordance with the design standards referenced as part of this article.

2. One digital set and one paper set of complete construction plans, specifications, engineering calculations and detailed cost projections for streets, drainage, sanitary sewers, water distribution, and any other improvements to be constructed, are required to be submitted with the final plat. Construction plans must be 100 percent complete at the time of submittal. Any incomplete sets of construction plans shall be returned and unreviewed.
  3. The construction plans shall be submitted ~~on standard 24-inch by 36-inch sheets~~ in accordance with the director of community development's requirements, as provided in the application.
  4. Each sheet of the construction plans shall contain a title block, including space for the notation of revisions. This space is to be completed with each revision to the plan sheet and shall clearly note the nature of the revision and the date that the revision was made. This title block shall be located at the lower left hand corner of each sheet submitted.
  5. Each sheet of the construction plans shall include north arrow, scale, date, and benchmark description to sea level datum.
  6. The specifications and each construction plan sheet shall bear the seal and signature of the licensed professional engineer who prepared the plans.
- B. Paving plans. The construction plans, at a minimum, shall include a plan and profile of each street with stationing, top of curb grades, if applicable, or street centerline, borrow ditch flowline and existing and proposed ground lines. The typical cross section of proposed streets shall show the width of roadway, pavement type and location and width of sidewalk.
- C. Sanitary sewer and water plans. The construction plans, at a minimum, shall include a plan and profile of proposed sanitary sewers with stationing, grades, pipe sizes, and materials indicated and showing locations of manholes, cleanouts, etc., and a plan of the proposed water distribution system showing pipe sizes and location of valves, fire hydrants and fittings, etc. Application construction details shall be included with the construction plans.
- D. Storm drainage plan. The construction plans shall include stormwater detention plans and erosion plans, and shall include the following:
1. The construction plans shall include a general location map of the subdivision showing the entire watershed (a U.S.G.S. quadrangle is satisfactory) and the limits of all on-site and off-site stormwater draining to the project.
  2. The construction plans shall include calculations showing the anticipated stormwater flow, including watershed area, percent runoff, runoff factors, storm intensity and time of concentrations showing basis for design.
  3. The construction plans shall include a plan and profile of proposed storm sewers or channels, showing stationing, hydraulic data, pipe grades, sizes and materials, manholes, inlets, pipe connections, outlet structures, etc.
  4. The construction plans shall include a detailed plan for any bridges, culverts, catchbasins, any other drainage structures or any other improvements to be made and shall include all of the following:
    - i. The open channel or storm drain grades, design flow, design velocity, capacity and hydraulic grade line;
    - ii. A plan and profile of all culverts under any street with the design flow of water, headwater, and tailwater depth and tail water capacity;

- iii. The size of all driveway culverts to carry the design flow of water at each point of installation;
  - iv. Typical ditch sections and the width of any right-of-way or easement needed;
  - v. A summary sheet of all drainage facilities;
  - vi. The seal and signature, prominently displayed on each sheet, of the licensed professional engineer responsible for the design.
5. The plat shall notify that the filling or obstruction within the floodplain and drainage easements shall be prohibited.
- E. Other Reports as Needed. Other reports may be required as directed by the city consulting engineer, community development director, or the fire marshal, and shall be included with the submittal of the construction plans. Such reports shall summarize calculations and other such engineering information pertaining to the major items of design. It shall be used during the review to determine whether the facilities proposed for construction have been designed in accordance with the intent of the design standards.**

**Sec 12-535 Design Summary-Subdivision Improvement Construction Plans Review and Approval**

~~A separate document or report entitled "Engineering Design Summary" may be required as directed by the city engineer and/or community development director and included with the submittal of the construction plans and specifications. It shall summarize calculations and other such engineering information pertaining to the major items of design. It shall be used during the review to determine whether the facilities proposed for construction have been designed in accordance with the intent of the design standards.~~

- A. Review and approval action. The director of community development, or their designee, shall be the responsible official for review and approval of subdivision improvement construction plans. The director of community development, or their designee, shall approve, approve subject to modifications, or deny such plans.**
- B. Subdivision Improvement Construction Plan Review Prints shall be reviewed by the director of community development, or their designee, for compliance with City Code and accepted engineering standards. The director of community development, or their designee, shall approve, approve subject to modifications, or cause the revision and resubmittal of subdivision improvement construction plan review prints.**
  - 1. Revision and resubmittal of subdivision improvement construction plan review prints may occur as often as necessary for the approval of plans. However, beginning with the sixth review print submittal, a new review fee shall be charged for each submitted review print.**
  - 2. Subdivision Improvement Construction Plan Review Prints shall be valid for a period of six (6) months. If a resubmittal of a review print is not received within a six (6) month period from the date of the notice of revise and resubmit, the review print submittal will be voided and a new subdivision construction plan review print shall be submitted along with the application form and review fees.**
- C. Expiring Subdivision Improvement Construction Plan Review Prints may be extended for a period not to exceed six (6) months beyond the 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 review prints, and shall include reasons why the review prints should be extended. The director of community development shall 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. In considering an extension, the director of community development shall consider whether the following conditions exist:

