

## SECTION 8. DEFINITIONS

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

**Alley:** A minor right-of-way dedicated for public use, which gives a secondary 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, rock, or screenings alone, without use of a petroleum or cement binder, does not meet the definition of an all-weather, dust-free material.

**Annexation Fenceline:** An incorporated strip of land, typically a minimum of 200 feet in width or as otherwise prescribed by Oklahoma State Statutes, delineating the future growth area of a city or town.

**As Built Drawings:** The drawings as issued for construction on which the developer's engineer, upon completion of the work and subject to approval and acceptance of the City Engineer, has shown changes due to addenda or change orders and other information 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. Further, upon completion of the improvements, and prior to acceptance of said improvements by the City Council, said developer's engineer shall affix thereto his or her seal attesting to the accuracy and completeness of such improvements and drawings and provide the City with the required number of complete sets.

**Block:** 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 municipality.

**Board of Commissioners:** The Board of Commissioners of the respective County typically being Rogers or Wagoner County.

**Bond:** Any type of surety, including a cash deposit, surety bond, collateral, or instrument of credit, in an amount or form satisfactory to the City Council as a surety for performance or maintenance.

**Building Inspector:** The Building Inspector of the City of Catoosa, Oklahoma, as designated by the City Council.

**City:** Shall mean the City of Catoosa, Oklahoma.

**City Clerk:** The Clerk of the City of Catoosa, Oklahoma.

**City Council:** Shall mean the City Council of the City of Catoosa, Oklahoma.

**City Engineer:** The Engineer of the City of Catoosa, Oklahoma, as designated by the City Council.

**City Planner:** The Planner of the City of Catoosa, Oklahoma, as designated by the City Council.

**City Road:** Shall be a road maintained by the City of Catoosa, Oklahoma.

**Collector Street:** See “Street, Collector”.

**Comprehensive Plan:** The master plan for the physical development of the City of Catoosa, Oklahoma and the areas within its annexation fenceline as prepared and adopted by the Catoosa Planning Commission, and approved by the City Council, pursuant to Oklahoma Statutes and subsequent amendments thereto, and includes any part of such Plan.

**Construction Plans:** The maps or drawings prepared by a Professional Engineer licensed to practice in the State of Oklahoma accompanying a preliminary and final subdivision plat or other proposed development and showing the specific location and design of improvements to be installed as a condition of approval of a plat or development in accordance with the requirements of the City Engineer based on the Catoosa Subdivision Regulations, and the Design Criteria for Storm Water, Erosion Control, Streets, Water and Sewer.

**County:** Rogers County or Wagoner County, Oklahoma.

**County Road:** Shall be a road maintained by the respective County, being Rogers County or Wagoner County.

**County Clerk:** The Clerk of Rogers or Wagoner County, Oklahoma.

**County Commissioner:** A County Commissioner of Rogers or Wagoner County, Oklahoma.

**County Engineer:** The Engineer of Rogers or Wagoner County, Oklahoma, as designated by the respective Board of County Commissioners.

**County Planner:** The Planner of Rogers or Wagoner County, Oklahoma, as designated by the respective County Board of Commissioners.

**Cul-de-sac:** See “Street, Cul-de-sac”.

**DEQ:** The Oklahoma Department of Environmental Quality.

**Deeds of Dedication:** The instrument(s) of public record by which specified interests in land are described and conveyed to the public and by which the formalities prerequisite to the recording of a subdivision plat or other similar instrument are set forth and which may, though not required to do so, set forth private covenants or restrictions establishing requirements for buildings, construction, use, or other such conditions of the subject land. The development standards of a Planned Unit Development and other similar standards shall be shown and included in the Deeds of Dedication on the face of the Preliminary and Final Plat as required by the Zoning Code.

**Design Criteria:** The Design Criteria for Storm Water, Erosion Control, Streets, Water and Sewer adopted by the City Council of the City of Catoosa, Oklahoma, that establishes minimum criteria for the engineering design and construction of public or private infrastructure and other improvements required for the development of land.

**Detention Facility:** A facility for the collection or storage of stormwater for subsequent discharge at a rate that is less than the rate of inflow.

**Developer:** The owner of the land proposed to be subdivided or said owner's agent, in which case written consent from the owner shall be required for development.

**Development:** Any man-made change in improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

**Easement:** A grant of one or more of the property rights by the property owner to the public, a corporation, or other persons for the use of land for specific purposes.

**Floodplain or Flood-Prone Area:** Any land area susceptible to being inundated by water from any source, such as the area adjoining the channel of a river, creek, stream or watercourse, or lake or any other body of standing water which may from time to time be covered by floodwater. Floodplain areas shall be those areas as described and delineated on maps contained within the offices of the Building Inspector. See "Flood or Flooding".

**Flood or Flooding:** A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

**Frontage:** That dimension of a lot abutting a street right-of-way to which access is available from said lot.

**Governing Body:** Unless otherwise clearly specified, shall mean the City Council of Catoosa 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 Oklahoma Department of Environmental Quality (DEQ).

