

**ZONING CODE**

**CITY OF SAND SPRINGS**

**OKLAHOMA**

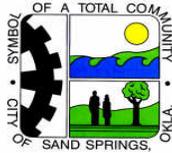
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Adopted Ordinance No. 946  
April 12, 1999

Amended Ordinance No. 1146  
May 14, 2006

Prepared by: INCOG

# CITY OF SAND SPRINGS ZONING CODE



## **Mayor and City Council**

Bob Walker, Mayor, Ward 4  
Michael Phillips, Ward 1  
Ed Dubie, Ward 2  
Mike Burdge, Ward 3  
Harold Neal, Ward 5  
Kim Tilley, Ward 6  
Ward Sherrill, At-Large

## **Planning Commission**

Charles Howard, Chairman, Ward 5  
Merle Parsons, Vice-Chairman, Ward 4  
John A. Murray, Secretary, Ward 4  
Barry Hacker, At-Large  
Harold G. Neal, Ward 5 Councilor  
Lana Voss, Ward 3 (Appointed in Ward 2)  
Paul Shindel, Ward 6

## **Zoning Code and Subdivision Regulations Revision Committee**

Doug Enevoldsen, City Manager  
Kevin Nelson, Assistant City Manager  
David Harris, Planning Director  
Andy Templeton, Director of Neighborhood Services  
David Weatherford, City Attorney  
Susan Pitts, Community Development Coordinator  
Irving Frank, Manager of Community Planning, INCOG

AMENDMENTS

**ZONING CODE AMENDMENTS INVENTORY  
CITY OF SAND SPRINGS, OKLAHOMA**

<u>Description</u>	<u>Sections Amended</u>	<u>Ord./Res No.</u>	<u>Approval Date</u>
1. Subdivision Regulations	Chapter 19 - Deleted	838	11-8-93
2. Created a new Use Unit 28, Junk and Salvage Yards	Chapter 3, Definitions 8.02 Table 1 11.27 (added) Appendix A and B	840	1-22-93
3. Deleted Use Units 22 and 24, Oil Wells & Storage Units in Commercial Districts and placed conditions on Use Unit 8 Res. Multi-family in Commercial Districts	7.02 Table 1 Appendix A	849	5-23-94
4. Added Use Unit 5, Museums, as a Special Exception Industrial Districts	8.02 Table 1 Appendix A	858	11-14-94
5. Landscaping requirements	Added Chapter 22	866	4-24-95
6. Added provisions for Regulation of Antenna Structures, Use Unit 4	Chapters 2, 3, 4, 5, 6, 7, 8, 11 and 13 8, 11 and 13	904	11-25-97
7. Adopted new/updated Zoning Code		946	4-12-99
<p>Relating to Part 12 - Planning, Zoning and Development, Chapter 6, Zoning and Subdivision Regulations, Section 12-601, Zoning and Subdivision Regulations adopted, Chapters 1 through 16, Zoning Regulations of the code of ordinances of the City of Sand Springs, Oklahoma, repealing same and in lieu thereof adopting 1999 Zoning Code Regulations consisting of a preamble and How-To Section, Chapters 1 through 22 and Appendices A through F, of Section 12-601, directing codification, providing an effective date of 30-day from the date of first publication as provided by state law.</p>			
8. Adopted Comp Plan Update	CC Resolution 00-11		2-28-00
9. Adopted Comp Plan Update and changes to the MSHP	CC Resolution 02-04		9-24-01
10. Adopted changes to the MSHP	CC Resolution 02-19		4-8-02

AMENDMENTS

11. Chapter 12, allowing major amendments to a PUD	Ordinance No. 1044	2-10-03
12. Chapter 12, paragraph J, allowing setting underlying zoning at abandonment of a PUD	Ordinance No. 1046	3-23-04
13. Passed Ordinance No. 1067 Adding Chapter 25, Specific Use Permits	<a href="#">Ordinance No. 1067</a>	2-09-04
14. Chapter 7, revising regulation of Sexually-oriented businesses	Ordinance N. 1070	4-12-04
15. Chapter 1, 1.02.C, allowing setting zoning for a legal use upon annexation	Ordinance No. 1091	2-28-05
16. Adopted New/Updated Zoning Code	Ordinance No. _____	DATE

Relating to Part 12 - Planning, Zoning and Development, Chapter 6, Zoning and Subdivision Regulations, Section 12-601, Zoning and Subdivision Regulations adopted, Chapters 1 through 26, Zoning Regulations of the code of ordinances of the City of Sand Springs, Oklahoma, repealing same and in lieu thereof adopting Zoning Code Regulations consisting of a preamble and How to Use This Zoning Code Section, Chapters 1 through 26 and Appendices A through F of Section 12-601, directing codification, providing an effective date of 30-days from the date of first publication as provided by state law and incorporating the following changes and modifications: **How to determine uses allowed in a particular Zoning District:** Added Note 3 on Page 1; **Use Unit 12.a. Adult Entertainment and Sexually Oriented Businesses:** Changed Use Unit 12.a to be subject to approval only as a Specific Use Permit; **Use Unit 15:** Added Tattoo Parlor; **Use Unit 20:** Added "Paintball"; Use Unit 20 – Changed Use Unit 20 to be subject to approval only as a Specific Use Permit; **Use Unit 28 Junk and Salvage Yards:** Changed Use Unit 28 to be subject to approval only as a Specific Use Permit and added Auto Pool; **Chapter 2. Section 2.01:** Added reference to the Specific Use Permit (SUP) and Historic Preservation (HP) Overlay Districts; **Chapter 2. Section 2.01:** Corrected reference to CBD from "Commercial" to "Central" Business District; **Chapter 2. Zoning Districts Established:** Corrected the numbering to reference Flood Insurance Rate Maps Adopted from an unnumbered section in Section 2.03 to a new Section 2.04 and renumbered the balance of Chapter 2 accordingly; **Chapter 2:** Corrected CBD "Commercial" Business District to "Central Business District; **Chapter 2:** Added new Section 2.23 Reconsideration of Denied Applications, **Chapter 2:** Added new Section 2.24 Prohibition of Residential Districts Used as Means of Access; **Chapter 2. Section 2.12.B.10:** Added reference to principal use antennas; **Chapter 3. Definitions:** Added definition of "Business Sign Corridor", changed definition of "Sign, Outdoor Advertising" to note that such Outdoor Advertising Signs are no longer permitted by the Zoning Code, changed the definition of Code Enforcement/Building Inspector to be designated by the City Manager, changed the definition of Height, Building, added "Property Owner" to the term Homeowners Association, added "carport"

AMENDMENTS 2

## AMENDMENTS

to the definition of Structure; **Chapter 5. Residential District Provisions:** Changed the permitted height for residential structures in the RE, RS-1, RS-2, RS-3, RS-4, RD, RT, RM-O, and RM-1 Districts from 26 feet to 35 feet, changed the area of accessory buildings permitted in a Residential Manufactured Home Park Development in Section 5.04.B1.c from 100 square feet to 250 square feet and the measurement of a paved outdoor living area to not permit a dimension of less than 10 feet; **Chapter 6. Office District:** Corrected to delete reference in Section 6 to Private Clubs in the OH Office Heavy District as permitted Special Exception uses; **Chapter 9. Section 9.03.B.3:** Added the word “outdoor” to Accessory Storage; **Chapter 13:** Added references to the Use Units to reflect the Specific Use Permit provisions of Chapter 25, added “Tattoo Parlor” to Use Unit 15 and “Paintball” to Use Unit 20, and changed the name of Use Unit 24 from “Mining and Mineral Processing” to “Extractive Operations, Mining and Mineral Processing”; **Chapter 15. Section 15.03.D:** Changed 24 months to six (6) months and deleted reference to four (4) years, Section 15.04.A added note 5 to reference prohibition of Outdoor Advertising Signs; **Chapter 17.09.A:** Deleted reference to Board of Adjustment modifying the screening requirement for Use Unit 28; **Chapter 19:** Changed the name of Chapter 19 to “Airport Zoning Board” to recognize deletion of the Regional Planning Commission and redrafted the provisions pertaining to the Airport Zoning Board; **Chapter 20. Section 20.03.C.2.e:** Added SUP and HP; **Chapter 22:** Changed the name of Chapter 22 to “Housing Code” to more correctly include this reference in the Zoning Code; **Chapter 23. Floodway Supplemental District:** Changed references to the “Community Development Department” to “Public Works Department” in all places; **Chapter 25. Specific Use Permit:** Incorporated the provisions of Ordinance No. 1067, Specific Use Permits into the Zoning Code as Chapter 25, Specific Use Permits and added the following uses new uses to the revised Chapter 25 in Section 25.03 to require approval of a Specific Use Permit for all Use Unit 12.a - Adult Entertainment and Sexually Oriented Business uses, require Specific Use Permit approval for all Use Unit 20 - Commercial Recreation, Intensive uses, require Specific Use Permit approval for all Use Unit 28 - Junk and Salvage Yards uses and the following other uses: Adult Detention Center (2), Adult Novelty Shop (12.a) new, Antenna and Antenna Support Structures uses (4), Electric Regulating Station - Excluding Storage or Service Yards or Service Garages and Yards (4), Emergency Protective Shelters (5), changed the name “Mining and Mineral Processing” to “Extractive Operations, Mining and Mineral Processing”, Garbage Dump (27), Garbage – Offal or Dead Animal Rendering or Dumping (27), Homeless Center (5), Jail (2), Junk or Salvage Yards (28), Prisons (2), Refuse Dump (27), Residential Treatment Center (5), Sexually Oriented Business (12a), Trash or Refuse Station – All Processing and Storage shall be within Building or Containers, Transitional Living Center, and added the explanatory “\*” note; **Chapter 25.02.C:** Changed the word “density” to “intensity/density”; **Chapter 25.02.E:** Changed the word “ordinance” to “Zoning Code”; **Chapter 25.05.A:** Changed the word “pan” to “plan”; **Added a new Chapter 26 Historic Preservation; Appendix A: Added “E” to CH for Use Unit 6 Single-Family Dwelling, Use Unit 16 Mini-Storage changed to “S” and deleted Use Unit 18 Drive-in Restaurants shown incorrectly as a permitted use in CBD and CH, changed Use Unit 28 Junk and Salvage from “E” to “S” in IH; Changed Use Unit 20 Commercial Rec., Intensive to “S” in AG, CS, CG, CBD, CH, IL, IM, and IH; Appendix A:** Changed title of Use Unit 24 “Mining and Mineral Processing” adding the prefix words “Extractive Operations”; **Appendix B: Added references to Specific Use Permits and information from Chapter 25, added reference to Adult Novelty Shops, Paintball and Tattoo Parlor in Appendix B and also added a section at the end for Specific**

## AMENDMENTS 3

## AMENDMENTS

**Use Permit uses only, Corrected reference to “Overight Campground for RVs from Use Unit 17 to Use Unit 20 and added SUP; Appendix F. Fee Schedule:** Added fees for Abandonment of a Specific Use Permit to cost \$100.00, a new fee of \$100.00 to approve or abandon an Historic Preservation overlay district and a \$50.00 fee for a Lot Split/Lot Combination; Grammar, punctuation, spelling and words were changed throughout the Zoning Code to be more correct and make the meaning more clear that did not change the meaning or intent of the previous language throughout the Zoning Code.

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|--|--|---------|
| 17. Chapter 25, SUP<br>incorporating changes to SUP statute  | <a href="#">Ordinance No. 1164</a>         | 7-14-08 |
| 18. Amend Chapter 25<br>Update PC requirements<br>Update CC requirements<br>Require SUP for Apartments (9 or more)             | <a href="#">Ordinance No. 1204</a>         | 9-27-10 |
| 19. Amending Chapters 2 & 5<br>Concerning residential accessory buildings  | <a href="#">Ordinance No. 1216</a>         | 3-15-12 |
| 20. Amending Chapter 25<br>Requiring SUP for Casino  | <a href="#">Ordinance No. 1222</a>         | 4-2-12  |
| 21. Amending Chapter 25<br>Revises 1067<br>Adult Entertainment Establishment<br>now referred to as Entertainment Establishment | <a href="#">Ordinance No. 1239-Revised</a> | 7-8-13  |
| 22. Added Chapter 27<br>Housing Tax Credit Program   | <a href="#">Ordinance No. 1249</a>         | 4-28-14 |
| 23. Amending Chapters 17 & 20<br>Updating notice requirements  | <a href="#">Ordinance No. 1261</a>         | 4-13-15 |

## AMENDMENTS 4

**ZONING CODE**  
**ZONING AND PROPERTY RESTRICTIONS**  
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## How to Use This Zoning Code\*

The Zoning Code regulates the use of land throughout the City of Sand Springs by delineating the City into 24 zoning districts. These districts include an agricultural district, eleven (11) residential districts, three (3) office districts, four (4) commercial districts, one (1) scientific research district, three (3) industrial districts, one (1) parking district, and three (3) supplemental or overlay districts.

The appropriateness of a zoning district designation may be determined as follows:

1. Is the zoning in accordance with the Comprehensive Plan?
2. Are the uses allowed in the district appropriate for the location?
3. Are the current or planned public facilities sufficient to support such a use?

### How to determine uses allowed in a particular zoning district:

1. Go to the Chapter of the particular district of interest and refer to Table 1 of that Chapter where the primary Use Units permitted by Right or by Special Exception is listed. Use Units are groupings of uses that have similar characteristics. The various uses allowed within each Use Unit are described in Chapter 13, along with regulations and restrictions that are attached to the particular uses. See also Chapter 25, Specific Use Permits, for those uses that may be permitted as Specific Use Permits. (Example: a screening wall required between residential and commercial uses, parking requirements, etc.). Table 2 of each Chapter lists the accessory uses allowed in a particular zoning district.

OR

2. Turn to Appendix A, Use Unit Zoning District Summary and locate the zoning district listed across the top of the chart. The list down the left side enumerates and describes the Use Units. Follow across the chart to determine which Use Units are allowed by Right, by Special Exception, by Specific Use Permit, or not at all in the various zoning districts. Then proceed to Chapter 13 for further information relative to each Use Unit or Chapter 25 for Specific Use Permit uses and the respective Chapter of the Zoning Code that also addresses each use.
3. **If there is a conflict between Appendix A or any of the Appendices of the Zoning Code and the text of the Zoning Code, the text of the Zoning Code controls.**

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\*The material and information in the "How to Use This Zoning Code" section of the Zoning Code is for informational purposes only. If it should occur that this section of the Zoning Code is different from or appears to be in conflict with the text of the Zoning Code Chapters, the text of the Zoning Code Chapters shall control.

**How to determine the Use Unit of a particular use and/or restrictions attached to a particular use:**

1. Look up the use of interest in the alphabetic listing in Appendix B, Index of Land Uses, to determine in which Use Unit the use is classified. Proceed to Appendix A, Use Unit Zoning Districts Summary. Go to the column on the left, and locate the Use Unit of interest, proceed across the page to find the district or districts in which that particular Use Unit is allowed by Right, or Special Exception, or Specific Use Permit. Proceed to the appropriate Chapter (Agricultural, Residential, etc.) for the zoning district of interest for general use restrictions and then to Chapter 13 and/or Chapter 25 for specific restrictions. Note that Chapter 2, General Provisions, contains restrictions which may also be applicable. Furthermore, if parking, screening or landscaping is required, these chapters of the Zoning Code should also be reviewed. If there is a difference or inconsistency between the Appendices and the text of the Zoning Code Chapter, the text of the Zoning Code Chapter controls.

**How to determine a Zoning District designation and applicable regulations:**

1. Check the Official Zoning Map to determine the zoning district designation applicable to the piece of land in question;
2. Then proceed as described above in the section, "How to determine uses allowed in a particular zoning district."

