

YALE CITY CODE

Chapter 19

PLANNING

Article I. Land Subdivision

Sec. 19-1 Purpose.

(a) The subdivision of land is the first step in the process of urban development. 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 urban area. The quality of these conditions is of public interest. These regulations and standards for the subdivision and improvement of land for urban use are to make provision for adequate light, air, open spaces, drainage, transportation, public utilities and other needs, to ensure the development and maintenance of a healthy, attractive and efficient community that provides for the conservation and protection of its human and natural resources.

(b) These regulations are designed, intended and should be administered in a manner to:

- (1) provide neighborhood conversation and prevent the development of slums and blight;
- (2) harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of adjoining tracts;
- (3) provided that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract, and that the cost of improvement which primarily benefit the whole community be borne by the whole community;
- (4) provide the best design for the tract;
- (5) reconcile any differences or interest; and
- (6) establish adequate and accurate records of land subdivision.

YALE CITY CODE

Sec. 19-2 Jurisdiction.

These regulations and development standards shall apply to all subdivisions of land as hereinafter defined in Section 19-3.

Sec. 19-3 Definitions.

For the purpose of these regulations, certain terms used herein after defined as follows:

(1) 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.

(2) Block: A parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad right-of-way, public walk, parks or greenstrips, rural land or drainage channels or a combination thereof.

(3) City Commission: The City Commission of the City of Yale, Oklahoma.

(4) Building line or setback line: A line or lines designating the area outside of which building may not be erected.

(5) Easement: A grant by a property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

(6) General plan: The comprehensive development plan for the city which has been officially adopted to provide long-range development policies for the area subject to urbanization in the foreseeable future and which includes, among other things, the plan for land use, land subdivision, circulation and community facilities.

(7) Lot: Any plot or parcel of land occupied or intended to be occupied by one building, or structure and the accessory buildings and uses customarily incident to it, including such open spaces as are arranged and designated to be used in connection with such buildings, and further intended as a unit of land for the transfer of ownership or development.

(8) Lot, corner: A lot located at the intersection of and abutting on two or more streets.

(9) Lot, double frontage: A lot which runs through a block from street to street and which abuts two or more streets.

(10) Lot-split: A subordinate and integral part of any lot and which plot or parcel of land is not capable or supporting or having a building constructed upon it.

YALE CITY CODE

(11) Minor subdivisions: A subdivision, resubdivision, alteration, reorganization or division of land, which shall contain not more than three lots and further shall not adversely affect the development of the remainder of the parcel or adjoining property and shall not be in conflict with any provision or portion of the master plan, official map, or zoning ordinance of the City of Yale.

(12) Plat, preliminary: A map of proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

(13) Plat, final: A map of land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets and alleys, public areas and other dimensions of land.

(14) Street: Any public or private right-of-way which affords the primary means of access to abutting property.

(15) Street, major: An arterial street which is designated on the major street plan.

(16) Street, minor: Any street not classified as a major street or the Major Street Plan.

(17) Street, collector: A minor street which collects traffic from other minor streets and serves as the most direct route to a major street.

(18) Street, cul-de-sac: A minor street having one end open to vehicular traffic and having one closed and terminated by a turnaround.

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

(20) Subdivision: Any division of land into two (2) or more lots, parcels, tracts or areas, any one of which when divided has an area of ten (10) acres or less or any division of land involving the vacation or dedication of right-of-way or alignment of an existing or proposed street or highway or any public utility easement, or the resubdivision of land heretofore divided into lots, sites, or parcels.

Sec. 19-4. General procedure.

(a) Plat approval.

(1) For all cases of subdividing, except minor subdivisions, within the scope of

YALE CITY CODE

these regulations as provided by Sections 19-19 and 19-20 hereof, a plat of land in question shall be drawn and submitted to the City Commission for their approval or disapproval, as provided below.