**Jurisdiction:** See "Territorial Jurisdiction".

**Lot, Lot of Record:** A tract, plot or portion of a subdivision or other parcel 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. A Lot or Lot of Record is further classified as follows:

1. An unplatted parcel of land which was filed of record by distinct instrument in the office of the County Clerk; or
2. Any whole lot as shown on a subdivision plat properly filed of record in the office of the County Clerk; or
3. Any whole lot shown on a subdivision plat properly filed in the office of the County Clerk, which plat has shown on its face the approval of the Planning Commission and the acceptance of dedications (right-of-way, easements, etc.) by the City Council.

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

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

**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 two (2) lots, any portion of which has an area of less than ten (10) acres that has frontage on an existing street, not involving any new street or road, or the extension of public facilities, or the creation of any public improvements, 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 and Highway Plan, Zoning Code, or these Subdivision Regulations.

**Major Street:** See "Street, Major".

**Major Street and Highway Plan:** The street plan and part of the Comprehensive Plan, which relates to the location and standards for design and right-of-way for streets and highways, and also includes such standards for local and minor streets.

**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 as further defined and specified by the Catoosa Zoning Code for a tract of land under single ownership or control, based upon the underlying zoning and a development plan approved by the City Council after a public hearing and review by the Planning Commission permitting flexibility of principal land uses, lot sizes and accessory uses not otherwise available under conventional zoning and the related development standards as described in the Zoning Code.

**Planning Commission:** The Catoosa, Oklahoma 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 chart 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.

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

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

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

**Record Drawings:** See “As Built Drawings”.

**Required Improvement:** An improvement required by the Planning Commission in accordance with these Subdivision Regulations, and the Design Criteria, 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 open space, park land, stormwater 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 property owners association or accepted by the City Council. Said owner shall grant to the governing body a perpetual easement for utilities and other public purposes as specified in the covenants or deeds of dedication. The City 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 by the owner to be privately retained to prevent, restrict, or otherwise control access to public utilities or streets. Such strips are not permitted to be in private control or ownership in accordance with these Subdivision Regulations.

**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 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, shade trees, trail or for other special use. The usage of the term “right-of-way” for 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, trails, crosswalks, water mains, sanitary sewers, storm drains, shade trees, 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 shall be subject to the final approval and acceptance by the City Council.

**Secretary:** The Secretary of the Planning Commission being the designee of the Planning Commission. The City Planner may serve as the recording secretary for such purposes as minutes as designated by the Planning Commission.

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

**Standard Specifications for Construction:** The specifications acting in conjunction with the Design Criteria and adopted by the Catoosa City Council for regulating the nature, extent, dimensions, construction, and financing of improvements in subdivisions; may also be referred to as the “Construction Standards”.

**Street:** A public way or private right-of-way as provided for by Oklahoma State Statutes that affords the primary means of access to abutting property or serves as a thoroughfare for vehicular traffic or both, but excludes alleys. See also Section 4.2 of these Regulations for further information on Streets. The following street classifications are established in City of Catoosa and recognized by the Comprehensive Plan, the Major Street and Highway Plan and these Subdivision Regulations:

**Street, Arterial/Section Line Road:** A street designated on the Major Street and Highway Plan that carries a significant portion of interurban vehicle traffic at moderate speeds with some traffic stops. See also “Street, Primary Arterial.” “Street, Secondary Arterial,” or “Street, Secondary Arterial Alternate.”

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

**Street, Collector:** A street designated on the Major Street and Highway 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 Business:** A category of trafficway that provides circulation within commercial business districts and areas.

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

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

**Street, Cul-de-sac:** A minor local street with only one outlet and having a terminus for the safe and convenient reversal of traffic movement including all emergency and service vehicles, and a maximum length from the entrance to the center of the turn-around.

**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, secondary and section line roads), and collector streets shown on the Major Street and Highway Plan.

**Street, Marginal Access:** A street that serves a development that may front an existing or proposed arterial street.

**Street, Minor (Local):** Any trafficway of limited length not classified on the Major Street and Highway 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 as to discourage its use by through traffic.

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

**Street, Secondary Arterial or Street, Secondary Arterial Alternate:** A thoroughfare designated on the Major Street and Highway Plan that carries a significant portion of interurban vehicular traffic having some traffic stops.

**Subdivider:** 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 resubdividing of land heretofore divided into lots, sites, or parcels, whether such dividing or resubdividing is by means of a map or plat or metes-and-bounds descriptions.

**Subdivision:** A division of a lot, tract or parcel of land into two or more lots, or other divisions of land for the purpose of transfer of ownership or development, whether immediate or future, including all changes in street or lot lines.

**Subdivision Regulations:** The Subdivision Regulations adopted by the City of Catoosa, Oklahoma, referred to herein as "Regulations".

**Territorial Jurisdiction:** The area within which the Planning Commission has jurisdiction over the subdividing of land, as provided by Oklahoma State Statutes, as amended. Said area consists of those parts of the City of Catoosa for which the Planning Commission has adopted and the respective Board of County Commissioners

has approved a Comprehensive Plan (including a Major Street and Highway 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.

**Zoning Code:** The Zoning Code and amendments thereto adopted by the City Council of Catoosa, Oklahoma after public hearing, review and recommendation by the Planning Commission.