

SECTION 20

DEFINITIONS

- 20.1 For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

The word PERSON includes a firm, association, organization, partnership, trust, company or corporation, as well as individual.

The present tense includes the future tense, the singular number includes the plural, and the plural includes the singular.

The word SHALL is mandatory, the word MAY is permissive.

- 20.1.1 Agriculture: The use of land for agricultural purposes including farming, dairying, pasturage, horticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage to swine or other animals, stockyards or commercial feed lots for cattle.
- 20.1.2 Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- 20.1.3 Buildable Area: The portion of a lot remaining after required yards have been provided.
- 20.1.4 Drive-In Restaurant or Refreshment Stand: Any place or premises used for sale, dispensing, or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.
- 20.1.5 Dwelling, Single-Family: A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.
- 20.1.6 Dwelling, Mobile Home: A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and the like. A trailer is not to be considered as a mobile home.

- 20.1.7 Dwelling, Two-Family: A detached residential building containing two dwelling units, designed for occupancy by not more than two families.
- 20.1.8 Dwelling, Multiple-Family: A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.
- 20.1.9 Dwelling Unit: One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.
- 20.1.10 Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.
- 20.1.11 Filling Station: Buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail, and where in addition the following services may be rendered and sales made, and no other:
- a) Sale and servicing of spark plugs, batteries, and distributors and distributor parts;
  - b) Tire servicing and repair, but not recapping or regrooving.
  - c) Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors, and the like;
  - d) Radiator cleaning and flushing;
  - e) Washing and polishing, and sale of automotive washing and polishing materials;
  - f) Greasing and lubrication;
  - g) Providing and repairing fuel pumps, oil pumps, and lines;
  - h) Minor servicing and repair of carburetors;
  - i) Emergency wiring repairs;

- j) Adjusting and repairing brakes;
- k) Minor motor adjustments not involving removal of the head or crankcase or racing the motor;
- l) Sales of cold drinks, packaged foods, tobacco, and similar convenience goods for filling station customers, as accessory and incidental to principal operation;
- m) Provision of road maps and other information material to customers; provision of restroom facilities.

Uses permissible at a filling station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in filling stations.

20.1.12 Home Occupation: An occupation conducted in a dwelling unit provided that:

- a) No person other than members of the family residing on the premises shall be engaged in such occupation;
- b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 per cent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- c) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area, non-illuminated and mounted flat against the wall of the principal building;
- d) No home occupation shall be conducted in any accessory building.
- e) There shall be no sales in connection with such home occupation;
- f) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

- g) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

20.1.13 Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

20.1.14 Lot: For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- a) A single lot of record;
- b) A portion of a lot of record;
- c) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record;
- d) A parcel of land described by metes and bounds;

provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this ordinance.

20.1.15 Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under YARDS in this section.

20.1.16 Lot Measurements:

- a) DEPTH of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in the rear.

b) WIDTH of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that width between side lots lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the 80 percent requirement shall not apply.

20.1.17 Lot of Record: A lot which is part of a subdivision recorded in the office of the (county clerk, county recorder), or a lot or parcel described by metes and bounds, the description of which has been so recorded.

20.1.18 Lot Types: The diagram (Figure 1) which follows illustrates terminology used in this ordinance with reference to CORNER lots, INTERIOR lots, REVERSED FRONTAGE lots and THROUGH lots:

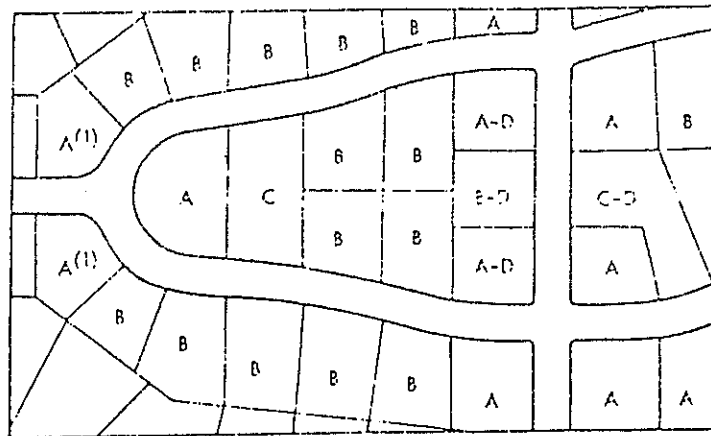


FIGURE 1

In the diagram, A = CORNER lot, defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. See lots marked A (1) in the diagram.