- (2) For case of minor subdivisions, wherein the property involved has been previously platted the applicant shall provide the Yale City Commission with a sketch or map of the intended minor subdivision at the time of making application.
- (3) For those cases of minor subdivisions, wherein the property involved has never been platted, or is not part of a subdivision filed of record, the applicant shall provide the Yale City Commission with a certified survey of the intended minor subdivision at the time of making application. Such certified survey shall be used to illustrate and explain the proposed minor subdivision design.
- (4) *Minor subdivisions.* Upon compliance with all application requirements, minor subdivisions, will be reviewed for compliance with the adopted regulations. Once compliance is verified, deeds in executable form shall be submitted to city staff and shall be stamped and signed by city staff that the deeds are approved and ready for recording. Where the property to be subdivided or any portion thereof is part of a minor subdivision approved with the year preceding the date of application, a preliminary and final plat of said property shall be prepared and submitted to the City Commission in accordance with the requirements herein.
- (5) *Commercial minor subdivisions.* Upon compliance with all application requirements, commercial minor subdivisions will be reviewed, in conjunction with development plan applications or with final planned development plan applications, for compliance with the adopted regulations. Once compliance is verified, deeds in executable form shall be submitted to city staff and shall be stamped and signed by city staff that the deeds are approved and ready for recording.

(b) Official recording. No plat or other land subdivision instrument shall be filed in the office of the Payne County Clerk until it shall have been approved by the City Commission

YALE CITY CODE

as hereinafter set forth. All final plats shall be filed within two (2) years of the date of approval by the City Commission, and no lots shall be sold from any plat until recorded. Failure to record the plat within two (2) years of the date of City Commission approval shall void all approvals thereto, unless extended by the City Commission upon application prior to expiration date.

(c) Agenda: Each plat submitted for preliminary or final approval shall be placed on the agenda of the City Commission only after fulfilling the appropriate requirements of these regulations. However, a plat not meeting all of the requirements may be submitted provided the subdivider presents with the plat a written request for specific exceptions and enumerates in detail the reasons therefore.

(d) Filing fee. To defray partially the costs of administrative procedures there shall be paid to the City Clerk at the time of submission of the preliminary plat a fee in following amount: Twenty Dollars (\$20.00) plus Five Dollars (\$5.00) per lot for the first fifty (50) lots, plus fifty cents (\$.50) for each additional lot. Where only a portion of an approved preliminary plat is submitted for a final approval, a final plat of the remaining area may be submitted at any time within five (5) years of the preliminary approval without payment of an additional filing fee by the subdivider, if the final plat for the additional area conforms substantially with the approved preliminary plat.

(e) Exemption. In cases of minor subdivisions the City Commission may waive any or all of the subdivision requirements as contained in Chapter 19 of the Yale City Code as it may deem necessary to avoid substantial hardship or inequity. Provided further that such waiver may be granted only upon receiving a written request from the subdivider stating the reasons for each waiver and may only be waived by three-fourths (3/4) vote of the regular membership of the Planning Commission.

Sec. 19-5. Urban design principles.

The quality of design of the urban area 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 urban area. Therefore, the design of each subdivision shall be prepared in accordance, with the principles established by the General Plan for land use, circulation, community facilities and public utility service and in accordance with the following general principles:

YALE CITY CODE

(1) 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, and off-street parking and loading facilities.

(2) 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 and roadways and the lot layout should be designed to take advantage of the visual qualities of the area.

(3) Circulation within the urban area shall be provided in accordance with the following design criteria:

- (a) Each subdivision shall provide for the continuation of all arterial streets and highways as shown on the Major Street Plan as and when adopted. Arterial streets should be located on the perimeter of the residential neighborhood.
 - (b) Minor streets should be designed to provide access to each parcel of land within the residential neighborhood and within industrial areas, and in a manner that will discourage use by through traffic. They should be planned so that further urban expansion will not require the conversion of minor streets to arterial routes.
 - (c) Collector streets should be designed to provide a direct route from other minor streets to the major street and expressway system provided only on minor streets.
 - (d) Ingress and egress to residential properties should be provided only on minor streets.
 - (e) Pedestrian ways should be separate 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.
- (4) Setbacks. The following are the minimum required setbacks in the City of Yale:
- (a) Minimum side yard:
 - 1. Residential structures: ten feet.
 - (b) Minimum rear yard: all structures: five feet

YALE CITY CODE

Sec. 19-6. Subdivision design standards.