**General:**

To get a complete picture of a use, including applicable restrictions, follow these steps:

1. Check Chapter 13, Use Units and/or Chapter 25, Specific Use Permits;
2. Note if there are referrals to other chapters (parking, signs, landscapes, etc.); and
3. Check Chapter 2, General Provisions, which applies to uses and chapters throughout the document.
4. Initial reference can also be made to Appendix B, Index of Use Units. Appendix B includes sections on alphabetic, numeric and a listing of those uses permitted only by a Specific Use Permit.

**Planning Commission (PC):**

1. The Planning Commission (PC) is a board of seven (7) members appointed by the Mayor and City Council.
2. The responsibilities of the PC are as follows:
  - a. Hold public hearing on requests for zoning map amendments and make recommendations to the City Council to approve or deny requests;
  - b. Hold public hearings on requests for amendments to the Zoning Code text and make recommendations to the City Council to approve or deny requests;
  - c. Review requests for approval of subdivision plats, replats and lot splits and make recommendations to the City Council; and
  - d. Hold public hearings on amendments to the Comprehensive Plan and approve or deny an amendment which is then subject to acceptance by the City Council.

**Board of Adjustment (BOA):**

1. The BOA is a five (5) member board appointed by the Mayor and City Council. In the case of Sand Springs there is one City Board of Adjustment and a separate County Board of Adjustment for each of Tulsa and Osage Counties.
2. Responsibilities of the BOA are to:
  - a. Hold public hearings on an appeal from a Zoning Code determination by the Zoning Officer;
  - b. Hold public hearings on a request for a Variance from the Zoning Code or a Special Exception use; and
  - c. Hold public hearings and make interpretations of the Zoning Map and Zoning Code text.

**Relationship of the Comprehensive Plan (Plan) to the Zoning Code:**

Comprehensive Plans provide:

1. A plan for the physical development;
2. An inventory of the physical resources;
3. Specific Goals, Objectives and Policies used as a guide for future development; and

4. An illustration of the officially adopted future land use plan, a capital improvement program and standards for future development of land use, transportation, parks, public facilities and utilities.

The Plan is an official guide for orderly City development and a general policy guide for promoting the health, welfare and convenience of the public and private sector. The basis for the Plan is a review of natural and physical features, existing land use, and development trends.

The Plan Map illustrates planned land uses at a specific point in time in the future. The Comprehensive Plan map is the basis for the development of the Zoning Map. The Zoning Map is a portion of the Zoning Code which delineates zoning district designations throughout the City. The Plan Map is used as a guide by the Planning Commission and City Council when considering amendments to the Zoning Map.

The Zoning Code establishes specific land use regulations which are described in the text of the document that follows. The application of the Zoning Code is a major means of achieving the goals of the Comprehensive Plan.

Zoning regulations are applied to a particular tract of land and adopted by ordinance. The Plan is a statement of official policy, which establishes the guidelines within which the City will develop.

### **Amendments to the Zoning Map:**

A Zoning Map amendment may be initiated by application of the property owner, at the initiative of the Planning Commission or upon a request by the City Council to the Planning Commission. Public notice is given and a public hearing is held by the Planning Commission to consider the request. A recommendation is made by the Planning Commission to the City Council whether to approve or deny the request. If approved, any uses allowed in the new zoning district would be allowed by Right or Specific Use Permit within the restrictions established by the Zoning Code.

### **Special Exceptions and Variances:**

Applications for Special Exceptions or Variances are taken by the Board of Adjustment and decisions of the BOA are made through the public hearing process. (*See Chapter 17, Board of Adjustment*).

Decisions of the BOA, unlike those of the Planning Commission, are final at the BOA level. An appeal of a BOA decision must be filed with the district court within ten (10) days of the BOA decision.

The procedures for approval of a Special Exception or Variance differ from a zoning amendment in that a zoning amendment allows all uses permitted in the district to be

allowed by Right or Specific Use Permit, within the restrictions established for that district. A Special Exception allows a specific use that is listed in the Zoning Code to be permitted that is not otherwise permitted by Right or Specific Use Permit, possibly specifically excluding other uses and typically including conditions of approval as determined to be necessary by the BOA. Special Exception uses which may be considered by the BOA are specifically listed in the Zoning Code.

A Variance is a grant of relief from the zoning district regulations if approved by the BOA (see *Chapter 17*). Variances are considered when due to the unique physical characteristics of the tract of land such as size, shape, topography or circumstances peculiar to that tract, the literal application of the Zoning Code would result in an unnecessary hardship. However, uses of land (use variances) may not be varied by a City according to Oklahoma State Statutes.

Variances and Special Exceptions can only be approved if it is found that allowing such requests would not be detrimental to the public health, safety and welfare and would not impede the implementation of or be in conflict with the intent of the Comprehensive Plan.

### **Specific Use Permits:**

Applications for a Specific Use Permit are taken by the Planning Commission Staff and “findings” of the Planning Commission as regarding a Specific Use Permit application are made through the public hearing process by the Planning Commission and subject to final approval by the City Council. Approval of a Specific Use Permit does not change the zoning classification of the subject tract. See Chapter 25, Specific Use Permits.

### **Zoning Code Amendment Inventory:**

The Zoning Code Amendment Inventory specifies the sections of the Code which have been changed, gives a brief description of the change, ordinance number and effective date. Copies of the ordinances that amend the Zoning Code are available from the City Clerk.

### **Questions on Zoning Violations:**

Complaints or questions relative to zoning violations should be directed to the Code Enforcement Officer. Violations of the Zoning Code are punishable by fine or imprisonment or both upon conviction.

## CHAPTER 1

### TITLE, PURPOSES, INTERPRETATION AND JURISDICTION

#### 1.01. Title

#### 1.02. Purposes, Interpretation, and Jurisdiction

##### SECTION 1.01. TITLE

This Ordinance shall be known and may be cited as the “Zoning Code of the City of Sand Springs, Oklahoma”, hereinafter referred to as the “Code”.

##### SECTION 1.02. PURPOSES, INTERPRETATION AND JURISDICTION

###### A. Purposes

1. General. This Code is enacted to promote the following purposes:
  - a. To promote the health, safety, peace, morals, comfort, convenience, prosperity, order, and general welfare;
  - b. To reduce the danger and congestion of public transportation and travel;
  - c. To provide adequate light and air, public utilities, facilities and services, and other public requirements;
  - d. To promote productive and enjoyable harmony between man and the environment;
  - e. To achieve a balance between population density and resource use which will permit high standards of living and a wide sharing of amenities;
  - f. To prevent overcrowding of land and undue encroachment thereon;
  - g. To promote efforts which will prevent or eliminate damage to the environment and biosphere;
  - h. To stimulate and assure for all citizens safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
  - i. To encourage the agricultural, residential, office, commercial, and industrial growth of the community, as well as the most appropriate use of the land; and

- j. To encourage the development of the community in accordance with the Comprehensive Plan.

2. **Signs.** Signs are used to inform and persuade the general public. All signs not exempted shall be regulated in accordance with the standards of this Code. The general objectives of these standards are to promote the health, safety, welfare, convenience and enjoyment of the public, and, in part, to achieve the following:

- a. **Safety.** To promote the safety of persons and property by providing that signs:
  - (1) Do not create a hazard due to location, collapse, fire, collision, decay or abandonment; or
  - (2) Do not obstruct firefighting or police surveillance; or
  - (3) Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.
- b. **Communications Efficiency.** To promote the efficient transfer of information in sign messages.
- c. **Landscape Quality and Preservation.** To protect the public welfare and to enhance the appearance of the City of Sand Springs.

## B. Interpretation

- 1. Validity of Other Laws:
  - a. Where this Code imposes a greater restriction upon the use of structures or land or upon height or bulk of structures, or requires larger open spaces or yards than are imposed by other ordinances, laws, or regulations, the provisions of this Code shall govern. However, nothing in this Code shall be construed to prevent the enforcement of other ordinances, laws, or regulations which prescribe more restrictive limitations.
  - b. The provisions of this Code providing for the residential use of property, and providing for limitations on occupancy, density and intensity of such uses, shall be applied equally and without discrimination based on race, color, religion, sex, disability, familial status or national origin consistent with the provisions of the Federal Fair Housing Act.

2. **Severability:** In case any portion of this Code shall be invalid or unconstitutional, as declared by a court of competent jurisdiction, the remainder of the Code shall not thereby be invalid, but shall remain in full force and effect.
3. **Tense and Definition:**
  - a. For the purpose of the Code certain terms and words are to be used and interpreted as defined in Chapter 3 of this Code. “Words used in the present tense shall include the future tense, words in the singular number include the plural, and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise.
  - b. The words “shall” and “will” are mandatory and not directory.
  - c. All references in this Code to “City Council”, “Board of Adjustment”, and “Planning Commission” shall be construed to mean the City Council, Board of Adjustment and Planning Commission of the City of Sand Springs, Oklahoma.

**C. Jurisdiction**

1. **Territorial Jurisdiction:** This Code shall be in full force and effect in the corporate limits of the City of Sand Springs, Oklahoma, and any other area of jurisdiction as permitted by the Statutes of the State of Oklahoma. Property owned, leased, or operated by the City of Sand Springs, or any other public or governmental body or agency, shall be subject to the terms of this Code.
2. **Annexed Territory:**
  - a. When any territory shall be brought into the jurisdiction of the City of Sand Springs, by annexation or otherwise, such territory shall be deemed to be an AG Agriculture District.
  - b. At the option of the City Council, such territory with its existing zoning classification, may be brought into jurisdiction of the City of Sand Springs in a comparable zoning classification after review and recommendation by the Planning Commission giving due consideration to the surrounding existing uses as well as the Comprehensive Plan.

## SECTION 1.02

- c. If a legal use of land exists at the time of annexation, the City Council may assign a supplemental designation, after review and recommendation by the Planning Commission, that most closely matches the circumstances of the land, in order to permit the use to continue. This zoning classification shall be joined with the prefix "A" to indicate the nature of the assigned zoning.
  - d. These provisions shall not operate to preclude subsequent rezoning of such property by amendment in the manner set forth in Chapter 20.
  - e. The ordinance annexing such territory shall designate the appropriate ward.
3. **City Property:** Property owned, leased or operated by the City of Sand Springs or any other public governmental body or agency shall be subject to the terms of this Code.

**CHAPTER 2**  
**GENERAL PROVISIONS**

- 2.00. Sections of General Provisions**
- 2.01. Zoning Districts Established**
- 2.02. Supplemental Zoning District Established**
- 2.03. Official Zoning Maps Established**
- 2.04. Flood Insurance Rate Map Adopted**
- 2.05. District Boundary Description and Interpretation**
- 2.06. Limitation on Land Use**
- 2.07. Division of Lots**
- 2.08. Motorized Vehicles**
- 2.09. One Single-Family Dwelling Per Lot of Record**
- 2.10. Height Exceptions**
- 2.11. Lot Area and Width Exceptions**
- 2.12. Yards**
- 2.13. Existing Building Encroachment on Front Yards or Building Setbacks**
- 2.14. Screening Wall or Fence**
- 2.15. Platting Requirement**
- 2.16. Major Street Plan**
- 2.17. Structure Setback from Abutting Streets**
- 2.18. Antennas and Antenna Supporting Structures**
- 2.19. Public Nuisances Regulated**
- 2.20. Strobe Lights and Rotating Beacons Prohibited**
- 2.21. Non-commercial Signs**
- 2.22. Code of Ethics**
- 2.23. Reconsideration of Denied Applications**
- 2.24. Prohibition of Residential Districts Used as Means of Access**

**SECTION 2.01. ZONING DISTRICTS ESTABLISHED**

The Zoning Districts set forth below are hereby established. The District symbol is in the column to the left.

AG	Agriculture District
RE	Residential Single-Family Estate District
RS-1	Residential Single-Family Low Density District
RS-2	Residential Single-Family Medium Density District
RS-3	Residential Single-Family High Density District
RS-4	Residential Single-Family Highest Density District
RD	Residential Duplex District

SECTION 2.01

RT	Residential Townhouse District
RM-0	Residential Multifamily Lowest Density District
RM-1	Residential Multifamily Low Density District
RM-2	Residential Multifamily Medium Density District
RMH	Residential Manufactured Home District
PK	Parking District
OL	Office Low Intensity District
OM	Office Medium Intensity District
OH	Office High Intensity District
CS	Commercial Shopping Center District
CG	Central General District
CH	Commercial High Intensity District
CBD	Central Business District
SR	Scientific Research and Development District
IL	Industrial Light District
IM	Industrial Moderate District
IH	Industrial Heavy District

**SECTION 2.02. SUPPLEMENTAL ZONING DISTRICT ESTABLISHED**

The Supplemental Zoning Districts set forth below are hereby established. The District symbol is in the column to the left.

PUD	Planned Unit Development Supplemental Zoning District
SUP	Specific Use Permit
HP	Historic Preservation

**SECTION 2.03. OFFICIAL ZONING MAP ESTABLISHED**

The locations and boundaries of the various districts as defined herein shall be established by ordinance and shall be shown and delineated on the Official Zoning Map of the City of Sand Springs. The Official Zoning Map shall be maintained by the Board of Adjustment of the City of Sand Springs, and may be divided into parts, and such parts may be separately employed for identification purposes when adopting or amending the Official Zoning Map or for any reference to the Official Zoning Map.

**SECTION 2.04. FLOOD INSURANCE RATE MAPS ADOPTED**

- A. Flood Insurance Rate Maps (FIRM) Adopted. For additional and current regulations pertaining to this subject refer to Ordinance No. 828, adopted May 17, 1993, as amended.

B. Amendments Originated by the City

1. Amendments to the FIRM may only be finalized upon approval of the U.S. Corps of Engineers and the Federal Insurance Administration.
2. Application for amendments to the boundaries of the FIRM shall be made by resolution of the Sand Springs City Council after recommendation from the Sand Springs Planning Commission upon a finding that:
  - a. A flood control project of the federal, state, county, or city government, or a private person, has substantially altered the boundaries of the flood hazard area;
  - b. Flood data compiled subsequent to the adoption of the FIRM indicated that the boundaries of the flood hazard area should be adjusted; or
  - c. Proposed improvements, such as channel improvements, or flood retention reservoirs, will substantially alter the boundaries of the flood hazard areas and the actual construction of said improvements has been assured by the submission and acceptance of a bond.

C. Amendments by Application

1. Application for proposed amendments to the adopted FIRM that do not originate in the City Engineer's Office but are made as a formal request to or by the Planning Commission shall be transmitted in writing to the City Engineer for review and recommendation.
2. Upon a finding by the City Engineer that the proposed amendment of the FIRM meets one of the three (3) conditions listed above, the City Engineer shall certify in writing and shall furnish to the Planning Commission two (2) copies of the amended boundaries, including the elevations of the 100-year flood, for adoption by the Planning Commission and approval by the City Council.
3. If the proposed amendment does not meet the conditions listed above, the City Engineer shall deny the proposal in writing and furnish the Planning Commission a copy of the related findings.

## **SECTION 2.05. DISTRICT BOUNDARY DESCRIPTION AND INTERPRETATION**

District boundary lines shall be described by legal description or by a map. When a legal description is used, the boundary line shall be deemed to extend to the centerline of abutting streets and shall be so designated on the Official Zoning Map. When a map is used, district boundary lines shall be established by dimensions, property lines, recorded lot lines, or the centerline of an abutting street, alley, or railroad right-of-way, as the same were of record at the time of adoption of the Official Zoning Map. In all cases where there is doubt as to the exact location of district boundary lines, the same shall be determined by the Board of Adjustment.