B = INTERIOR lot, defined as a lot other than a corner lot with only one frontage on a street.

C = THROUGH lot, defined as a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

D = REVERSED FRONTAGE lots, defined as a lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A-D in the diagram), an interior lot (B-D) or a through lot (C-D).

20.1.19 Outdoor Advertising Business: Provision of outdoor displays or display space on a lease or rental basis only.

20.1.20 Parking Space, Off-Street: For the purpose of this ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public streets, walk, or alley, and so that any automobile may be parked and unparked without moving another.

For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the City.

20.1.21 Sign: Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

- a) Signs not exceeding one square foot in area and bearing only only property numbers, post box numbers, names of occupants or premises, or other identification of premises not having commercial connotations;
- b) Flags and insignia of any government except when displayed in connection with commercial promotion;
- c) Legal notices, identification, informational, or directional signs erected or required by governmental bodies;
- d) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;

e) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

20.1.22 Signs, Number and Surface Area: For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

20.1.23 Sign, On-Site: A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

20.1.24 Sign, Off-Site: A sign other than an on-site sign.

20.1.25 Special Exception: A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as special exceptions, if specific provision for such special exceptions is made in this zoning ordinance.

20.1.26 Street Line: The right-of-way line of a street.

20.1.27 Structure: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures including buildings, mobile homes, walls, fences, billboards, and poster panels.

20.1.28 Travel Trailer: A vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.

20.1.29 Usable Open Space: The portion of a lot which is open and un-



obstructed, provided that patios, natural landscaping and recreational facilities shall not be deemed obstructions. The usable open space of a lot shall not be allocated to off-street parking, loading areas, or any area occupied by a structure.

20.1.30 Variance: A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant. A literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

20.1.31 Yard: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

20.1.32 Yard, Front: A yard extending between side lot lines across the front of a lot adjoining a public street.

In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of 30 inches, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the heights of 30 inches and 10 feet.

In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the administrative official may waive the requirement for the normal front yard and substitute therefore a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard

of half the depth required generally for front yards in the district shall be provided on the other frontage.

In the case of reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

In the case of corner lots with more than two frontages, the administrative official shall determine the front yard requirements, subject to the following limitations: (1) At least one front yard shall be provided having the full depth required generally in the district; (2) No other front yard on such lot shall have less than half the full depth required generally.

DEPTH OF REQUIRED FRONT YARDS SHALL BE MEASURED at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corner at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear front yard lines shall be parallel.

- 20.1.33 Yard, Side: A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farther from the intersection of the lot line involved with the public street. In the case of THROUGH LOTS, side yards shall extend from the rear lines of front yards required. In the case of CORNER LOTS, yards remaining after full and half-depth front yards have been established shall be considered side yards.

WIDTH of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

- 20.1.34 Yard, Rear: A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards but only front and side yards.

DEPTH of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

- 20.1.35 Yard, Special: A yard behind any required yard adjacent to a public street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly

applies. In such cases, the administrative official shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.

SECTION 21

COMPLAINTS REGARDING VIOLATIONS;  
AND PENALTIES FOR VIOLATION

- 21.1 Complaints Regarding Violations: Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the cause and basis thereof shall be filed with the administrative official. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this ordinance.
- 21.2 Penalties: Any person, firm or corporation violating any provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined \$20.00 for each offense, and each day's violation thereof shall be deemed a separate offense.

SECTION 22

REPEAL OF CONFLICTING ORDINANCES; EFFECTIVE DATE

22.1 All ordinances or parts of ordinances in conflict with this zoning ordinance, or inconsistent with the provisions of this ordinance, and hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall become effective on (date)

APPENDIX A

FORMS



Instructions:

- A. All blanks must be filled in.
- B. Application must be accompanied by fee.
  - 1. New construction (Resident). \$10.00 for the first 1000 square feet and \$1.00 for each additional 100 square feet.
  - 2. New construction (Commercial or Industrial). \$20.00 for the first 1500 square feet and \$1.00 for each additional 100 square feet.
  - 3. Remodel by expansion. No fee under 150 square feet but must sign building permit application. All over 150 sq. ft. at the rate of \$2.00 per 100 square feet.
  - 4. Moving permit. \$25.00 for a permit to move any permanent type structure, other than a mobile home, to a location within the City.