(a) Streets. The arrangement, character, extent, width, grade, and location of all streets shall conform to all of the elements of the General Plan and shall be designed in accordance with the following provisions:

- (1) Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of a proposed future street system for the undivided portion shall be prepared and submitted by the subdivider.
- (2) When a tract is subdivided into larger building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening or future streets and appropriate resubdivision, with provisions for adequate utility easements and connections for such resubdivision.
- (3) Street jogs and centerlines offsets of less than one-hundred and twenty-five (125) feet should be avoided.
- (4) Streets shall intersect at approximately right angles.
- (5) Street right-of-way widths shall be not less than the following:

Major Streets

Primary with median	120 feet
Primary without median	100 feet
Secondary	80 feet

Minor Streets

Collector	70 feet
Minor	60 feet
Cul-de-sac	100 feet

provided, however, the width of such minor street or cul-de-sac may be reduced to a minimum of 50 feet, if adequate provisions are made for drainage and installation of public utilities and if grade elevations are not too steep to allow proper installation of driveways.

- (6) The grades of all streets shall not exceed the following, except where usual topographic conditions justify in the opinion of the commission, a modification of these standards:

YALE CITY CODE

Major Streets

Primary	5%
Standard	7%

Minor Streets

No street grade shall be less than 0.5 percent for concrete and 1 percent for asphalt.

- (7) The paved width of all streets shall be adequate to serve the existing and future estimated traffic load for the facility. Lane widths for all streets shall be as follows:
 - (a) All major streets shall have lanes for traffic movement of not less than eleven (11) feet or more than twelve (12) feet in width and lanes for parallel parking or emergency stopping of not less than ten (10) feet in width.
 - (b) All minor streets shall have lanes for traffic movement of not less than twenty-five (25) feet from back of curb to back of curb nor more than twelve (12) feet in width and lanes for parallel parking of not less than eight (8) feet in width.
- (8) Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and provided that the City Commission finds it will be practical to obtain the dedication of the other half of the street easement when the adjoining property is subdivided. Whenever, a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
- (9) The arrangement of streets shall be such as to cause no hardship in the subdividing of adjacent properties. The City of Yale may require the dedication of street right-of-way to facilitate the development of adjoining properties except the City of Yale shall not require the dedication for street and road right-of-way purposes, any easements or other interest in land as a condition for the approval of recording of a lot-split deed. It shall further be declared to be the intention of the Yale City Commission that this section be

YALE CITY CODE

interpreted and applied in conformity with the provision of Title 19, Section 867.1 of the Oklahoma State Statutes.

- (10) No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the City Commission.

(b) Easements.

- (1) Where alleys are not provided, easements not less than fifteen (15) feet wide shall be provided for use by public and private utilities along each rear lot line, and along side lot lines where necessary, in the following manner:

- (a) A permanent easement not less than seven and one-half (7 1/2) feet wide shall be provided along the rear lot line, or along the side lot line where necessary, of each abutting or adjoining lot.

- (b) Where the land owned and being subdivided by the subdivider ends at a rear or side lot line and the subdivider is unable to obtain from the adjoining property owners an easement not less than seven and one-half (7 1/2) feet wide, the City Commission upon finding that the easement will be available from the adjoining property owners at a future date, may approve the grant of an easement along each rear lot line, or side lot line where necessary, not less than fifteen (15) feet wide of which ten (10) feet is a permanent easement and five (5) feet is a temporary easement reverting to the property owner at such time as the adjacent easement not less than seven and one-half (7 1/2) feet wide is obtained from the adjoining property owner.