## **SECTION 2.06. LIMITATION ON LAND USE**

- A. No person, firm or corporation shall use or permit to be used any land or buildings, nor shall any person, firm or corporation make, erect, construct, move, alter, enlarge or rebuild or permit the making, erection, construction, moving, altering, enlarging or rebuilding of any building, structure or improvement, which is designed, arranged or intended to be used or maintained for any purpose or in any manner except in accordance with the use, height, area, yard, space, and other requirements established in the district in which such land, building, structure or improvement is located except as provided by Chapter 15, Nonconformities.
- B. In order to avoid undue hardship:
  - 1. Nothing in this Code shall be deemed to require a change in the plans, construction, or designated use of any building, where a building permit has been lawfully issued prior to the effective date of this Code, and pursuant to such permit, construction is diligently carried to completion. Upon completion, such building or use shall be deemed nonconforming and may continue as regulated by Chapter 15, Nonconformities.
  - 2. At any time within two (2) years after the effective date of this Code, a Building Permit and Zoning Clearance Permit may be issued or a use of land commenced in accordance with the terms and conditions of a Special Exception or Variance granted by the Board of Adjustment or in conjunction with the approval of a Specific Use Permit prior to the effective date of this Code.

## **SECTION 2.07. DIVISION OF LOTS**

A lot shall not hereafter be divided into two or more lots, unless all lots resulting from such division conform to all the applicable regulations of the zoning district in which located.

**SECTION 2.08. MOTORIZED VEHICLES**

- A. All motorized vehicles which are designed for travel upon public streets and which are being parked, stored or displayed for sale shall be parked, stored or displayed on an all-weather material as defined in Chapter 3, Definitions. The foregoing provisions of this Section shall not apply to vehicles located within junk and salvage yards.
- B. The Board of Adjustment may, as a Special Exception, permit the storage and/or display of motorized vehicles on a surface other than one consisting of an all-weather material if located behind the building setback line.

**SECTION 2.09. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD**

Not more than one single-family dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development.

**SECTION 2.10. HEIGHT EXCEPTIONS**

- A. The following structures shall not be subject to the height limitations of the district in which they are located:
  - 1. Farm buildings and related structures;
  - 2. Chimneys, elevators, equipment penthouses, monitors, cooling towers and ventilators, provided they are not intended for human occupancy and they do not extend more than twenty (20) feet above the top of the principal structure; and
  - 3. Belfries, clock towers, cupolas, domes, flag poles and spires, provided they are not intended for human occupancy and they do not exceed more than 150% of the maximum height of the district in which they are located.
- B. Structures enumerated in A.2 and A.3 above may be increased in height by the Board of Adjustment as a Special Exception or in conjunction with approval of a Specific Use Permit.

**SECTION 2.11. LOT AREA AND WIDTH EXCEPTIONS**

Except for Fire Protection and Ambulance Service, the lot area and width requirements of the zoning districts shall not apply to the uses included within Use Unit 4, Public Protection and Utility Facilities.

## SECTION 2.12. YARDS

### A. Compliance with Yard Requirements

Except as otherwise provided, required yards shall be open and unobstructed from the ground to the sky. Yards provided for a building, for the purpose of complying with the provisions of the Code, shall not be considered the yard for any other building, and yards provided for a lot shall not be considered the yard of any other lot.

### B. Permitted Obstructions in Required Yards

Obstructions are permitted in required yards as follows:

1. Cornices, canopies, eaves, fireplaces, and similar architectural features may project not more than two (2) feet into a required yard.
2. Fire escapes may project not more than 4-1/2 feet into a required yard.
3. Fences, hedges, plant materials, berms, walls, and permitted signs may be located in any yard provided that corner visibility is maintained in accordance with the Sand Springs Traffic Ordinance. Fences and walls within yards shall not exceed a height of eight (8) feet. Any fence or wall which projects into or encloses a required front yard shall not exceed a height of four (4) feet. The Board of Adjustment, as a Special Exception, may modify these limitations or these limitations may be modified upon approval of a Specific Use Permit by the City Council.
4. Signs which are permitted as accessory uses in Residential Districts may be located within any yard which is bounded by a public street.
5. In the RE and RS and RD Districts, a detached accessory building or buildings, not exceeding one story in height, may be located in a **required** rear yard provided that:
  - a. The building does not cover more than ***the following portion of the required rear yard:***
    - RS-3, RS-4 and RD Districts 30%***
    - RS-2 District 25%***
    - RS-1 and RE Districts 20%***

- b. The building is located at least five (5) feet from any lot line. Provided, however, where said lot line abuts a public street, the detached accessory building shall be set back from the centerline of the street 20 feet plus one-half of the right-of-way designated on the Major Street Plan, or 45 feet from the centerline of the street if said street is not designated on the Major Street Plan.
6. Swimming pools, tennis courts, patios, fallout and other protective shelters shall be located in the rear yard and shall have a minimum setback of ten (10) feet from any side or rear lot lines. However, the Board of Adjustment may, upon application for a Variance and after public hearing, permit the aforementioned accessory uses in the front yard provided:
  - a. The minimum front yard requirement is adhered to; and
  - b. A minimum setback of ten (10) feet from any side lot line is met.
7. Manufactured home hitches.
8. Customary accessory structures, such as clotheslines, barbecue pits, playground equipment.
9. Carports by Special Exception requiring Board of Adjustment approval.
10. Accessory Antennas and Antenna Supporting Structures and guy lines may be located in the required rear yard. Refer to the respective Zoning Districts for the regulation of principal use antennas and support structures.

**C. Use of Yards in R Districts**

1. No inoperative or unlicensed motor vehicles shall be parked or stored within the front or exterior side yard in an R District.
2. No vehicle shall be parked or stored except on a hard surface area constructed of an all-weather material. The width and length of the hard surfaced area on which the vehicle is parked or stored shall be equal to or greater than the width and length of the vehicle being parked or stored.
3. Within the RM Districts not more than one vehicle shall be parked for each 600 square feet of area contained in a required front or exterior side yard.

### **SECTION 2.13. EXISTING BUILDING ENCROACHMENT ON FRONT YARDS OR BUILDING SETBACKS**

Where an existing building or buildings on the same side of the street and within the same block encroach on the required front yard or building setback, the required front yard or building setback for new construction shall be established as follows:

- A. If the proposed building is to be located more than 200 feet from an encroaching building, the proposed building shall conform to the front yard or setback established for the district in which the proposed building is to be located.
- B. If the proposed building is to be located between adjacent buildings which conform to the required front yard or building setback, or between a conforming building and an intersecting street, the proposed building shall conform to the front yard or setback established for the district in which the proposed building is to be located.
- C. If the proposed building is to be located within 200 feet of encroaching buildings on both sides and there are no intervening buildings, the front yard or building setback shall be the average of the front yard or setback of the two (2) nearest front corners of the encroaching buildings.
- D. If the proposed building is to be located within 200 feet of an encroaching building on one side, but not both sides, and there are no intervening buildings, the front yard or building setback shall be the average of the otherwise required front yard or setback and the setback of the nearest front corner of the encroaching building.

Provided, however, that in the application of C or D above, the front yard or building setback shall not be reduced to less than five (5) feet plus one-half of the right-of-way width designated on the Major Street Plan for the abutting street, or five (5) feet plus 25 feet if the street is not designated on the Major Street Plan.

### **SECTION 2.14. SCREENING WALL OR FENCE**

For the purpose of maintaining a compatible relationship between certain land uses, a screening requirement is hereby established for the initiation and continuance of particular uses in such instances as may be hereinafter designated. Screening requirements for uses included in Use Unit 28, Junk and Salvage Yards are set forth in Section 13.28.E. Screening Requirements.

**A. Specifications**

When the provisions of this Code require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, other than Use Unit 28, unless otherwise specified, the screening wall or fence:

1. Shall be constructed with customarily used fencing materials, and shall be designed and arranged to provide visual separation of uses irrespective of vegetation;
2. Shall not be less than six (6) feet in height;
3. Shall be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance;
4. Shall be erected prior to the occupancy of the building or initiation of the use required to be screened;
5. Shall be of a type of materials compatible with the surrounding area;
6. Shall be uniform in height, except for significant changes in topography;
7. Shall have a consistency of design;
8. Shall, if painted, be earth-tone in color when abutting an R District boundary; and
9. Shall not be a chain link fence which utilizes inserts of metal or other materials.

**B. Maintenance**

The screening wall or fence shall be maintained by the owner of the lot containing the use required to construct the screening. Failure to maintain after notice by the Code Enforcement Officer/Zoning Officer shall constitute a violation of this Code.

**C. Modification of the Screening Wall or Fence Requirements**

The Board of Adjustment, as a Special Exception, or the City Council upon approval of a Specific Use Permit may:

1. Modify or remove the screening requirement where existing physical features provide visual separation of uses.
2. Modify the screening requirement where an alternative screening will provide visual separation of uses.

3. Grant an extension of time to erect a screen where properties which are to be benefited by the screen are undeveloped.
4. Remove the screening requirement where the purposes of the screening requirement cannot be achieved, or is prohibited by other ordinances and/or regulations.

### **SECTION 2.15. PLATTING REQUIREMENT**

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established as follows:

For any land which has been rezoned upon application of a private party or for which a Specific Use Permit has been approved by the City Council, no Building Permit or Zoning Clearance Permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated. Provided that the Planning Commission, pursuant to their exclusive jurisdiction of subdivision plats, may remove the platting requirement upon a determination that the above stated purposes have been achieved by previous platting or could not be achieved by a plat or replat.

### **SECTION 2.16. MAJOR STREET PLAN**

"The City of Sand Springs Major Street and Highway Plan," hereinafter referred to as the "Major Street Plan" as adopted by the Mayor and City Council of the City of Sand Springs, on August 9, 1971, or as it may hereinafter be amended, is hereby adopted by resolution and made a part hereof.

### **SECTION 2.17. STRUCTURE SETBACK FROM ABUTTING STREETS**

Every structure shall be setback from the centerline of an abutting street a horizontal distance of not less than one-half (1/2) of the right-of-way designated on the Major Street Plan or 25 feet if the abutting street is not designated on the Major Street Plan.

### **SECTION 2.18. ANTENNAS AND ANTENNA SUPPORTING STRUCTURES**

- A. Antennas and Antenna Supporting Structures which are principal uses in the AG, R, O, or C Districts are regulated by Section 13.04 and Chapter 25 of this Code unless otherwise provided herein. Antennas and Antenna Supporting Structures which are principal uses in I Districts are regulated by Section 9.06 or Section 13.04 of this Code.
- B. Antennas and Antenna Supporting Structures which are accessory uses are regulated by Sections 4.03, 5.03, 6.03, 7.03, 8.03 and 9.03 of this Code.

- C. Antennas and Antenna Supporting Structures which are accessory to principal uses permitted in Agriculture, Office, Commercial or Industrial zoning districts shall be setback from an R District Boundary line one hundred and ten percent (110%) of the height of the Antenna and Antenna Supporting Structure as measured at grade. The setback distance shall be measured from the nearest point of the residential zoning district boundary line, excluding freeways zoned residential.

**SECTION 2.19. PUBLIC NUISANCES REGULATED**

Fences, plant materials, berms, walls and signs shall not be located in such a manner as to constitute a public nuisance as defined in the Code of Ordinances of the City of Sand Springs.

**SECTION 2.20. STROBE LIGHTS AND ROTATING BEACONS PROHIBITED**

Except as otherwise required by law, strobe lights and rotating beacon lights are prohibited if visible from a public street.

**SECTION 2.21. NON-COMMERCIAL SIGNS**

Nothing contained in this Code shall prevent the use of the permitted display surface area, in whole or in part, on any sign authorized by this Code and wherever located, from being used for a non-commercial message.

**SECTION 2.22. CODE OF ETHICS**

Prior to any action by the City Council or any commission, board, committee or administrative officer operating on behalf of the City, all members of the City Council, employees of the City, and any appointed member of any board, committee, council or commission shall have made a written disclosure through the City Manager of the City to the appropriate body, of any financial interest, direct or indirect in the item to be acted upon. (Ordinance No. 921, passed November 24, 1997).

**SECTION 2.23. RECONSIDERATION OF DENIED APPLICATIONS**

Applications for approval of a Rezoning, Special Exception, Variance, Planned Unit Development or Specific Use Permit that have been denied shall not be accepted for the same purpose for a period of 12 months.

**SECTION 2.24. PROHIBITION OF RESIDENTIAL DISTRICTS USED AS MEANS OF ACCESS**

The use of an RE, RS, RD, or RT Zoning District for access to any RM, O, C, SR or I Zoning District is prohibited. The use of an RM Zoning District for access to an RE, RS, RD, RT, O, C, SR or I District is prohibited unless permitted through an approved Planned Unit Development.

## CHAPTER 3 DEFINITIONS

### 3.01. Definitions

**Abutting:** In the context of notice, or of a screening or enclosure requirement, abutting shall mean contiguous or separated therefrom only by a nonarterial street, alley or railroad right-of-way. In other instances, abutting shall mean contiguous.

**Accessory Use Bar:** A commercial establishment open to the public which sells and serves intoxicating or low-point beer, (as defined herein) for consumption on the premises, but which is incidental and subordinate to a principal use restaurant, hotel or motel, and bars which are accessory to not for profit, bona fide lodges, posts, clubs, fraternal, benevolent or charitable organizations which are included in Use Unit 5.

**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.

**All-Weather Material:** A hard surface, dust-free material capable, during ordinary use, of withstanding without substantial deterioration, normal weather conditions. 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.

**Alley:** A permanent public way providing a secondary means of access for service or emergency vehicles, and not intended for general traffic circulation.

**Anchoring Systems:** A combination of ties, anchoring equipment and/or anchoring devices that are designed to resist overturning, uplift and lateral movement of the manufactured home from wind and water forces.

**Animation:** The presentation of pictorials and graphics on signs displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes.

**Antenna:** A transmitting and/or receiving device used in telecommunications that radiates or captures a signal. As used in this Code, references to antennas shall also include Antenna Supporting Structures.

**Antenna Supporting Structure:** A telecommunications facility that consists of a stand-alone support structure which has as its principal use the support of antenna(s) and associated equipment and improvements. As used in this Code, references to Antenna Supporting Structures shall also include Antennas.

**Anticipated Development:** Full potential urbanization of the contributing watershed, considering the Comprehensive Plan and the reasonable assumption that in considering the effects of a proposed development in a floodplain area that there will be an equal degree of encroachment extending for a significant reach on both sides of the stream or water course.

**Arterial:** A street designated on the Major Street and Highway Plan as a primary arterial or secondary arterial.

**Assisted Living Center:** A residential facility designed to meet housing and care needs of older persons and individuals with disabilities in a residential rather than institutional environment, while maximizing independence, choice, and privacy. Assisted living centers provide personal care for persons with needs for assistance in the activities of daily living, and can respond to unscheduled needs for assistance. Services typically provided include: meals, housekeeping, laundry and linen service, medication monitoring, transportation and activities. Assisted living centers also typically provide features that enhance the resident's autonomy, such as lockable doors, full bathrooms, temperature control, and single occupancy, and may provide limited cooking facilities in individual units. Assisted Living Centers exclude nursing homes and other special housing facilities as elsewhere defined.

**Average Ground Elevation:** The mid-point between the highest and lowest ground elevations at the building wall.

**Bar/Tavern:** A commercial establishment open to the general public which sells and serves intoxicating beverages for consumption on the premises.

**Beer Bar:** A commercial establishment open to the general public which sells and serves low-point beer for consumption on the premises.

**Billiard Center, Family:** A principal use billiard facility which caters to families and which excludes the sale and consumption of intoxicating and low-point beer on the premises.

**Billiard Hall/Pool Hall:** A principal use billiard facility, open to the general public, and which sells and serves intoxicating and/or low-point beer on the premises.

**Board of Adjustment (BOA):** The Board of Adjustment of the City of Sand Springs.

**Building:** A structure which is permanently affixed to the land, and has one or more floors and a roof, and is bounded by either another building with a common party wall, open air, or the lot lines of a lot.