1. Name of Applicant \_\_\_\_\_

2. Address of Applicant \_\_\_\_\_

3. Telephone of Applicant \_\_\_\_\_

4. Legal description of property \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Purpose of Construction \_\_\_\_\_

6. Type of Construction \_\_\_\_\_

7. Plat plan of property showing dimensions and location of proposed building and present buildings, adjacent streets and proposed parking. Submit three (3) copies.

8. Floor plan and elevation of proposed building. Submit three (3) copies.

9. If houses or buildings are to be moved on lot show all of (7).

\_\_\_\_\_  
Signature of Applicant

Date received \_\_\_\_\_

Permit granted or denied \_\_\_\_\_

Date fee paid \_\_\_\_\_

Date \_\_\_\_\_

City Clerk Receipt No. \_\_\_\_\_

\_\_\_\_\_  
Zoning Administrator



PLANNING COMMISSION  
PETITION FOR AMENDMENT

Petition is hereby made to the \_\_\_\_\_ Planning Commission to consider a recommendation to the City Council of \_\_\_\_\_, Oklahoma, that the following described property be rezoned to a Use District \_\_\_\_\_ classification.

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

General Location: \_\_\_\_\_

Present Use of Property: \_\_\_\_\_

Proposed Use of Property: \_\_\_\_\_

Record Owner of Property: \_\_\_\_\_

Do Private or Deed restrictions affect the use of this property? \_\_\_\_\_ If so, describe such restrictions \_\_\_\_\_

I hereby certify that the information herein submitted is complete, true, and accurate.

Signed \_\_\_\_\_ Address \_\_\_\_\_

Phone \_\_\_\_\_

(APPLICANT - DO NOT WRITE BELOW THIS LINE)

Application Received By \_\_\_\_\_ Date \_\_\_\_\_

(FOR PLANNING STAFF USE ONLY)

Application No. \_\_\_\_\_  
Location, Sec. \_\_\_\_\_ T. \_\_\_\_\_ R. \_\_\_\_\_  
Fee receipt \_\_\_\_\_  
Comments \_\_\_\_\_

Present Zoning \_\_\_\_\_ Requested \_\_\_\_\_  
Required Classification \_\_\_\_\_  
Staff Recommendation \_\_\_\_\_ Approve  
Date \_\_\_\_\_ Deny  
Approve as  
Modified

City Council Action \_\_\_\_\_

Date \_\_\_\_\_ Ordinance No. \_\_\_\_\_

Planning Commission \_\_\_\_\_ Approved  
Action: \_\_\_\_\_ Denied  
Date \_\_\_\_\_ Approved as  
Modified

ZONING CLEARANCE PERMIT

CITY OF \_\_\_\_\_, OKLAHOMA

Address \_\_\_\_\_ No. \_\_\_\_\_

Name (Owner, Tenant) \_\_\_\_\_ Date \_\_\_\_\_

LEGAL DESCRIPTION:

Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_  
Section \_\_\_\_\_ TWP \_\_\_\_\_ Range \_\_\_\_\_

Proposed Use \_\_\_\_\_  
Principal Building or Use \_\_\_\_\_ Accessory Building or Use \_\_\_\_\_

ZONE: \_\_\_\_\_

Atlas Page \_\_\_\_\_ Zone Map \_\_\_\_\_ Board of Adjustment No. \_\_\_\_\_  
Date \_\_\_\_\_

LOT INFORMATION:

Frontage \_\_\_\_\_ Average Depth \_\_\_\_\_ Area \_\_\_\_\_  
Front of Lot Faces On \_\_\_\_\_

SETBACK INFORMATION:

Front \_\_\_\_\_ Side \_\_\_\_\_ Side \_\_\_\_\_ Rear \_\_\_\_\_  
Major Street \_\_\_\_\_ Setback \_\_\_\_\_

BUILDING INFORMATION:

Width \_\_\_\_\_ Length \_\_\_\_\_ Height \_\_\_\_\_ Floor Area \_\_\_\_\_  
No. Floors \_\_\_\_\_ % Lot Coverage \_\_\_\_\_  
No. Living Units \_\_\_\_\_ No. Parking Spaces \_\_\_\_\_ Easements \_\_\_\_\_  
References (Other permits on this  
clearance) \_\_\_\_\_