- (c) Easements shall be maintained free of buildings, fences and other structures. The City Commission may require area easements and easement of greater width for the extension of main storm and sanitary sewers and other utilities where it is deemed necessary.

(c) Public areas and open spaces. Public parks, playgrounds, school sites and other public areas and open spaces shall be provided in accordance with the requirements and standards set forth in the General Plan and in the ordinances relating thereto.

YALE CITY CODE

(d) Blocks.

- (1) The lengths, widths and shapes of blocks shall be determined with due regard for the following:
 - (a) Provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 - (b) Needs for convenient access, circulation, control and safety of street traffic.
 - (c) Limitations and opportunities of topography.
- (2) Blocks for residential use shall not be longer than eighteen hundred (1800) feet, measured along the center lines of the block.
- (3) Blocks used for residential purposes should be of sufficient width to allow for two tiers of lots of appropriate depth. Blocks intended for business and industrial use should be of a width suitable for the intended use, with due allowance for off-street parking and loading facilities.

(e) Lots.

- (1) Residential lots shall not be less than forty (40) 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.
- (2) Side lot lines should be approximately at right angles or radial to street lines.
- (3) The depth on residential lots should be not less than one hundred twenty (120) feet.
- (4) The area of residential lots shall be not less than five thousand (5,000) square feet.
- (5) In residential subdivisions where septic tank or individual sewage disposal devices are to be installed, the area of the lot shall not be less than the area required by the Oklahoma Department of Environmental Quality.
- (6) Lots are not required for subdivision for commercial and industrial use, but, when provided, should be of appropriate size and arrangement to provide for adequate off street parking and loading facilities based on the intended use.
- (7) Double frontage and reverse frontage lots should be avoided except where

YALE CITY CODE

they are needed to provide for the separation of residential development from traffic arteries 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 traffic artery or other use where screening is required. There shall be no right of access across a planting screen easement.

Sec. 19-7. General provisions.

All improvements shall be designed and installed in accordance with all of the elements of the General Plan and shall meet the minimum standards established by the ordinance and regulations relating thereto.

Sec. 19-8. Plan preparation.

Plans for the improvements herein required shall be prepared by a qualified engineer, registered in the State of Oklahoma. Two sets of prints of the proposed plans and specifications for all improvements shall be filed with the City Clerk.

Sec. 19-9. Surety bond.

In lieu of completion of the improvements herein required, the City Commission shall require the subdivider, to file a surety bond or other surety satisfactory with the City Commission and with the City Clerk to insure the actual construction of such improvements according to the plans and specifications approved by the commission within a period of time not to exceed two (2) years from the date of approval of the final plat. Such bond shall be in the amount of one hundred twenty-five percent (125%) of the estimated cost of the improvement as certified by the Design Engineer and with surety and conditions satisfactory to the City Commission. No building construction shall be permitted on any lot that does not comply with the provisions of these regulations and other applicable elements of the General Plan, and no municipal utility service will be furnished to such lot nor shall an occupancy permit be issued until accepted by the City Commission.

Sec. 19-10. Permanent marker.

Each block corner shall be marked with iron pipe or pins not less than one-half (1/2) inch in diameter and twenty-four, (24) inches long at least one (1) inch below finished grade.

YALE CITY CODE

Sec. 19-11. Street improvements.

(a) Except as provided in subparagraph (b) below, the subdivider of any subdivision designed to be used for residential, commercial, industrial or other purposes, shall pave all streets that are designed on the approved plat or that directly serve the subdivision by being adjacent thereto in accordance with the plans and specifications of the city now established by ordinance or resolution or which may hereinafter be established by ordinance or resolution or amended or modified, in accordance with the following provisions:

- (1) The design of an improvement of an intersection of any new street with an existing state or federal highway shall in accordance with the Oklahoma State Highway Department, but in no case shall the standard be less than the applicable, city specifications.
- (2) Whenever a subdivision contains a major street that requires a street facility that is more costly than is required to serve the future occupants of the subdivision, the subdivider shall be required to pay only the portion of the cost of the major street that would equal the cost of an improvement required to serve only the subdivision, as determined by the City Commission.
- (3) All driveways which connect with public streets shall be constructed in accordance with "Standard Design- of-Driveway-Entrances for Oklahoma Highways", as prepared by the Oklahoma State Highway Department.