**Building Code:** Those codes and regulations adopted by the City of Sand Springs pertaining to requirements for construction of buildings and structures.

**Building Inspector:** See Code Enforcement Officer/Building Inspector.

**Building Setback:** The horizontal distance, from the point of measurement, such as the centerline of an abutting street or the boundary line of an abutting zoning district to the nearest building wall.

**Business Sign Corridor:** An area 400 feet in width on each side of and adjacent to the publicly acquired right-of-way of a designated state or federal highway. Outdoor Advertising Signs are prohibited by Ordinance No. 1086 Amended approved January 5, 2005. Lawfully existing Outdoor Advertising Signs shall continue as a non-conforming use provided compliance is maintained in accordance with Section 15.04(A) of this Code.

**Caliper:** The diameter of the tree trunk measured at 6" above ground level for a tree trunk having a diameter of 4" or less and the diameter of the tree trunk measured at 12" above ground level for a tree trunk having a diameter exceeding 4".

**Care Home:** Premises used for the housing and caring for the aged or infirmed, and includes convalescent homes, homes for the aged, and nursing homes.

**Changeable Copy:** Copy or other images that physically change or give the appearance of change at intervals of less than 10 minutes.

**Character:** Any letter of the alphabet or numeral.

**City Council:** The Mayor and City Council of the City of Sand Springs.

**Code Enforcement Officer/Building Inspector:** The enforcement officer designated by the City Manager the City of Sand Springs to enforce the Zoning Code and related ordinances.

**Commercial Mixed Use Development:** Any development containing a combination of uses permitted by Right, Special Exception, Planned Unit Development (PUD) or Specific Use Permit in a CS zoning district.

**Community Group Home:** A facility for independent living that provides room and board, personal care, and habilitation services in a family environment as a single-housekeeping unit for seven (7) or more resident elderly or disabled persons (mentally and/or physically impaired) with at least one resident staff person.

**Comprehensive Plan:** The official plan for the physical development of the City of Sand Springs as originally adopted in 1964 and as amended thereafter.

**Copy Area:** See Display Surface Area.

**Core Area:** A contiguous habitable floor area, under roof, irrespective of interior walls, at least 20 feet by 20 feet in size.

**Curb Level:** The mean level of the established curb at the frontage of a lot. Where no curb has been established, the City Engineer shall establish such curb level or its equivalent for the purposes of this Code.

**Customary Residential Exterior Finishing Materials:** Roof and siding materials traditionally used to provide the finished exterior of single-family dwellings. Customary roofing materials include composition shingles, fiberglass shingles, wood shingles (shakes), and clay tile applied according to the manufacturer's specifications. Customary siding materials include aluminum lap or vinyl lap siding, cedar or other wood siding, masonry (stucco, brick, stone, block, tilt-up panel) and woodgrain weather resistant pressboard siding.

**Dance Hall:** A commercial establishment open to the general public which provides a dance area of 1,000 square feet or more.

**Designated Residential Development Area:** An area specifically designated for residential development by conditions imposed in a Planned Unit Development (PUD) Supplemental District.

**Detention/Correctional Facility:** A facility for the detention, confinement, treatment and/or rehabilitation of persons arrested or convicted for the violation of civil or criminal law. Such facilities include an adult detention center, juvenile detention center, convict pre-release center, correctional community treatment center, jail and prison.

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

**Display Surface:** The surface of a sign upon, against, or through which the message is displayed or illustrated.

**Display Surface Area:** For ground signs shall mean the area enclosed by the minimum imaginary rectangles which fully contains all extremities of the sign, exclusive of its supports. This rectangle is to be calculated from an orthographic projection of the sign viewed horizontally. A view point for this projection is to be taken which gives the largest rectangle of that kind as the viewpoint is rotated horizontally around the sign. If elements of the sign are movable or flexible, the measurement shall be taken when the elements are fully extended and parallel to the plane of view.

The display surface area for wall signs shall mean the sum of the areas of the minimum imaginary rectangles enclosing each word attached to any particular facade.

The display surface area for window signs shall mean the sum of the areas of the minimum imaginary rectangles enclosing each word, figure, design and symbol if the window or other transparent material forms the background, or the entire area of the background material when such material is translucent or opaque.

**Dripline:** The periphery of the area underneath a tree which would be encompassed by perpendicular lines extending from the exterior edges of the crown of the tree.

**Dwelling:** A building or structure used in whole or in part for human habitation.

**Dwelling, Duplex:** A building containing two (2) dwelling units, designed for occupancy by not more than two (2) families.

**Dwelling, Manufactured Home:** A residential manufactured dwelling, built in accordance with the Federal Manufactured Home Construction and Safety Standards which is either:

- A. Fully assembled into one unit or one expandable/telescoping unit of more than 35 feet in length and is fully habitable upon arrival at a site except for minor and incidental installation activities and utility connections and is installed on either temporary or permanent foundations; or
- B. A dwelling manufactured in two (2) or more units, but either fails to utilize customary siding materials, or retains chassis or other equipment related to being towed, or is not placed on a permanent foundation; or
- C. Any combination of A or B above which does not meet all of the local Building Codes as adopted by the City of Sand Springs.

**Dwelling, Modular:** A manufactured dwelling partially preassembled into two or more sections, none of which are habitable individually, permanently joined together and utilize customary residential siding and roofing materials, built to Building Code standards as adopted by the City of Sand Springs, Oklahoma, and are either:

- A. Units designed to be transported and installed on permanent foundations; or
- B. Chassis/under-carriage units designed to be towed or structurally capable of being towed on wheels and installed on permanent foundations after all hitches, running gear and chassis have been removed.

**Dwelling, Mobile Home:** See Dwelling, Manufactured.

**Dwelling, Multifamily:** A building containing three (3) or more dwelling units.

**Dwelling, Townhouse:** A building containing two (2) or more attached dwelling units with no unit above another unit and each unit located on a separate lot within a townhouse development.

**Dwelling, Single-Family Detached:** A building, other than a manufactured home, containing one dwelling unit designed for occupancy by not more than one family.

**Dwelling Unit:** A room or group of rooms arranged, intended, or designed as a habitable unit, containing kitchen, bath and sleeping facilities, for not more than one family living independently of any other family.

**Elderly/Retirement Housing:** A residential complex containing multifamily dwellings designed for and principally occupied by senior citizens. Such facilities may include a congregate meals program in a common dining area, but exclude institutional care such as medical or nursing care and are distinguished from Life Care Retirement Centers as elsewhere defined.

**Emergency and Protective Shelter:** A residential facility which provides room and board for a temporary (30 days or less) period, protection, counseling, and pre-placement screening for abused, displaced, or transient children or adults.

**Family:** One or more persons occupying a single dwelling unit, as a single housekeeping unit, provided that unless all members are related by blood, marriage, or adoption, no such family shall contain over six (6) persons including any roomers, boarders and/or domestic servants. A home for independent living with support personnel that provides room and board, personal care and habilitation services in a family environment as a single-housekeeping unit for not more than six (6) resident elderly or disabled persons (mentally and/or physically impaired) with at least one, but not more than two (2) resident staff persons shall be considered a family.

**Family Day Care Home:** A dwelling used to house and provide supervision and care for not more than seven (7) children, said total to include but not be limited to those preschool children under five (5) years of age who reside in the residence.

**Flashing Illumination:** A light source or other image which in whole or in part physically changes in light intensity or gives the appearance of such change.

**Floor Area:** The sum of the gross horizontal areas of the several floors, including basements, of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Provided that for the purpose of determining compliance with the permitted floor area, the floor area of enclosed required off-street parking areas shall not be included. Provided further that floor area for outdoor display of merchandise or customer seating, whether uncovered or covered by a tent or canopy, shall mean the smallest rectangular area encompassing the display or customer seating area.

**Floor Area Ratio (FAR):** The floor area of a building or buildings on a lot divided by the lot area.

**Foster Home:** A dwelling used in whole or in part as living quarters for a household including one or more minor children placed by a licensed child placement agency who are not members of the family occupying said dwelling, but are under their supervision. Further, provided that a maximum of five (5) children are allowed to reside in the home including any natural children living in the home, if any children in the home are age two or younger. If no children are under two (2) years, six (6) is the maximum number of children permitted to reside in the home.

**Freeway:** A street designated as a freeway on the Major Street Plan.

**Frontage:** The lineal measurement of a lot boundary which abuts a public street or the lineal measurement of the building setback line when the boundary of the lot abuts a curved nonarterial street or cul-de-sac.

**Habitable Floor:** Any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or a combination thereof. A floor used for storage purposes only is not a "habitable floor".

**Halfway House:** A building used in whole or part as a treatment center and dwelling quarters for persons unrelated by blood or marriage who are undergoing care or rehabilitation for alcoholism or other forms of substance abuse.

**Height, Building:** The vertical distance measured from the average ground elevation to the highest horizontal point of the structure provided that the height exceptions listed in Section 2.10 of the Zoning Code shall apply.

**Height, Sign:** The vertical distance measured from the curb level to the highest point of the sign.

**Home Occupation:** Any occupation or profession carried on by the inhabitants which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory buildings; provided, that no trading in merchandise is carried on and in conjunction with which there is no advertising or display of merchandise. There shall be no mechanical equipment used or activity conducted which creates any noise, dust, or odor or electrical disturbance beyond the confines of the lot on which said occupation is conducted.

**Homeowners or Property Owners Association:** An incorporated nonprofit organization, to include non-residential property owners, operating under recorded land agreements through which:

- A. Each lot and/or homeowner in a planned unit development or other described land area is automatically a member, and
- B. Each lot is automatically subject to a charge for a proportionate share of the organization's activities, such as maintaining a common property, and
- C. The charge, if unpaid, becomes a lien against the property.

**Hotel:** A building or group of buildings under one ownership containing six (6) or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged with or without meals for compensation, but not including an auto or trailer court or camp, sanitarium, hospital, asylum, orphanage or building where persons are housed under restraint.

**Intoxicating Beverages:** All beverages as so defined in Title 37, Oklahoma Statutes.

**Junk and Salvage Yards:** Open areas, lots, land, parcels, buildings or structures, or parts thereof where wastes or used or secondhand materials are bought, collected, abandoned, sold, exchanged, stored, processed, crushed or handled. Materials shall include but are not limited to the following materials: used lumber, scrap iron and other metals, paper, plastic, rags, rubber tires, salvaged or dismantled vehicles, machinery, vehicular parts, bottles and cans and discarded goods.

**Kennel:** Any lot or premises on which three (3) or more animals of the same species, more than six (6) months of age are kept.

**Land Area:** The area of a lot plus one-half or 30 feet, whichever is less, of the right-of-way of any abutting street to which the lot has access.

**Land Coverage:** The area of a lot covered by building or buildings, except structural parking.

**Landscaped Area:** The unpaved area within a lot which contains grass, shrubs, flowers, ground cover, trees or native plant materials and which may include decorative fixtures such as rock, pools and planters.

**Life Care Retirement Center:** A residential facility containing dwellings designed for and principally occupied by senior citizens in a planned retirement community which includes a residential complex, an activity or community center, and a medical or nursing facility which is licensed by the State of Oklahoma as an Intermediate Care Facility or a Skilled Nursing Center.

**Livability Space:** The open space of a lot which is not allocated to or used for off-street parking or loading areas or for paved access to the off-street or loading area.

**Loading Berth, Off-Street:** A space of at least ten (10) feet in width and thirty (30) feet in length and having a vertical clearance of at least 14 feet, designed and located on a lot for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

**Lot:** Any plot of land occupied or intended to be occupied by one building or a group of buildings and accessory buildings and uses, including such open spaces as required by this ordinance and other laws or ordinances, and having its principal frontage on a street. Also, a Lot of Record.

**Lot Area:** The total horizontal area included within lot lines.

**Lot, Corner:** A lot of which at least two (2) adjacent sides abut for their full lengths on a street.

**Lot, Depth:** The average distance from the street line of the lot to its rear line, measured in the general direction of the sidelines of the lot.

**Lot, Double Frontage:** A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

**Lot, Interior:** A lot other than a corner lot.

**Lot Line:** Any boundary of a lot.

**Lot Line, Front:** The boundary of a lot which abuts a public street. Where the lot abuts more than one street, the owner may select the front lot line.

**Lot Line, Rear:** The boundary of a lot which is most distant from and most nearly parallel to the front lot line.

**Lot Line, Side:** Any boundary of a lot which is not a front lot line or a rear lot line.

**Lot of Record:** A lot which is a 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 Width:** The average horizontal distance between the side lot lines.

**Low-Point Beer:** All beverages as so defined in Title 37, Oklahoma Statutes, including beverages containing more than one-half of one percent (1/2 of 1%) alcohol by volume, and not more than three and two-tenths percent (3.2%) alcohol by weight, including but not limited to beer or cereal malt beverages obtained by the alcoholic fermentation of an infusion of barley or other grain, malt or similar products.

**Major Street Plan:** The City of Sand Springs Major Street Plan, as adopted by the Mayor and City Council of Sand Springs by Ordinance No. 182 on January 11, 1965, and revised by Resolution on August 9, 1971, or as it may hereafter be amended by ordinance or resolution.

**Manufactured Home:** See Dwelling, Manufactured Home.

**Manufactured Home Park:** Land or property which is used or intended to be used or rented for occupancy by one or more manufactured homes or movable sleeping quarters of any kind.

**Massage Parlor, Non-therapeutic:** Any place where for any form of consideration or gratuity, non-therapeutic massage, alcohol rub, administration of fomentation, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as a part of or in connection with sexual conduct or where any person providing such treatment, manipulation or service related thereto exposes specified anatomical areas.

**Massage, Therapeutic:** Systems of activity applied to the soft tissue of the body for therapeutic, educational, or relaxation purposes. Any person or persons administering such systems shall be certified as having successfully completed the National Board of Massage Therapists and Body Work program, or in the alternative, certified as having completed such a program as offered by a school licensed by the Oklahoma Board of Private Vocational Schools.

**Mini-Storage:** A building containing small partitioned storage spaces which are separately and individually rented or leased for the storage of personal goods or merchandise, but excluding commercial warehousing as described in Use Unit 23.

**Mobile Home:** See Dwelling, Mobile Home.

**Modular Home:** See Dwelling, Modular.

**Movement:** Physical movement or revolution of a sign or portion of a sign up or down, around or sideways.

**NA:** Not applicable.

**NEC:** Not elsewhere classified.

**Night Club:** A commercial establishment open to the general public, usually serving intoxicating and/or low-point beer, usually having a floor show, and usually providing music and a space for dancing.

**Nonconformance:** A lawful condition of a structure or land which does not conform to the regulations of the district in which it is situated. This may include but is not limited to failure to conform to use, height, area, coverage or off-street parking requirements.

**Nonconforming Use:** A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

**Nonintoxicating Beverages:** [Deleted]

**Nursing Home:** A residential health care facility which provides institutional lodging, nursing care, personal care and supervision to aged, chronically ill, physically infirm, or convalescent patients who are not related to the owner or administrator of the facility.

**One-Hundred Year Frequency Flood:** A flood having an average frequency of occurrence once in 100 years although the flood may occur in any year, based on statistical analyses of stream flow records available for the watershed and analyses of rainfall and run-off characteristics in the general region of the watershed, as predicted by the City Engineer, or as predicted by the U.S. Army Corps of Engineers and confirmed by the City Engineer.

**Parking Spaces, Off-Street:** A space on a lot intended and reserved for the parking of an automobile. Such space shall be a minimum of eight and one-half (8.5) feet by eighteen (18) feet in length, together with a driveway connecting the space with a street or alley and permitting safe ingress or egress of an automobile.