1. Any other Subdivision Improvement Construction plans for any public or private improvement have been approved for the property shown on the final plat;
  2. Construction is occurring on the subject property;
  3. The subdivision improvement construction plan review print complies with new ordinances that impact the health, safety and general welfare of the community.
  4. 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.
  5. Any extension may be predicated upon compliance with new development regulations and/or the applicant waiving any vested rights.
- D. Effect of approved subdivision improvement construction plans. Approval of subdivision improvement construction plans authorizes the applicant to schedule a pre-construction meeting with the appropriate city staff and upon completion of a pre-construction meeting and payment of all fees and bonds, be released for construction.

**Sec 12-536 Planning Commission Action, Final Plat Method Of Approval-Expiration Date for Subdivision Improvement Construction Plans**

- A. ~~Planning commission. The planning commission shall act upon the final plat within 45 day after it has been submitted for final approval. This approval and the date thereof shall be shown on the plat over the signature of the planning commission chairman or vice chairman. Unless stipulation for additional time is agreed to by the subdivider and if no action is taken by the planning commission at the end of 45 days after submission, the plat shall be deemed approved. A certification by the secretary of the planning commission as to the date of submission of plat for final approval and failure of planning commission to act thereon within such time shall be sufficient in lieu of written endorsement of approval. If the final plat is disapproved, grounds for this refusal shall be stated in writing, a copy of which shall be transmitted to the applicant. The reasons for disapproval shall refer specifically to those parts of the general plan or ordinance or regulation with which the plat does not comply.~~
- B. ~~City council. Before recording the final plat, it shall be submitted to the city council for approval and for acceptance of public ways and service and utility easements and land dedicated to public use. This approval of the plat shall be shown over the signature of the mayor and attested to by the city clerk or his deputy. The disapproval of any plat or plan by the city council shall be deemed a refusal of the proposed dedication shown thereon.~~
- C. ~~Final approval. Before recording the final plat, digital as-built drawings shall be submitted to the community development and GIS departments in AutoCAD or GIS shapefile format. Templates of these file types are available in the community development department.~~

- A. The approval of subdivision improvement construction plans shall remain in effect for a period of one (1) year from the date of approval, or for the duration of construction of the project once commenced; provided that, progress towards completion of the project continues to be demonstrated to the satisfaction of the director of community development, unless the construction plans are extended in accordance with Section 12-536.1.

Sec 12-536.1 Extension of Subdivision Improvement Construction Plans

- A. Subdivision Improvement Construction plans may be extended for a period of six (6) additional months beyond the expiration date. A request must be made in writing to the director of community development for such extension prior to expiration of the plans, and shall include reasons why the plans should be extended. The community development director, or their designee, will review the extension request, and shall approve, approve with conditions, or deny the extension request within thirty (30) calendar days following the official filing date. Should the community development director, or their designee, fail to act on an extension request within thirty (30) calendar days, the extension shall be deemed to be approved.
- B. Extension criteria. The director of community development shall extend the subdivision improvement construction plan approval for a period of six (6) additional months beyond the plans' expiration date if:
1. The construction plans comply with new ordinances that impact the health, safety and general welfare of the city; and
  2. Demonstrable progress towards completion of the project continues to be demonstrated to the satisfaction of the director of community development.
- C. Conditions. 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.

Sec 12-537 Recording Of Plat

After final approval of the plat and the affixing of all required signatures on the original tracing, the subdivider shall provide the planning commission secretary with one reproducible transparency, and a digital file in either AutoCAD or GIS shapefile format. The final plat shall be filed with the county clerk, meeting all requirements for such filing after final criteria are met.

- A. Final plat is approved by the city council and all revision required by the city council are complete;
- B. ~~The developer has submitted final copies of the final plat and construction plans and a~~ All required signatures have been obtained;
- C. All required fees have been paid in full;
- D. All public improvements have been constructed, inspected, approved and dedicated to the city, or surety bonds or letter of credit have been posted and the plat and all as-built plans have been submitted in either AutoCAD or GIS shapefile format;
- E. The developer has provided proof that private restrictions have been filed of record; and
- F. The developer has provided all required maintenance bonds.

**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.

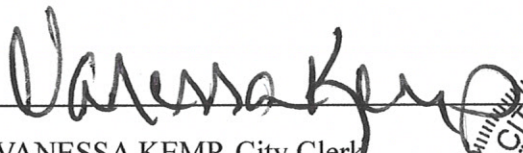
**Repealer.** Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 15<sup>th</sup> DAY OF APRIL, 2024.



MARK HAMM, Mayor

ATTEST: *(Seal)*



VANESSA KEMP, City Clerk



APPROVED AS TO FORM AND LEGALITY:



BRIAN K. MILLER, City Attorney