Sec. 19-12. Sidewalks.

Concrete sidewalks of at least four (4) feet in width shall be constructed by the subdivider along at least one side of every minor street and along both sides of every major street shown on the plat, which construction shall be in accordance with applicable standard specifications of the city.

Sec. 19-13. Water lines.

(a) The subdivider shall install water lines and fire hydrants, and installation shall be in accordance with the specifications and policies governing water line construction.

YALE CITY CODE

(b) New or replacement water supply systems shall be designed to minimize or eliminate:

- (1) Infiltration of flood water into such systems, and
- (2) Discharges from such systems into flood waters.

Sec. 19-14. Sanitary Sewers.

(a) The subdivider shall install sanitary sewers whenever a sanitary sewer is reasonably accessible as determined by the City Commission. Sanitary sewers shall be installed in accordance with specifications governing sanitary sewer construction.

(b) Whenever a sanitary sewer is not reasonably accessible, septic tanks or other unit disposal systems may be used in accordance with the following provisions:

- (1) No portion of any unit disposal system shall be located closer than ten (10) feet to the lot line of the lot on which the system is located.
- (2) All unit disposal system shall comply with the requirements of the state and county health and departments.

(c) Whenever subdivisions contain forty (40) acres or more, the City Commission may require the subdivider to install sanitary sewers and a disposal plant that is adequate to serve all of the lots within the subdivision.

(d) New or replacement sanitary sewer systems shall be designed to minimize or eliminate;

- (1) Infiltration of flood waters into such systems, and
- (2) Discharges from such systems into flood waters and on site waste disposal systems shall be located so as to avoid impairment of them or contamination for them during flooding.

Sec. 19-15. Storm sewers and drainage.

Storm sewers and drainage shall be provided in accordance with the specifications contained in the ordinances and regulations relating thereto.

Sec. 19-16. Flood prevention, maintenance supervision.

(a) All subdivision proposals and other proposed new development shall be reviewed to insure that all such proposals are consistent with the need to minimize flood damage; that all public utilities and facilities such as sewer, gas, electrical, and water systems are located,

YALE CITY CODE

elevated and constructed so as to minimize or eliminate flood damage; and that adequate drainage is provided so as to reduce exposure to flood hazards.

(b) Where the subdivision contains sewer, sewage treatment plants, water supply systems, 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 which is acceptable to the agency having jurisdiction over the location and maintenance and supervision of such facilities.

Sec. 19-17. "As built plans."

One set of "as built" plans and specifications for the improvements herein required, certified and signed by an engineer registered in the State of Oklahoma shall be filed with the City Clerk prior to the acceptance by the City Commission of any improvement installed by the subdivider. The subdivider shall additionally file with the City of Yale a one year maintenance bond to provide for maintenance and repair of such improvement.

Sec. 19-18. The Preliminary plat.

(a) General. The subdivider shall prepare a preliminary plat for submission to the City Commission. Two (2) 24 x 36 copies and six (6) one half 11 x 17 size copies of the preliminary plat shall be submitted to the office of the City Clerk not less than seven (7) days prior to the meeting at which it is to be considered.

(b) Certification of design. The preliminary plat shall be accompanied by a statement signed by the registered engineer preparing the plat that he has, to the best of his ability, designed the subdivision in accordance with the General Plan, with which he is completely familiar, and in accordance with the ordinances and regulations governing the subdivision of land, except where an exception is requested in writing and the reasons of which are clearly stated.

(c) Contents of Preliminary plat. The preliminary plat shall be drawn at a scale of one hundred feet to one inch and shall contain or be accompanied by the following information:

- (1) The scale, north point and date:
- (2) The proposed name of the subdivision.
- (3) The name and address of the owner of record, the subdivider and of the registered engineer preparing the plat.