**Parking Space, Required Off-Street:** A space on a lot reserved for parking required by this Code.

**Permanent Foundation:** A foundation which meets the Building Codes of the City of Sand Springs.

**Personal Care:** Assistance with meals, dressing, movement, bathing or other personal needs or maintenance, or general supervision of the physical and mental well-being of a person, who is incapable of maintaining a private, independent residence, or who is incapable of managing his person, whether or not a guardian has been appointed for such person.

**Planning Commission:** The City of Sand Springs Planning Commission.

**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 permitting flexibility of principal land uses, lot sizes, and accessory uses not otherwise available under conventional development standards.

**Pole Barn:** An accessory agricultural building which may be enclosed on not more than three (3) sides used for the storage of farm machinery and implements, feed or such agricultural materials and supplies.

**Principal Use Restaurant:** An eating establishment which employs at least one full-time cook, has a menu, a fully equipped kitchen for cooking and preparation of meals and which eating establishment, including the kitchen area but excluding the bar area, occupies at least 75% of the total floor area of the business.

**Private Club:** A private commercial establishment open to members and their guests only and not open to the general public which is operated for profit and which sells and serves intoxicating and/or low-point beer for consumption on the premises. Reference is hereby made to that section of the Municipal Code of the City of Sand Springs defining "Private Club".

**Recreational Vehicle (RV):** A trailer, boat trailer, travel trailer, camping trailer, truck camper, camper shell, motor home, tent trailer, boat, houseboat, or similar vehicle or unit. Camper shells which are attached to a pickup truck are not considered a recreational vehicle.

**Residential Treatment Center:** A facility providing diagnostic or therapeutic services, counseling, or treatment and long-term room and board in a highly structured environment for its residents for substance abuse or dependency, or behavioral disorders.

**Rest Home:** See Care Home.

**Rooming and Boarding House:** A facility wherein congregate meals and lodging are provided for its residents limited to a maximum of six (6) or fewer guests are provided overnight accommodations and meals excluding such supervised living or residential care facilities as elsewhere defined (e.g. Nursing Homes, Group Homes, Transitional Living Center, Residential Treatment Center, etc.), and exclusive of a hotel or motel.

**Sanitarium:** An institution providing health facilities for inpatient medical treatment or treatment and recuperation using natural therapeutic agents.

**Service Organizations, Clubs or Lodges:** Organizations, clubs or lodges wherein the chief activity is providing a service and which is not operated as a business for profit, and which holds and maintains an income tax exempt status.

**Setback:** A horizontal distance determining the location of a building with respect to a street, use district boundary line, or another use. Where the term "setback" is used in conjunction with a modifying word or words such as "parking area", the setback shall in its application include, but not be limited to buildings.

**Sexually Oriented Business:** Amusement or entertainment which is distinguished or characterized by an emphasis on acts depicting, describing or relating to sexual conduct or specified anatomical areas, including but not limited to topless or bottomless dancers, exotic dancers, strippers, male or female impersonators or similar entertainment; or on display or for sale any materials, devices, novelties, or paraphernalia designed or marketed primarily for use to stimulate human genital organs or for use in connection with sadomasochistic practices.

**Sign:** Any object, device, structure or part thereof used to advertise, identify, display or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs as defined herein do not include the flag or emblem of any nation, organization of nations, state, city or any fraternal, religious or civic organizations; one corporate flag; works of art which in no way identify a product; temporary holiday decorations; or landscape features which display no words or symbols.

**Sign, Business:** Any sign which directs attention to a business, commodity, service, or entertainment conducted on the premises.

**Sign, Canopy:** See Signs, Wall.

**Sign, Construction:** A temporary sign erected during the period of construction advertising the construction of improvements on the property.

**Sign, Ground:** A sign which is part of a self-supporting structure, other than a building or portion of a building.

**Sign Illuminated:** Any sign which is directly lighted by any electrical light source, internal or external, excluding signs illuminated by light sources specifically and clearly operated for the purpose of lighting the general area in which the sign is located rather than the sign itself.

**Sign, Nameplate:** A sign, not exceeding four (4) square feet, attached flush against a building identifying the name of the building or the name of an occupant thereof.

**Sign, Outdoor Advertising:** A sign which directs attention to a business, commodity, service, or entertainment, sold or offered elsewhere than the premises and only incidentally on the premises, if at all. **Outdoor Advertising Signs are prohibited by Ordinance No. 1086 Amended approved January 5, 2005.** Lawfully existing Outdoor Advertising Signs may continue as a non-conforming use provided compliance is maintained in accordance with Section 15.04(A) of this Code.

**Sign, Portable:** Any sign designed, constructed or installed so as to facilitate its ready relocation during its intended period of use and shall include any sign upon or on a truck or trailer parked in or at a place of business not used in the normal course of business and as otherwise defined by this Code.

**Sign, Projecting:** A sign which is affixed to a building wall and which extends horizontally 12" or more from said wall. It shall also mean a sign which is affixed to a canopy, awning or marquee and which extends horizontally more than 12" from said canopy, awning or marquee.

**Sign, Promotional Business:** A sign, temporary in nature, consisting of tinsel, advertising flags, searchlights, balloons, banners, wind devices, or similar advertising devices, whether or not the same contain any words or characters.

**Sign, Real Estate:** A temporary sign advertising the sale, rental, or lease of the lot or portion thereof on which the sign is located.

**Sign, Revolving or Rotating:** A sign or sign part which rotates or revolves.

**Sign, Roof:** A sign which is affixed to a roof, extended roof, pitched roof, or canopy, and which extends above the building wall or parapet wall.

**Sign, Wall:** A sign affixed to a building wall, canopy, awning, marquee or parapet wall, or a sign displayed in or on a window or door which extends a maximum of less than 12" from the wall, canopy, awning, marquee, parapet wall, window or door, nor extends above the parapet wall.

**Site Development Plan:** A plan drawn at a scale of not less than one inch equals 50 feet which shows the topographic characteristics of the site at two (2) foot contour intervals; the location and dimensions of buildings, yards, courts, parking spaces and other features; the use of each building and area; adjacent streets, alleys, utility drainage and other easements; and the relationship of the development of adjacent areas which it may affect.

**Special Exception:** A use or a design element of a use which is not permitted by Right in a particular district because of potential adverse affect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the Board of Adjustment, where specifically authorized by the Code, and in accordance with the substantive and procedural standards of the Code.

**Specific Use Permit:** A Specific Use Permit (SUP) is a classification assigned to a particular use that requires such use to be subject to a public hearing and review by the Planning Commission. Final approval is required by the City Council as specified in Chapter 25 of this Zoning Code. Specific Use Permit uses are not permitted by Right or Special Exception in any Zoning District because of the potential adverse effects. However, if such adverse effects are controlled in that particular instance as to its relationship to the surrounding area and to the general welfare, a Specific Use Permit may be permitted in accordance with the substantive and procedural standards of the Zoning Code and Chapters 13 and 25.

**Story:** A room or set of rooms on one floor level of a building.

**Street:** Any public thoroughfare which affords the principal means of access to abutting property.

**Street, Intersection:** Any street which joins another street at an angle, whether or not it crosses the other.

**Street Wall:** The wall or part of the building nearest to the street line.

**Street Yard:** See Yard, Street.

**Structural Alterations:** Any change in the supporting members.

**Structure:** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, and includes buildings, carports, walks, fences, and signs.

**Substantial Improvement:** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with the existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**Supplemental District:** A zoning district to be mapped as an overlay to a use district and which modifies or supplements the regulations of the general district in recognition of distinguishing circumstances such as Historic Preservation or Planned Unit Development while maintaining the character and purposes of the general use district area over which it is superimposed.

**Top Plate:** The horizontal timber directly carrying the trusses of a roof or the rafters.

**Townhouse:** See Dwelling, Townhouse.

**Townhouse Development:** A subdivision containing at least three (3) townhouse lots.

**Transitional Living Center:** A non-institutional neighborhood based residential facility that provides short-term (120 days or less) room and board in a supervised living environment utilizing counseling and rehabilitation services for persons with a history of juvenile delinquency, behavioral disorders, alcoholism or substance abuse.

**Tree:** A woody plant as set forth within a list of trees adopted by resolution and as included in Chapter 11, Landscape Requirements of this Zoning Code.

**Variance:** A relaxation of a restriction of the Code, granted by the Board of Adjustment, where by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation, condition or circumstance of a particular property, the literal enforcement of the Code restriction would result in unnecessary hardship.

**Veterinarian Clinic:** A building or portion of a building used exclusively for the care and treatment of small animals, including incidental overnight boarding of animals within the enclosed building, excluding outside animal runs or boarding services.

**Veterinarian Hospital:** A building or portion of a building used for the care and treatment of animals, primarily in the livestock classification, which may include outside animal runs and boarding services.

**Yard:** An open unoccupied space on a lot between a building and a lot line.

**Yard, Front:** A yard extending along the full length of the front lot lines between the side lot lines.

**Yard, Required:** The minimum permitted distance of open unoccupied space between a building and a lot line.

**Yard, Rear:** A yard extending along the full length of the rear lot line between the side lot lines.

**Yard, Side:** A yard extending along a side lot line between the front yard and the rear yard.

**Yard, Street:** The minimum required yard (residential) abutting a public street or the area of a lot contained between the minimum required building setback line (nonresidential) and an abutting public street.

**Zoning Code:** The Zoning Code of the City of Sand Springs, and referred to herein as the "Code" unless the text clearly indicates otherwise.

## CHAPTER 4

### AGRICULTURE DISTRICT PROVISIONS

- 4.01. Purposes of the Agriculture District**
- 4.02. Principal Uses Permitted in the Agriculture District**
- 4.03. Accessory Uses Permitted in the Agriculture District**
- 4.04. Bulk and Area Requirements in the Agriculture District**
- 4.05. Requirements for Special Exception Uses in the Agriculture District**
- 4.06. Requirements for Specific Use Permits in the Agriculture District**

#### **SECTION 4.01. PURPOSES OF THE AGRICULTURE DISTRICT**

The Agriculture District is designed to:

- A.** Encourage and protect agricultural land until an orderly transition to urban development may be accomplished.
- B.** Discourage wasteful scattering of development in rural areas.
- C.** Obtain economy of public fund expenditures for improvements and services.

#### **SECTION 4.02. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT**

The principal uses permitted in the Agriculture District are designated by Use Units as set forth in Chapter 13 and Chapter 25 of this Code. Use Units are groupings of individual uses and are fully described, including their respective off-street parking, loading, screening requirements and other use conditions in Chapter 13. Use Units permitted in the Agriculture District are set forth in Table 1.

Table 1

## Use Units Permitted in the Agriculture District\*

Use Units		District
No.	Name	AG
1.	Area-Wide Uses by Right	X
2.	Area-Wide Special Exception	E/SUP
3.	Agriculture	X
4.	Public Protection & Utility Facilities	E
5.	Community Services, Cultural and Recreational Facilities	E
6.	Single-Family Dwelling	X
9.	Manufactured Home Dwelling	E**
20.	Commercial Recreation: Intensive	SUP
21.	Business Signs	X
24.	Extractive Operations, Mining and Mineral Processing	SUP

\* X = Use by Right

E = Special Exception

SUP = Specific Use Permit. Certain uses included in the various other Use Units may also require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 13 and 25, and Appendix B of this Zoning Code.

\*\* = A minimum tract size of five (5) acres per Section 4.05.B of this Code.

**SECTION 4.03. ACCESSORY USES PERMITTED IN THE AGRICULTURE DISTRICT**

**A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in an Agriculture District are permitted in such district. In addition, the uses set forth in Table 2 are permitted as accessory uses.

Table 2

Accessory Uses Permitted In the Agriculture District

Uses	District
1. Bulletin Boards	AG
2. Home Occupation*	AG
3. Identification Signs	AG
4. Real Estate Signs	AG
5. Parking/Storage of Recreational Vehicles	AG
6. Antennas and Antenna Support Structures	AG
7. Roomers and Boarders	AG**

\* By Special Exception requiring Board of Adjustment approval subject to the requirements set forth in Section 5.05.B.

\*\* By Special Exception only if the number of persons exceeds two (2) as specified in Section 4.04.B, up to a maximum of six (6) persons as specified in Section 4.04.B and 4.05.F.

**B. Accessory Use Conditions**

**1. General Conditions**

- a. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.
- b. Accessory buildings shall meet the minimum yard or building setback requirements.
- c. Antennas and Antenna Supporting Structures which are accessory to a principal use are permitted to be mounted on a permitted agricultural building or a customary accessory building; provided, that it shall not exceed 65 feet in height measured from the average ground elevation at the base of such structure to the highest horizontal point of the Antenna and Antenna Supporting Structure and that the surface area

of all such mounted antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. These provisions do not apply to principal use antennas or to antennas which are accessory to uses requiring Board of Adjustment approval, or approval of a Specific Use Permit.

d. Structures other than a permitted principal structure or customary accessory building which are used to support accessory antennas (including guy lines) shall:

- (1) Be located in the rear yard only, and limited to one such structure;
- (2) Not exceed 65 feet in height, measured from the average ground elevation at the base of the structure to the highest point of the Antenna and Antenna Supporting Structure;
- (3) Not encroach upon the land or airspace of any abutting property; and
- (4) Not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

## **2. Accessory Signs in the AG District**

- a. One bulletin board may be erected on each street frontage of an educational, religious, institutional, or similar use requiring announcement of its activities. The bulletin board shall not exceed 32 square feet in display surface area, nor 20 feet in height, and illumination, if any, shall be by constant light.
- b. One identification sign may be erected on each street frontage of a permitted non-residential use. The sign shall not exceed 32 square feet in surface area, nor 20 feet in height, and illumination, if any, shall be by constant light.
- c. A real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of the premises. The sign shall not exceed 80 square feet in surface area, nor 20 feet in height, and illumination, if any shall be by constant light.
- d. Signs on accessory equipment or structures, including, but not limited to satellite dishes, air conditioners and fences identifying the manufacturer, make and model, shall be limited to 25 square inches of display surface area for each piece of equipment or structure.

### 3. Parking or Storage of Recreational Vehicles

- a. Other than for purposes of loading and unloading, which shall take place within a 48 hour period, recreational vehicles located in an AG District shall be parked or stored:
  - (1) Inside a garage; or
  - (2) Within a rear yard, if located at least (5) feet from any lot line; provided, however, where said lot line abuts a public street, the recreational vehicle shall not be parked or stored closer to the street than the existing dwelling; or
  - (3) Within a non-required side yard; or
  - (4) Within a required side yard if the recreational vehicle is less than (6) feet in height (excluding the height of an outboard motor or windshield) and it is screened by a (6) foot screening fence along the lot line nearest the vehicle and extending the full length of the vehicle; or
  - (5) Within the front yard, provided:
    - [a] Space is not available or there is no reasonable access to either the side yard or rear yard; however, a corner lot is always deemed to have reasonable access to the rear yard and a fence is not necessarily deemed to prevent reasonable access;
    - [b] Parking inside the garage is not possible because of the size of the garage structure;
    - [c] The unit is parked perpendicular to the front lot line;
    - [d] The body of the recreational vehicle is at least 12 feet from the face of the curb or traveled portion of the street, but in no instance shall any portion of the vehicle extend over a sidewalk; and,
    - [e] Not more than one recreational vehicle is parked or stored in the front yard. A boat that is loaded on a boat trailer is considered one recreational vehicle.

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- b. The parking and storage of recreational vehicles in an AG District is permitted as set out above, provided:
  - (1) The vehicle is not used for dwelling purposes;
  - (2) The vehicle is not permanently connected to sewer lines, water lines, or electricity; and
  - (3) The vehicle is not used for storage of goods, materials, or equipment other than those items considered to be a part of the unit or essential for its use as a recreational vehicle.
- c. The Board of Adjustment may, as a Special Exception, permit recreational vehicles to be parked or stored in the front yard or required side yard if the conditions listed in subsection 4.03.B.3.a cannot be met.

