

Section 700 Definitions and References

701 Definitions

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

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

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

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

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

As-built Plans: See "Record Drawings".

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

Board or Board of County Commissioners: The Board of County Commissioners of Wagoner County, Oklahoma.

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

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

Deed of Dedication: Each final plat submitted to the County for approval shall carry a deed of dedication consisting of all of the following, but no limited to; a designation of the subdivision name as an addition to Wagoner County, a legal description of the tract to be subdivided, dedication of right-of-way and easements, provisions and protections as desired by suppliers shall be defined for electric, telephone, natural gas and cable television services, supplier of water and sanitary sewer services shall be stated as necessary and provisions and protections as desired by said suppliers shall be defined, all drainage ways and reserve areas shall be defined and dedicated to appropriate ownership, driveway culvert types shall be defined and finish floors and culvert sizes shall be described as depicted on the plat. The Deed of Dedication can not be changed

by the Developer, Subdivider or Home Owners Association without re-platting or amending the deed of the subject property.

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

Engineering Department: Shall mean the Engineering Department of the Wagoner County.

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

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

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

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

Governing Body: The Board of County Commissioners of Wagoner County, Oklahoma.

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

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

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

Jurisdiction: See "Territorial Jurisdiction."

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

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

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

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

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

Lot, Split: Any subdivision containing not more than three (3) lots and fronting on an existing street, not involving any new street or road and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Major Street Plan, Zoning Ordinance, or these Subdivision Regulations.

Major Street: See “Street, Major”.

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

Minor Street: See “Street, Minor”.

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

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

Planning Commission or Commission: The Wagoner County Planning Commission.

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

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

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

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

Record Drawings: The drawings as issued for construction on which the subdivider’s engineer, upon completion of the work, has shown changes due to addenda or change orders and other information which said engineer considers significant based on record

documents furnished by the contractor and/or inspector to said engineer and which were annotated by the contractor to show changes made during construction.

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

Right-Of-Way: A public strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electrical and communication services, oil or gas pipeline, water main, sanitary or storm sewer main, or for other special uses. The usage of the term “right of way” for the purposes of other than the platting of land shall mean that every right of way thereafter established and shown on the final plat is to be separate and distinct from the lots or parcels adjoining such right of way and not included within the dimensions or areas of such lots or parcels. Right of Way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or otherwise involving construction or maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right of way is established. All such dedications are subject to the final approval by the County.

Roadway: See “Street”.

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

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

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

Reserve Area: An area or part of a plat identified on the face of the plat and set aside for park land, storm water detention or similar purposes which are specified on the face of the plat. The title ownership and responsibility for maintenance of Reserve Areas shall remain with the Subdivider until or unless conveyed to a homeowners association or accepted by the governing body. The Subdivider or owner shall grant to the governing body perpetual easements for drainage, utilities and other public purposes as specified in the covenants or deeds of dedication. If a Reserve Area falls within a right of way (e.g. Entrance Island), the Reserve Area must be contained in a roadway easement. The governing body shall have no liability for any damage to any private improvements occasioned by the maintenance or reconstruction of utilities or infrastructure located in the Reserve Area.

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

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

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

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

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

Street, Arterial: A thoroughfare designated on the Major Street Plan that carries a significant portion of interurban vehicle traffic at moderate speeds with some traffic stops. See also “Street, Primary/Major Arterial”, “Street Secondary/Minor Arterial”, “Street/Minor Arterial Alternative,” or “Street, Collector” in this section.

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

Street, Collector: A thoroughfare designated on the Major Street Plan that is intended to move traffic from minor streets to arterial streets, including the principal entrance and circulation street or streets of a development.

Street, Commercial Collector/Industrial Collector: A category of traffic way that provides circulation to and from commercial and industrial areas to connect to major streets or highways.

Street, Commercial Business District: A category of traffic way that provides circulation within the Central Business District.

Street, Commercial/Industrial: A category of traffic way that provides circulation within commercial and industrial areas.

Street, Cul-de-sac: A minor street with only one outlet and having a terminus for the safe and convenient reversal of traffic movement including all emergency and service vehicles.

Street, Frontage or Service: A minor street auxiliary to and located on the side of a major street for service to abutting properties and adjacent areas and for control of access.

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

Street, Minor (Local): Any traffic way of limited length not classified on the Major Street Plan that provides direct access to abutting tracts of land and access to more heavily

traveled streets, and that is designed in such a manner to discourage its use by through traffic.

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

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

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

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

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

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

Subdivision Regulations: The Subdivision Regulations of Wagoner County.

Territorial Jurisdiction: The area within which the Planning Commission has jurisdiction over the subdividing of land, as provided by 19 O.S., Section 866, as amended. Said area consists of those parts of Wagoner County for which the Planning Commission has adopted a Comprehensive Plan (including a Major Street Plan), and/or zoning districts and classifications.

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