YALE CITY CODE

- (4) 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 boundaries and number of acres of the drainage area of which the proposed subdivision is a part.
- (5) 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.
- (6) The land contours with vertical intervals not greater than one foot referenced to the most current United States Geological Survey or Coast and Geodetic Survey bench mark or monument.
- (7) The location of existing buildings, water, water courses, and the location of dedicated streets at the point where they join and/or are immediately adjacent to the subdivision, provided however that actual measured distances shall not be required.
- (8) The length of the boundaries of the tract, measured to the nearest foot, and the proposed location and width of right-of-ways, streets, alleys, easements and setback lines and the approximate lot dimensions.
- (9) The location, size and type of sanitary and storm sewers, water mains, culverts, power and natural gas lines and other surface and subsurface structures and pipe lines existing within or immediately adjacent to the proposed subdivision; and the location, layout, type and proposed size of the following structures and utilities:
 - (a) Water mains.
 - (b) Sanitary sewer mains, sub-mains and lateral.
 - (c) Storm sewers, culverts and drainage structures.
 - (d) Street improvements.
- (10) 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.
- (11) The classification of every street within or adjacent to the subdivision in

YALE CITY CODE

accordance with the intended use of the street within or adjacent to the proposed design. This shall be done by placing the appropriate term, primary thoroughfare, secondary thoroughfare, collector, or minor in parentheses, directly on each street.

(d) City Commission action. The City Commission shall approve, approve conditionally, or disapprove the plat within sixty (60) days of the date of its submission by the applicant. If the preliminary plat is disapproved or approved conditionally, the reasons for such action shall be stated in writing, a copy of which shall be signed by the Commission Chairman and shall be attached to one (1) copy of the plat and transmitted to the subdivider. Unless stipulation for additional time is agreed to by subdivider, if no action is taken by the commission at the end of sixty (60) days after submission, the plat shall be deemed to have been approved. The reasons for disapproval or conditional approval shall refer specifically to those parts of the General Plan or specific regulations with which the plat does not conform. On conditionally approving a plat, the City Commission may require submission of a revised preliminary plat. If the plat conforms to all of the standards, or after the applicant and Commission agree upon any revision which shall be filed with the Commission on 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.

Sec. 19-19. The final plat.

(a) General. A final plat, neatly drawn in ink on Mylar, and three (3) dark-line prints thereof shall be submitted to the office of the City Clerk not less than five (5) days before the City Commission meeting at which it is to be considered for final approval. At the same time, there shall be submitted two (2) sets of the proposed plans and specifications for all improvements and the proposed restrictions in final form; provided, however, the final plat may be approved subject to later submission of final improvement plans and specifications.

(b) Time of submission. The final plat of the proposed subdivision shall be submitted to the City Commission for final approval within one (1) year of the date on which the preliminary plan was approved. If not submitted for final approval within such time, the preliminary plan shall be considered as having been disapproved unless the Commission agrees to an extension of time. The final plat shall be filed in the office of the County Clerk within two

YALE CITY CODE

(2) years after approval by the City Commission, or, if not filed within such time, said approval shall be considered as having been voided unless extended by the City Commission upon application prior to expiration.

(c) Drafting. The final plat shall be drawn at a scale of one hundred (100) feet to the inch from an accurate survey and on sheets whose dimensions are twenty-one (21) inches by thirty-three and one-half (33 1/2) inches between border lines. on the first sheets 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. A border of one-half (1/2) inch surrounding the sheet shall be left blank at the top, bottom, and right-hand side, and a margin of two (2) inches at the left side for binding purposes.