### **4. Roomers and Boarders**

In a dwelling unit occupied as the private residence of the operator of said facility, one or more rooms may be rented or table board furnished, to not more than:

- a. Two (2) persons who are non-members of the family occupying said premises as a permitted accessory use; or
- b. More than two (2) persons up to a maximum of not more than six (6) persons who are not members of the same family by Special Exception requiring Board of Adjustment approval; and
- c. No window display or sign board shall be used to advertise such use.

**SECTION 4.04. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT**

Table 3  
Bulk and Area Requirements in the Agriculture District

District	AG
LOT WIDTH (Minimum feet)	300
LOT AREA (Minimum acres)	2
LAND AREA PER DWELLING UNIT (Minimum acres)	2.5
FRONT YARD AND ANY YARD ABUTTING A PUBLIC STREET (Minimum) Measured from Centerline of abutting street, add to the distance designated in the column to the right, 1/2 of right-of-way designated on Major Street Plan, or 25 feet if not designated on the Major Street Plan:	
Arterial or Freeway Service Road	35 feet
Not an Arterial or Freeway Service Road	25 feet
SIDE YARDS (Minimum)	
One side yard	10 feet
Other side yard	10 feet
REAR YARD (Minimum)	40 feet
BUILDING HEIGHT (Maximum)	NA

**SECTION 4.05. REQUIREMENTS FOR SPECIAL EXCEPTION USES IN THE AGRICULTURE DISTRICT**

The Special Exception Uses permitted in the Agriculture District, as designated in Table 1, are subject to the requirements set out below, and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

- A. The accessory use provisions of the Agriculture District pertaining to signs are applicable to accessory signs for uses permitted by Special Exception.
- B. A minimum tract size of five (5) acres per each manufactured home shall apply to manufactured homes permitted by Special Exception.

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- C.** Special Exception uses, except for manufactured homes as provided above, shall conform to the bulk and area requirements of the use district in which located, unless the Use Unit requirements are more restrictive, in which case the more restrictive shall control.
- D.** A community group home, convent, monastery and novitiate shall meet the use conditions as set forth in Section 13.05.C of this Code.
- E.** A home occupation shall meet the use conditions as set forth in Section 5.05.B of this Code.
- F.** Rooming and Boarding uses as provided in Section 4.03.B.4. Further, Rooming and Boarding shall meet the following additional requirements:
  - 1.** One off-street parking space for each guest shall be provided, in addition to the minimum of two (2) spaces required for the residence;
  - 2.** The home shall have as its primary function that of the private residence of the owner/operator; and
  - 3.** No signs or other displays advertising said use shall be permitted.
- G.** Special housing facilities are subject to the spacing requirements and Use Conditions in Use Unit 5, and the Off-Street Parking and Loading Requirements as provided in Chapter 13.

## **SECTION 4.06. REQUIREMENTS FOR SPECIFIC USE PERMITS IN THE AGRICULTURE DISTRICT**

Certain uses included in the various Use Units shown in Table 4-1 may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 25 and 13, and Appendix B of this Zoning Code.

## CHAPTER 5

### RESIDENTIAL DISTRICT PROVISIONS

- 5.01. Purposes of Residential Districts**
- 5.02. Principal Uses Permitted in Residential Districts**
- 5.03. Accessory Uses Permitted in Residential Districts**
- 5.04. Bulk and Area Requirements in Residential Districts**
- 5.05. Requirements for Special Exception Uses in Residential Districts**
- 5.06. Requirements for Specific Use Permits in Residential Districts**

#### SECTION 5.01 PURPOSES OF RESIDENTIAL DISTRICTS

##### **A. General Purposes**

The Residential Districts are designed to:

1. Achieve the residential objectives of the Comprehensive Plan.
2. Protect the character of residential areas by excluding inharmonious commercial and industrial activities.
3. Achieve a suitable environment for family life by permitting in residential areas appropriate neighborhood facilities, such as churches, schools, and certain cultural and recreational facilities.
4. Preserve openness of the living areas and avoid overcrowding by requiring minimum yards, open spaces, lot areas, and by limiting the bulk of structures.
5. Permit a variety of dwelling types and densities to meet the varying needs of families.
6. Control the density of residential development to facilitate the planning for provision of streets, utilities, and other public facilities.

##### **B. Purposes of the RE Residential Single-Family Estate District**

The RE District is designed to permit the development and conservation of single-family dwellings in large lot urban environments. The RE District is designed to permit the development and conservation of single-family detached dwellings in a suitable environment for family life on large parcels of land at a low rate of urban population density. It is the intent of this district to prohibit any other use which would substantially interfere with the stated purpose of this district, and discourage any use that would generate traffic and create congestion on neighborhood streets other than the normal traffic serving the residents of those streets.

**C. Purposes of the RS Residential Single-Family Districts**

The RS-1, RS-2, RS-3 and RS-4 districts are designed to permit the development and conservation of single-family detached dwellings in suitable environments in a variety of densities to meet the varying requirements of families.

**D. Purposes of the RD Residential Duplex District**

The RD district is designed to permit a more intense yet compatible use of tracts in or near single-family residential and other neighborhoods which because of size, topography, or adjacent land use are not ideally suited for single-family use.

**E. Purposes of the RT Residential Townhouse District**

The RT district is designed to permit the development of attached single-family townhouse dwellings, on separate lots, which are designed expressly for separate ownership, in suitable residential environments at a higher density than conventional detached single-family dwellings.

**F. Purposes of the RM Residential Multifamily Districts**

The RM-0, RM-1 and RM-2 districts are designed to permit the development and conservation of multifamily dwelling types, such as garden apartments, in suitable environments in a variety of densities to meet the varying requirements of families.

**G. Purposes of the RMH Residential Manufactured Home District**

The RMH district is designed to recognize manufactured home living as a residential use necessitating location in a residential manufactured home park development or in a residential manufactured home subdivision while requiring regulation to insure a suitable living environment.

## SECTION 5.02 PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS

The Principal Uses Permitted in the Residential Districts are designated by Use Unit as a set forth in Chapter 13 of this Code and Chapter 25. Use Units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 13. The use of an RE, RS, RD or RT district for access to any RM, O, C, or I district, or the use of an RM District for access to any O, C, SR or I District is prohibited unless permitted through an approved Planned Unit Development. The Use Units permitted in Residential Districts are set forth below in Table 1.

Table 1  
Use Units Permitted in Residential Districts\*

Use Units		Districts					
No.	Name	RE	RS	RD	RT	RM	RMH
1.	Area-Wide Uses by Right	X	X	X	X	X	X
2.	Area-Wide Special Exception Uses	E	E	E	E	E	E
4.	Public Protection & Utility Facilities	E	E	E	E	E	E
5.	Community Services, Cultural and Recreational Facilities	E	E	E	E	E	E
6.	Single-Family Dwelling	X	X	X	X	X	E
7.	Duplex Dwelling		E**	X	X	X	
7a.	Townhouse Dwelling				X	X	
8.	Multifamily Dwelling & Similar Uses					X	
9.	Manufactured Home Dwelling						X
10.	Off-Street Parking					E***	
11.	Offices, Studios & Support Services					E***	
16.	Mini-Storage					SUP****	

\*X = Use by Right

E = Special Exception

SUP = Specific Use Permit. Certain uses included in the various other Use Units may also require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 13 and 25, and Appendix B of this Zoning Code.

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- \*\* = Duplexes are permitted only in RS-3 and RS-4 districts upon approval of a Special Exception from the Board of Adjustment.
- \*\*\* = In RM-2 District only upon approval of a Special Exception from the Board of Adjustment.
- \*\*\*\* = SUP Mini-storage may be permitted in the RM-1 and RM-2 District only upon approval of a Specific Use Permit. See Chapters 13 and 25.

**SECTION 5.03 ACCESSORY USES PERMITTED IN RESIDENTIAL DISTRICTS**

**A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in a Residential District are permitted in such district. In addition, the following uses set forth in Table 2, are permitted as accessory uses.

Table 2

Accessory Uses Permitted in Residential Districts

Uses	Districts
1. Accessory Commercial	RM-2
2. Home Occupations As permitted by Section 5.03.B.6.a	All R Districts
As permitted by Section 5.03.B.6.b and 5.05.B	All R Districts*
3. Roomers and Boarders	All R Districts**
4. Shelters	All R Districts
5. Signs: Bulletin Board Identification Sign Real Estate Construction Sign	All R Districts
6. Swimming Pool	All R Districts
7. Management Office and Private Recreation, Laundry, Storage Facilities	RM-0, RM-1, RM-2 And RMH
8. Family Day Care Home	All R Districts
9. Parking/Storage of Recreational Vehicles	All R Districts
10. Antennas	All R Districts

\* By Special Exception requiring Board of Adjustment approval.

\*\* By Special Exception requiring Board of Adjustment approval if the number of persons exceeds two (2) up to a maximum of six (6) persons.

## B. Accessory Use Conditions

### 1. General Conditions:

- a. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, and shall comply with the requirements applicable to the principal building.
- b. A detached accessory building shall not be located in the front or side yard or encroach upon a minimum building setback line. This limitation shall not apply to carports, provided the minimum required front yard or side yard or setback line is observed.
- c. Within the rear yard, a detached accessory building ***comply with the requirements of Section 2.12.B.5a.***
- d. Detached accessory buildings ***and accessory buildings not erected as an integral part of the principal building in the aggregate shall not exceed seven hundred fifty (750) square feet of floor area in the RS-1 or RE Districts, nor six hundred (600) square feet in the RS-3 and RS-2 Districts, nor five hundred (500) square feet in the RS-4 District or forty percent (40%) of the floor area of the principal residential structure, whichever is greater. The Board of Adjustment upon application may grant a Special Exception to modify these restrictions.***
- e. Antennas and their supporting structures which are accessory to a residential use are permitted to be mounted on a residential dwelling or customary accessory building; provided that it shall not exceed 65 feet in height measured from the average ground elevation at the residential dwelling to the highest horizontal point of the Antenna and Antenna Supporting Structure and that the surface area of all such mounted Antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. These provisions do not apply to principal use Antennas or to Antennas which are accessory to uses requiring approval of a Specific Use Permit.
- f. Structures other than a dwelling or customary accessory building which are used to support accessory Antennas (including guy lines) shall:
  - (1) Be located in the rear yard only, and shall be limited to one such structure;

- (2) Not exceed 65 feet in height, measured from the average ground elevation at the residential dwelling to the highest point of the Antenna and Antenna Supporting Structure;
- (3) Not encroach upon the land or airspace of any abutting property; and
- (4) Not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

## **2. Accessory Commercial**

- a. Permitted commercial accessory uses are limited to the uses included in Use Unit 12 and Use Unit 13, designed and located for the convenience of the occupants of a multifamily dwelling.
- b. Commercial accessory uses shall be located entirely within a multifamily structure and may have an exterior public entrance for each interior lobby entrance.
- c. Commercial accessory uses shall not occupy more than 10% of the gross floor area of the building in which located.
- d. No signs or other advertising shall be visible from outside the lot.

## **3. Roomers and Boarders**

In a dwelling unit occupied as the private residence of the operator of said facility, one or more rooms may be rented or table board furnished, to not more than:

- a. Two (2) persons who are non-members of the family occupying said premises as a permitted accessory use; or
- b. Two (2) persons up to a maximum of not more than six (6) persons who are not members of the same family by Special Exception requiring Board of Adjustment approval; and
- c. No window display or sign board shall be used to advertise such use.

## **4. Signs**

- a. One bulletin board may be erected on each street frontage of any educational, religious, institutional, or similar use requiring announcement of its activities. The bulletin board shall not exceed

32 square feet in surface area, nor 20 feet in height, and illumination, if any, shall be by constant light.

- b. One identification sign may be erected on each perimeter street frontage of a multifamily development, manufactured home park or subdivision, single-family subdivision or permitted nonresidential use. The sign shall not exceed 32 square feet nor exceed 20 feet in height. Illumination, if any, shall be by constant light.
- c. During the initial period of construction, but in no event exceeding 18 months, a sign advertising the construction of improvements on the premises, may be erected on each perimeter street frontage of the development; provided, however, said sign shall not exceed one-half (1/2) of a square foot of display surface area per lineal foot of street frontage; provided, further, that in no event shall the sign be restricted to less than 32 square feet nor be permitted to exceed 300 square feet of display surface area. The sign shall not exceed 20 feet in height, and illumination, if any, shall be by constant light. After the initial 18 month period of construction of improvements on the premises, a construction sign shall be reduced to not exceed eight (8) feet in height, and eight (8) square feet in display surface area.
- d. A temporary real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of a lot. The sign shall not exceed eight (8) square feet in display surface area, nor eight (8) feet in height, when in an RS, RE or RD district. If in an RT, RM, or RMH district, the sign shall not exceed 20 square feet in display surface area, nor ten (10) feet in height. Illumination, if any, shall be by constant light.
- e. Signs on accessory equipment or structures, including, but not limited to satellite dishes, air conditioners and fences, identifying the manufacturer, make and model, shall be limited to 25 square inches of display surface area for each piece of equipment or structure.

## **5. Family Day Care Homes**

- a. Must be licensed by the State of Oklahoma Department of Human Services or any successor agency or department thereof.
- b. Must obtain a Zoning Clearance Permit from the Code Enforcement Officer/Building Inspector if established after the effective date of this Code.

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- c. A maximum of seven (7) children, including those pre-school children under five (5) years of age who reside in the residence, may be cared for in the home.
- d. No person shall be employed other than a member of the immediate family residing on the premises or a substitute caregiver as required by the standards for Family Day Care Homes adopted by the Oklahoma Department of Human Services.
- e. No signs advertising the Family Day Care Home shall be permitted on the lot.
- f. No exterior alterations of the dwelling or any customary accessory structure shall be made which would detract from the residential character of the structures.
- g. No Family Day Care Home may be located on a lot within 300 feet of another lot containing a Family Day Care Home if any boundary of said lots abut the same street. "Street" as used herein shall mean any named or numbered street along its full length, irrespective of any intervening street.
- h. State licensed Family Day Care Homes in existence on the effective date of this Code, but which would be prohibited by the spacing requirements, may continue as otherwise regulated herein.

**6. Home Occupations**

- a. Home Occupations permitted by Right, shall include but are not limited to:
  - Artists
  - Authors and composers
  - Catering/Food Service
  - Computer programming
  - Home cooking and preserving
  - Home crafts
  - Ironing
  - Music Lessons, limited to one student at a time
  - Sewing
  - Telephone answering and/or solicitation
  - Tutorial service, limited to one student at a time

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Such Home Occupations shall comply with the following requirements:

- (1) Only members of the family residing in the dwelling shall participate in the Home Occupation.
- (2) Signs or displays, including signs exceeding two (2) square feet on a vehicle, advertising the Home Occupation on the premises, which are visible from outside the lot are prohibited.
- (3) The Home Occupation shall be conducted entirely within an enclosed principal residential structure or other customary accessory building.
- (4) Mechanical equipment which creates noise, dust, odor or electrical disturbance is prohibited.
- (5) Exterior alterations of the structure which would detract from the residential character of the structure are prohibited.
- (6) Outside storage or display of materials or items associated with the Home Occupation is prohibited.
- (7) A maximum of 500 square feet of floor area may be used in the Home Occupation.
- (8) Vehicles used in conjunction with the Home Occupation shall be parked off the street, on the lot containing the Home Occupation, and shall be of a type customarily found in a residential area.
- (9) The sale of merchandise on the premises is prohibited.
- (10) The pick up of home craft or food items at the Home Occupation site is prohibited.

b. Home Occupations permitted by Special Exception.