(d) Contents of the final plat. 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 two 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 hereinafter specified.
- (3) The boundary lines of the land being subdivided fully dimensioned by length and bearings, and the location of boundary lines of adjoining lands, with adjacent subdivision identified by official names.
- (4) The lines of all proposed streets fully dimensioned by lengths and bearings or angles.
- (5) The lines of all proposed alley right-of-way. Where the length and/or direction of an alley is not readily discernible from data given for plat and block lines, the length and/or bearing shall be given.
- (6) The widths, and names where appropriate, of all proposed streets, alleys and easements which shall properly be located.
- (7) The lines of all proposed lots fully dimensioned by lengths and bearings or angles, except where a lot line meets a street line at right angles, the angle or bearing value may be omitted.

YALE CITY CODE

- (8) The outline of any property which is offered for dedication to public use fully dimensioned by the lengths and bearings, with the area 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 easements for drainage with dimensions showing their locations.
 - (11) The radii, arcs, points of tangency, points of intersections, and central and angles for curvilinear streets and radii for all property return.
 - (12) The acknowledgment of owners and the consent by the mortgagee to plat restrictions.
 - (13) The following which shall be made and shown on the Mylar:
 - (a) Owner's certificate and dedication, signed.
 - (b) Surveyor's certificate of survey, signed, and his seal.
 - (c) Certificate for release of mortgage for any portion dedicated to the public.
 - (d) Reference to any separate instruments, including restrictive covenants, filed in the office of the County Recorder of Deeds which directly affect the land being subdivided.
 - (e) Certificates of City Commission acceptance of ways, easements, and public land dedications.
 - (f) Treasurer's certificates.
 - (15) A title which shall include:
 - (a) Name of subdivision.
 - (b) Name of town, county and state.
 - (c) Location and description of the subdivision reference to section, range and township.
- (e) City Commission action.
- (1) The Commission shall act upon the final plat within forty-five (45) days after it has been submitted for final approval. This approval and the date

YALE CITY CODE

thereof shall be shown on the plat over the signature of the Mayor. A certificate by the City Clerk as to date of submission of plat for final approval and failure of Commission to act thereon within such time shall be sufficient in lieu of written endorsement of approval.

- (2) If the final plat is disapproved, grounds for this refusal shall be stated in writing, a copy of which shall be transmitted with the tracing and prints to the applicant. The reasons for disapproval shall refer specifically to those parts of the General Plan or ordinance with which the plat does not comply.

(f) City Commission action. Before recording the final plat, it shall be submitted to the City Commission for approval and for acceptance of the 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 Commission shall be deemed a refusal of the proposed dedication shown thereon.

(g) 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 Commission with two (2) dark-line prints thereof, and one Mylar print, said tracing to be filed with the City Clerk. One dark line print shall be retained in the permanent file of the commission and one shall be sent to the office of the City Clerk. The applicant shall file the original Mylar, one with the Payne County Clerk.

Sec. 19-20. Variations and exceptions.

Whenever 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 these regulations would result in substantial hardship or inequity, the commission may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or improvements, so that the subdivider may develop his 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 these regulations preserved. Such modification may be granted upon written request of the subdivider stating the reason(s) for each modification and may be waived by three-fourths (3/4) vote of the regular membership of the commission.

YALE CITY CODE

Sec. 19-21. Administrative and amendment.

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

Sec. 19-22. Violation, penalty.

(a) No building permit shall be issued by the City of Yale for any new structure or change, improvement or alteration of any existing structure on any tract of land which does not comply with all of the provisions of this chapter.

(b) The City of Yale hereby defines its policy to be that said City will withhold all public improvements- of whatsoever nature, including -the maintenance of streets and the furnishing of sewerage facilities and water service from all subdivisions and/or lot splits which have not been approved according to the provisions contained in Section 19-12 through 19-22 of the Yale City Code as amended, and from all areas dedicated to the public which have not been accepted by the City of Yale in the manner prescribed therein.

(c) Any violation of the regulations shall be deemed to be punishable by a fine. Any person, firm, corporation or association which violates or refuses to comply with any of the provisions of these regulations, requirements and rules shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) excluding costs, for each offense. Each day a violation is permitted to exist shall constitute a separate offense.