Home Occupations which are not permitted by Right and which do not consist of uses within Use Unit 12 or 12a nor uses within Use Units 13 through 28 inclusive may be permitted as a Special Exception subject to the minimum requirements as set forth in Section 5.05.B and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

c. Uses within Use Units 12, 12a and 13 through 28 inclusive shall not be considered as Home Occupations and are prohibited in all Residential and Agricultural Districts.

## 7. Parking or Storage of Recreational Vehicles

- a. Other than for purposes of loading and unloading, which shall take place within a 48 hour period, recreational vehicles located in an R District shall be parked or stored:
  - (1) Inside a garage; or
  - (2) Within a rear yard, if located at least five (5) feet from any lot line; provided, however, where said lot line abuts a public street, the recreational vehicle shall not be parked or stored closer to the street than the existing dwelling; or
  - (3) Within a non-required side yard; or
  - (4) Within a required side yard if the recreational vehicle is less than six (6) feet in height (excluding the height of an outboard motor or windshield) and it is screened by a six (6) foot screening fence along the lot line nearest the vehicle and extending the full length of the vehicle; or
  - (5) Within the front yard, provided:
    - [a] Space is not available or there is no reasonable access to either the side yard or rear yard. A corner lot is always deemed to have reasonable access to the rear yard and a fence is not necessarily deemed to prevent reasonable access;
    - [b] Parking inside the garage is not possible because of the size of the garage structure;
    - [c] The unit is parked perpendicular to the front lot line;
    - [d] The body of the recreational vehicle is at least 12 feet from the face of the curb or traveled portion of the street. In no instance shall any portion of the vehicle extend over a sidewalk; and
    - [e] Not more than one recreational vehicle is parked or stored in the front yard. A boat that is loaded on a boat trailer is considered one recreational vehicle.

- b. The parking and storage of recreational vehicles in an R District is permitted as set out above provided:
  - (1) The vehicle is not used for dwelling purposes;
  - (2) The vehicle is not permanently connected to sewer lines, water lines, or electricity; and
  - (3) The vehicle is not used for storage of goods, materials, or equipment other than those items considered to be a part of the unit or essential for its use as a recreational vehicle.
  
- c. The Board of Adjustment may, as a Special Exception, permit recreational vehicles to be parked or stored in the front yard or required side yard if the conditions listed above cannot be met.

**SECTION 5.04 BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS**

**A. Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts**

Table 3

Districts

	<u>RE</u>	<u>RS-1</u>	<u>RS-2</u>	<u>RS-3</u>	<u>RS-4</u>	<u>RD</u>	<u>RT</u>	<u>RM-O</u>	<u>RM-1</u>	<u>RM-2</u>
<b>LOT WIDTH (Min. Ft.)</b>										
<b>Single-Family Dwelling</b>	150*	100	75	60	50	60	60	60	60	60
<b>Duplex Dwelling</b>						60	60	60	60	60
<b>Multifamily Development</b>								100	100	50
<b>LOT AREA (Min. SF)</b>										
<b>Single-Family Dwelling</b>	24,000	13,500	9,000	6,900	5,500	6,900	6,900	6,900	6,000	6,000
<b>Duplex Dwelling</b>						6,900	6,900	6,900	6,900	6,900
<b>Multifamily Development</b>								10,000	10,000	6,000
<b>Townhouse Development</b>							12,000	12,000	12,000	12,000
<b>LAND AREA PER D.U. (Min. SF)</b>										
<b>Single-Family Dwelling</b>	28,375	16,000	10,875	8,400	6,750	8,400	8,400	7,500	7,500	7,500
<b>Duplex Dwelling</b>						4,200	4,200	4,200	4,200	4,200
<b>Multifamily Development</b>										
Less than two bedrooms								2,800	2,400	1,800
Two or more bedrooms								3,600	3,100	2,290
<b>Townhouse Development</b>										
<b>(3 Units Minimum)</b>										
Development Width (Min. Ft.)							105	105	105	105
Lot Width (Min. Ft.)							35	35	35	35
Lot Area (Min. SF)							3,675	3,675	3,675	3,675
Land Area (of Development) per D.U. (Min. SF)							4,550	4,550	4,550	4,550
<b>STRUCTURE HEIGHT (Max. Ft.)</b>	35	35	35	35	35	35	35	35	35	N/A
<b>LIVABILITY SPACE PER D.U. (Min. SF)</b>	12,000	7,000	5,000	4,000	2,500	2,000	1,575	1,575	1,575	1,575
<b>FRONT YARD AND ANY YARD ABUTTING A PUBLIC STREET:</b>										
Measured from the centerline of abutting street; add to the distance designated in the column to the right, 1/2 of the right-of-way width designated on the Major Street Plan, or 25 feet if the street is not designated on the Major Street Plan: (Min. Ft.)										
Arterial or Freeway Service Rd	35	35	35	35	35	35	35	35	35	35
Not an Arterial	35	35	30	25	20	25	25	25	25	10
<b>REAR YARDS (Min. Ft.)</b>	25	25	25	20	20	20	20	20	20	10
<b>SIDE YARDS (Min. Ft.)</b>										
One side yard	15	10	10	5	5	10	10	10	10	10
Other side yard	15	5	5	5	5	5	10	10	10	10

\* See Note 8.

The foregoing Bulk and Area Requirements in Table 3 above are modified as follows:

1. In the RM-O, RM-1 and RM-2 District, a one-story limitation shall apply to structures containing more than three (3) dwelling units which are within 50 feet of an adjoining RE or RS District.
2. A minimum of three (3) townhouse lots is required.
3. Required livability space within a townhouse development shall be provided on each townhouse lot, or may be provided in common areas within the townhouse development as designated on the recorded subdivision plat.
4. When a lot or portion of a lot abuts a cul-de-sac having a radius greater than 25 feet, or when a lot or portion of a lot abuts a nonarterial street right-of-way which exceeds 50 feet in width, the setback distance designated in the column to the right shall be measured from the property line.
5. When a single-family or duplex lot abuts a non-arterial street right-of-way on two (2) sides, the owner may select the front yard and the other yard abutting the non-arterial public street shall not be less than 15 feet; provided that garages which access this street shall be setback a minimum of 20 feet.
6. Side yards shall not apply to interior lot lines of townhouse developments.
7. Front yard requirements in the RE, RS-1, RS-2, RS-3 and RS-4 Districts may be reduced by five (5) feet with Board of Adjustment approval as a Special Exception.
8. The frontage of any lot in the RE District which meets the requirements of minimum lot size may be less than the minimum frontages as long as the front building line on said lot is a minimum of 125 lineal feet.

**B. Bulk and Area Requirements in the RMH District**

**1. Residential Manufactured Home Park Development**

The development shall consist of one or more tract(s) under common ownership or control which shall be contiguous or separated only by non-arterial streets or alleys.

**a. General Requirements**

- (1) Minimum internal private street surfacing width - 24 feet.
- (2) All dwellings shall be completely skirted.
- (3) All dwellings shall be anchored as required by the City Ordinance.

- (4) All dwellings shall be certified and display such certification that they have been constructed and comply with the National Mobile Home Construction and Safety Standards.
- (5) One identification sign may be erected on each perimeter street frontage of a manufactured home park. The sign shall not exceed two-tenths of a square foot of display surface area per lineal foot of street frontage; provided, however, that in no event shall the sign exceed 12 square feet of display surface area. The sign shall not exceed 15 feet in height, and illumination, if any, shall be by constant light.

b. Tract Development Standards

Tract Area	(Minimum)	5 acres
Land Area per Dwelling Unit	(Minimum)	5,445 SF
Tract Width	(Minimum)	200 feet

Setback Abutting a Public Street: (Minimum)

MEASURED FROM THE CENTERLINE; add to the distance designated in the column to the right, 1/2 of right-of-way width designated on Major Street Plan, or 25 feet, if not designated on Major Street Plan:

Abutting an Arterial or Freeway Service Road	35 feet
Not Abutting an Arterial or Freeway Service Road	25 feet

Setback from Perimeter Boundary, except where abutting a public street 15 feet

Height (Maximum) One-Story

Livability Space: Common park/recreational open space and facilities (which may include trails, playgrounds, community buildings and tot-lots) shall be delineated and provided on each development established under these regulations equal to at least 6% of the total gross tract area, exclusive of open area on each space. In no case shall this space be less than 300 SF per individual dwelling.

c. Internal Space Requirements exclusive of streets and required open space:

Minimum Space Width	40 feet
Minimum Space Area	4,000 SF
Side Yards (Minimum)	
One Side Yard	5 feet
Other Side Yard	10 feet
Rear Yard (Minimum)	15 feet
Front Yard (Minimum)	20 feet
Minimum Separation between Dwellings	15 feet
Minimum Paved Off-Street Parking Spaces per Dwelling Unit	2
Independent Accessory Building	36 SF minimum area 250 SF maximum area
Minimum Setback from Space Boundary	5 feet
Maximum Area Under Roof	45% of the space
Area Under Roof is the sum of the square footages of the dwelling plus carport and outdoor shelters, plus any independent accessory buildings.	

Paved outdoor living area shall be provided on each space and shall be a minimum of 100 square feet and shall have no dimension less than 8 feet. This area may be covered with a roof, subject to limitations imposed by maximum area under roof. Required parking areas and driveways shall not be included as part of this outdoor living area.

**2. Residential Manufactured Home Subdivision**

A subdivision designed for the sale of lots for the purpose of siting manufactured homes on individual lots, provided that such a development and lots therein shall comply with the requirements set out below and a subdivision plat incorporating said requirements is submitted to and approved by the Planning Commission and filed of record in the office of the County Clerk.

- a. General Requirements:
- (1) All dwellings shall be attached to a conventional permanent foundation.
  - (2) All manufactured homes placed shall be certified and shall conspicuously display such certification that they have been constructed and comply with the National Mobile Home Construction and Safety Standards.
  - (3) The tract to be subdivided shall consist of one or more tracts under common ownership or control which shall be contiguous or separated only by non-arterial streets or alleys and have an area of at least ten (10) acres.
  - (4) One identification sign may be erected on each perimeter street frontage of a manufactured home subdivision. The sign shall not exceed 12 square feet of display surface area, 15 feet in height, and illumination, if any, shall be by constant light.

b. Bulk and Area Requirements

Lot Width	(Minimum)	50 feet
Lot Area	(Minimum)	5,500 SF
Land Area per Dwelling Unit	(Minimum)	6,750 SF
Structure Height	(Maximum)	35 feet
Livability Space per Dwelling Unit	(Minimum)	2,500 SF

Front Yard and Any Yard Abutting a Public Street:

MEASURED FROM CENTERLINE of abutting street; add to the distance designated in the column to the right, 1/2 of the right-of-way width designated on Major Street Plan, or 25 feet if not designated on Major Street Plan (Min.)\*

Abutting an Arterial or Freeway Service Road		35 feet
Not Abutting an Arterial or Freeway Service Road		20 feet
Side Yards	(Minimum)	5 feet
Rear Yard	(Minimum)	15 feet
Accessory building setback from side or rear yard (Not permitted in required front yard)		5 feet

Minimum Paved Off-Street Parking Spaces/Dwelling Unit 2

\*Except where a lot or portion of a lot abuts a cul-de-sac having a radius greater than 25 feet, the setback distance designated in the column to the right shall be measured from the property line.

## **SECTION 5.05 REQUIREMENTS FOR SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS**

The Special Exception Uses permitted in the Residential Districts as designated in Table 1 are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

- A. The accessory use provisions of the Residential Districts pertaining to signs are applicable to accessory signs for principal uses permitted by Special Exception.
- B. Home Occupations permitted by Special Exception.
  - 1. The Home Occupation must be accessory to the use of the dwelling unit as a residence.
  - 2. Only members of the family residing in the dwelling shall participate in the Home Occupation.
  - 3. One identification sign shall be permitted for each Home Occupation advertising its use. The sign shall be affixed to the principal building or customary accessory building and shall not exceed two (2) square feet in surface area. No illumination of any type shall be permitted.
  - 4. The Home Occupation shall be conducted entirely within an enclosed principal residential structure or customary accessory building.
  - 5. Mechanical equipment which creates noise, dust, odor or electrical disturbance is prohibited.
  - 6. Exterior alterations of the structure which would detract from the residential character of the structure are prohibited.
  - 7. Outside storage or display of materials or items associated with the Home Occupation is prohibited.
  - 8. A maximum of 500 square feet of floor area may be used in the Home Occupation.
  - 9. Vehicles used in conjunction with the Home Occupation shall be parked off the street, on the lot containing the Home Occupation and shall be of a type customarily found in a residential area.
- C. In the RS-3 and RS-4 Districts, duplex use shall comply with the height and yard requirements for single-family use and in addition shall comply with the following requirements:
  - 1. Minimum lot area of 9,000 square feet,

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2. Minimum land area per dwelling unit of 5,000 square feet,
  3. Minimum frontage of 75 feet, and
  4. Minimum livability space per dwelling unit of 2,500 square feet.
- D. In the RMH District, a single-family dwelling shall comply with the bulk and area requirements set out in Paragraph 5.04.B.2.
- E. Provided that the more restrictive Use Unit requirements shall control, and except as provided in C and D above, and Section 2.12, Special Exception uses shall comply with the least restrictive yard and height requirements of the district in which located and, in addition, shall comply with the following requirements:
1. Maximum floor area ratio of 0.5.
  2. Minimum lot size of 10,000 square feet.
  3. Minimum frontage of 100 feet.
  4. A minimum building setback of 25 feet from abutting properties located in an R District.
- F. Office use in the RM-2 District shall comply with the bulk and area requirements of the OM District, except no structure shall exceed two (2) stories in height.
- G. Parking lots may be permitted in an RM-2 District only, provided:
1. It is not a commercial lot; and
  2. It is not abutting the side lot line of two (2) existing single-family dwellings.
- H. Rooming and Boarding uses approved as a Special Exception shall conform to the following requirements:
1. One off-street parking space for each guest shall be provided, in addition to the minimum of two (2) spaces required for the residence;
  2. The home shall have its primary function that of the private residence of the owner/operator; and
  3. No signs or other displays advertising said use shall be permitted.
- I. Refer to Use Unit 5, Community Services, Cultural and Recreational Facilities, for Use Conditions and spacing requirements for special housing facilities.

**SECTION 5.06. REQUIREMENTS FOR SPECIFIC USE PERMITS IN THE RESIDENTIAL DISTRICT**

- A. Certain uses included in the various Use Units shown in Table -1 may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 25 and 13, and Appendix B of this Zoning Code.
- B. Mini-storage facilities located in RM-1 and RM-2 Districts shall comply with the following requirements:
  - 1. The building height is limited to 12 feet, provided however, if the facilities contain an accessory dwelling to be used for management and security purposes, the height of the dwelling shall not exceed 35 feet.
  - 2. The minimum building setback from an adjacent arterial street or freeway service road shall be 50 feet, plus one half (1/2) the right-of-way designated on the Major Street Plan. The minimum building setback from an adjacent nonarterial street shall be 35 feet. The minimum building setback from a freeway and all other boundaries shall be ten (10) feet, provided however, the City Council may allow less building setback in these instances if the wall of the building is also to be used to meet the screening requirement, but in no event shall such setback be less than five (5) feet.
  - 3. Building walls on the exterior of the development shall consist of masonry or concrete construction using brick, stone, decorative block, concrete, stucco or concrete tilt-up panels.
  - 4. The floor area ratio (FAR) shall not exceed 0.5.
  - 5. Access doors to storage units shall not be visible at ground level from an abutting O or R District and shall not be visible from an abutting public street.
  - 6. No hazardous, toxic or explosive materials are permitted to be stored in such facilities.
  - 7. Open air storage is prohibited in the RM-1 District. Open air storage is prohibited on the perimeter of the lot in an RM-2 District, but is permitted on the interior of the lot if the storage is not visible at ground level from an abutting O or R District or any public street.
  - 8. The development site shall have frontage on and access to an arterial street unless otherwise provided by the City Council upon approval of a Specific Use Permit.
  - 9. Only one ground sign shall be permitted. Location, size and height of such sign shall be determined by the City Council upon approval of a Specific Use Permit, provided however, the sign shall not exceed 15 feet in height and 12 square feet of display surface area and illumination, if any, shall be by constant light.

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10. A screening fence or masonry wall (as required by the City Council upon approval of a Specific Use Permit) a minimum of eight (8) feet in height is required along the lot line or lot lines in common with an R District. The wall of the buildings may be used to comply with this screening requirement upon approval of a Specific Use Permit and in such case open spaces between perimeter buildings shall be screened with an eight (8) foot tall masonry wall.
- C. Refer to Use Unit 5, Community Services, Cultural and Recreational Facilities for Use Conditions and Spacing Requirements for Special Housing Facilities.

## CHAPTER 6

### OFFICE DISTRICT PROVISIONS

- 6.01. Purposes of Office Districts
- 6.02. Principal Uses Permitted in Office Districts
- 6.03. Accessory Uses Permitted in Office Districts
- 6.04. Bulk and Area Requirements in Office Districts
- 6.05. Requirements for Special Exception Uses in Office Districts
- 6.06. Requirements for Specific Use Permits in Office Districts

#### SECTION 6.01. PURPOSES OF OFFICE DISTRICTS

##### A. General Purposes

The Office Districts are designed to preserve and promote the development of efficient office facilities and to maximize the compatibility with other land uses by:

1. Establishing bulk and area controls.
2. Requiring off-street parking and loading facilities.
3. Establishing the several districts necessary to meet the need for a variety of office types.
4. Controlling the number, area, location, and types of signs.

##### B. Purposes of the OL Office Low Intensity District

The OL District is designed to facilitate the development and preservation of low intensity office development.

##### C. Purposes of the OM Office Medium Intensity District

The OM District is designed to provide areas for offices, together with certain community facilities normally compatible with primary office uses. It is designed to preserve existing medium intensity office development and to facilitate the development of new medium intensity office areas.

##### D. Purposes of the OH Office High Intensity District

The OH District is designed to provide for multi-story office development in areas that have been designated as High Intensity Office or Special District by the Comprehensive Plan.

**SECTION 6.02. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS**

The principal uses permitted in the Office Districts are designated by Use Units as set forth in Chapter 13 and Chapter 25 of this Code. The Use Units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 13. The Use Units permitted in Office Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Office Districts\*

Use Units		Districts		
No.	Name	OL	OM	OH
1.	Area-Wide Uses	X	X	X
2.	Area-Wide Special Exception Uses	E	E	E
4.	Public Protection & Utility Facilities	E	E	E
5.	Community Services, Cultural and Recreational Facilities	E	X****	X****
6.	Single-Family Dwelling	E	E	E
7.	Duplex Dwelling	E	E	E
7a.	Townhouse Dwelling	E	E	X
8.	Multifamily Dwelling and Similar Uses	E	E	X
10.	Off-Street Parking Areas	X	X	X
11.	Offices, Studios & Support Services	X**	X	X
12.	Eating Establishments Other than Drive-Ins			X
16.	Mini-Storage		SUP	SUP
19.	Hotel, Motel and Recreational Facilities			E***

\*X = Use by Right

E = Special Exception

SUP = Specific Use Permit. Certain uses included in the various other Use Units may also require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 13 and 25, and Appendix B of this Zoning Code.

\*\* = Drive-in bank facilities, whether a principal or accessory use, require Board of Adjustment approval as a Special Exception in OL Districts.

\*\*\* = Limited to hotel and motel

\*\*\*\* = Special housing facilities in Use Unit 5 shall meet the applicable spacing requirements in the Use Conditions, and the Off-Street Parking and Loading requirement as provided in Chapter 13 and may require approval of a Specific Use Permit as shown in Chapter 25.

**SECTION 6.03. ACCESSORY USES PERMITTED IN OFFICE DISTRICTS**

**A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in an Office District are permitted in such district. In addition, the uses set forth in Table 2 are permitted as accessory uses.

Table 2

Accessory Uses Permitted in Office Districts

Uses	Districts
Business Signs	All Districts
Barber and Beauty Shops	OL* OM OH
Construction Sign	All Districts
Convenience Goods and Services and Shopping Goods and Services	OL* OM OH
Eating Establishments, other than Drive-Ins	OL OM OH
Private Clubs**	OH*
Real Estate Signs	All Districts
Antennas and Antenna Support Structures	All Districts

\* By Special Exception requiring Board of Adjustment approval, subject to the requirements set forth in Section 6.05.

\*\* Private Club as used in this Chapter is defined as provided in Chapter 1, Title 15, of the Code of the City of Sand Springs and Chapter 3 of this Code, and is subject to the provisions thereof. Private clubs in the OH District shall comply with the requirements of Section 6.03.B.7 of this Code.

**B. Accessory Use Conditions**

**1. General Conditions**

- a. Accessory buildings shall meet the minimum building setback lines of the applicable district.
- b. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith and shall comply with the requirements applicable to the principal building.

**2. Convenience Goods & Services and Shopping Goods & Services**

- a. Permitted Convenience Goods and Services and Shopping Goods and Services in an OH District or any Office District with a PUD Supplemental District are limited to the uses included in Use Units 13 and 14.
- b. Convenience Goods and Services and Shopping Goods and Services in an OM and OH District or any Office District with a PUD Supplemental District shall be located entirely within the principal building.
- c. Convenience Goods and Services and Shopping Goods and Services in an OM and OH District or any Office District with a PUD Supplemental District shall not occupy more than 15% of the gross floor area of the building in which located.

**3. Eating Establishments Other Than Drive-Ins**

- a. Permitted accessory eating establishments are limited to the uses included in Use Unit 12, designed and located for the convenience of the occupants of the principal building.
- b. Eating establishments shall be located entirely within the principal building.
- c. Eating establishments shall not occupy more than 5% of the gross floor area of the building in which located.

**4. Accessory Signs**

- a. Shall comply with the requirements of this Section and shall comply with the applicable general use conditions for business signs as provided in 13.21.C, 13.21.C.4.a. through l., C.10, C.12, C.13 and C.16. Where the requirements of this Section are greater or more restrictive than the above-specified requirements in 13.21.C, the requirements of this Section shall apply.
- b. Roof signs are prohibited.
- c. Not more than one sign may be erected per each street frontage of a lot.

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- d. The sign shall not exceed two-tenths of a square foot of display surface area per lineal foot of street frontage; provided, however, that in no event shall the sign be restricted to less than 32 square feet nor be permitted to exceed 150 square feet of display surface area.
  - e. Signs, if visible from an R District other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall be setback from such district or area a minimum distance of 50 feet.
  - f. Ground signs in the OL and OM Districts shall not exceed the height of the building in which the principal use is located or 20 feet, whichever is lower. Ground signs in the OH District shall not exceed 30 feet in height.
  - g. Illumination, if any, shall be by constant light.
5. During the period of construction, a temporary sign advertising the construction of improvements on the premises may be located on each arterial street frontage of the development. The sign shall not exceed 160 square feet of display surface area. The sign shall not be permitted to exceed 15 feet in height, and illumination, if any, shall be by constant light.
6. A temporary real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of a lot. The sign shall not exceed 32 square feet in display surface area, nor 15 feet in height, and illumination, if any, shall be by constant light.
7. Accessory use Private Clubs in OH Districts shall comply with the following requirements:
- a. Within the OH District the private club shall be located entirely within principal the building and shall not occupy more than 5% of the gross floor area of the building in which located.
  - b. Within the OH District the principal office structure may include an eating place occupying a maximum of 5% of the gross floor area, a private club occupying a maximum of 5% of the gross floor area and facilities for convenience goods and services and shopping goods and services occupying a maximum of 15% of the gross floor area with a total of not more than 25% of the principal structure being devoted to uses other than offices and studios.
  - c. Provided, the eating place, private club, and accessory convenience goods and services and shopping goods and services do not exceed the maximum allowable for each individual use.

**8. Accessory Antenna and Antenna Supporting Structures**

- a. Antennas and Antenna Supporting Structures which are accessory to an office use are permitted to be mounted on an office building or a customary accessory building; provided, that it shall not exceed 65 feet in height measured from the average ground elevation at the office building to the highest horizontal point of the Antenna and Antenna Supporting Structure and that the surface area of all such mounted Antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. These provisions do not apply to principal use Antennas or to Antennas which are accessory to uses requiring approval of a Specific Use Permit.
- b. Structures other than an office building or customary accessory building which are used to support accessory Antennas (including guy lines)

shall:

- (1) Be located in the rear yard only, and be limited to one such structure;
- (2) Not exceed 65 feet in height, measured from the average ground elevation at the office building to the highest point of the Antenna and Antenna Supporting Structure;
- (3) Not encroach upon the land or airspace of any abutting property; and
- (4) Not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

**SECTION 6.04. BULK AND AREA REQUIREMENTS IN OFFICE DISTRICTS**

Table 3

## Bulk and Area Requirements in the Office Districts

	OL	Districts OM*	OH*
LOT AREA (Minimum SF)	NA	NA	10,000
FRONTAGE (Minimum Feet)			
Arterial or Freeway Service Road	75	75	100
Not an Arterial or Freeway Service Road	50	50	50
FLOOR AREA RATIO (Maximum)	.25***	.50	2.0
SETBACK FROM CENTERLINE OF ABUTTING STREET (Minimum Feet)			
MEASURED FROM CENTERLINE of abutting street; add, to the distance designated in the column to the right, 1/2 of the right-of-way designated on the Major Street Plan or 25 feet if the street is not designated on the Major Street Plan.			
Arterial or Freeway Service Road	50	50	50
Not an Arterial or Freeway Service Road	25	25	25
SETBACK FROM ABUTTING AG OR R DISTRICT BOUNDARY LINES (Minimum Feet)	10	10**	10**
BUILDING HEIGHT (Maximum Feet)	18	NA	NA

\* In the OM and OH District, residential buildings and the residential portions of mixed use buildings shall be subject to the minimum land area per dwelling unit requirement of the RM-2 District.

\*\* Plus 2 feet of setback for each 1-foot of building height exceeding 18 feet, if the abutting property is within an RE, RS or RD District.

\*\*\* The City Council upon approval of a Specific Use Permit or the Board of Adjustment may allow by Special Exception a maximum floor area ratio (FAR) of 0.40.

**SECTION 6.05. REQUIREMENTS FOR SPECIAL EXCEPTION USES IN OFFICE DISTRICTS**

The Special Exception Uses, permitted in the Office Districts, as designated in Table 1 and Table 2, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

- A.** The accessory use provisions of the Office Districts pertaining to signs apply to signs which are accessory to uses permitted by Special Exception; provided, that each sign permitted shall primarily identify the principal building. Identification of permitted accessory goods and services shall be secondary.
- B.** Multifamily use in the OL and OM Districts shall comply with the bulk and area requirements of the RM-1 District. Multifamily use in the OH District shall comply with the bulk and area requirements of the RM-2 District.
- C.** Convenience Goods and Services and Shopping Goods and Services in the OL District shall comply with the following requirements:
  - 1. No Convenience Goods and Services and Shopping Goods and Services shall be permitted unless the principal building shall contain a minimum of 25,000 square feet.
  - 2. Permitted Convenience Goods and Services and Shopping Goods and Services listed below shall be located entirely within the principal building and shall have no exterior pedestrian access except through the general building entrances.
  - 3. Permitted Convenience Goods and Services and Shopping Goods and Services are limited to the following uses and use groupings:

a. Barber shop and beauty shop	f. Newsstand
b. Book store	g. Medical, Dental, Optical and Orthopedic supplies (prescription services only)
c. Florist	h. Stationery and Office supplies
d. Gifts, Novelty and Souvenir shop	i. Tobacco, candy and nut store
e. Liquor store	
  - 4. The permitted Convenience Goods and Services and Shopping Goods and Services listed above shall not occupy more than 10% of the gross floor area of the building in which located. Each use or use grouping shall be limited to a maximum of 2,000 square feet of floor area. If a restaurant and/or private club is requested or existing the total amount for all accessory uses, including restaurants and private clubs, shall not exceed 12.5% of the gross floor area of the principal building.

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5. Each accessory use shall be limited to a maximum of 2,000 square feet of floor area per specific use grouping listed above.
- D. Except as provided in Section 2.11 for Public Protection and Utility Facilities, a minimum frontage of 100 feet is required for all Special Exception uses unless the Use Unit requirements are more restrictive, in which case the more restrictive shall control.
- E. Barber and beauty shops may be permitted as either accessory or principal uses in an OL, OM, or OH District by Special Exception.
- F. Special housing facilities in Use Unit 5 shall meet applicable spacing requirements, whether permitted by Right or Special Exception in the Use Conditions, and the Off-Street Parking and Loading Requirements as provided in Chapter 13.

**SECTION 6.06. REQUIREMENTS FOR SPECIFIC USE PERMITS IN OFFICE DISTRICTS**

- A. Certain uses included in the various Use Units shown in Table 1 may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 25 and 13, and Appendix B of this Zoning Code.
- B. Mini-storage facilities located in OM and OH Districts require approval of a Specific Use Permit and shall comply with the following requirements:
  1. The building height is limited to 12 feet, provided however, if the facilities contain an accessory dwelling to be used for management and security purposes, the height of the dwelling shall not exceed 35 feet.
  2. The minimum building setback from an adjacent arterial street or freeway service road shall be 50 feet, plus one half (1/2) the right-of-way designated on the Major Street Plan. The minimum building setback from an adjacent nonarterial street shall be 35 feet. The minimum building setback from a freeway and all other boundaries shall be ten (10) feet, provided however, the City Council upon approval of a Specific Use Permit may allow less building setback in these instances if the wall of the building is also to be used to meet the screening requirement, but in no event shall such setback be less than five (5) feet.
  3. Building walls on the exterior of the development shall consist of masonry or concrete construction using brick, stone, decorative block, concrete, stucco or concrete tilt-up panels.
  4. The floor area ratio (FAR) shall not exceed 0.5.

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5. Access doors to storage units shall not be visible at ground level from an abutting O or R District and shall not be visible from an abutting public street.
  6. No hazardous, toxic or explosive materials are permitted to be stored in such facilities.
  7. Open air storage is prohibited in the OM District. Open air storage is prohibited on the perimeter of the lot in an OH District, but is permitted on the interior of the lot if the storage is not visible at ground level from an abutting O or R District or any public street.
  8. The development site shall have frontage on and access to an arterial street unless otherwise provided by the City Council upon approval of a Specific Use Permit.
  9. Only one ground sign shall be permitted. Location, size and height of such sign shall be determined by the City Council upon approval of a Specific Use Permit, provided however, the sign shall not exceed 15 feet in height and 12 square feet of display surface area and illumination, if any, shall be by constant light.
  10. A screening fence or masonry wall (as required by the City Council upon approval of a Specific Use Permit) a minimum of eight (8) feet in height is required along the lot line or lot lines in common within an R District. The wall of the buildings may be used to comply with this screening requirement upon approval of a Specific Use Permit and in such case open spaces between perimeter buildings shall be screened with an eight (8) foot tall masonry wall.
- C.** Special housing facilities in Use Unit 5 shall meet applicable spacing requirements, where permitted by Specific Use Permit Right in the Use Conditions, and the Off-Street Parking and Loading Requirements as provided in Chapter 13.

## CHAPTER 7

### COMMERCIAL DISTRICT PROVISIONS

- 7.01. **Purposes of Commercial Districts**
- 7.02. **Principal Uses Permitted in Commercial Districts**
- 7.03. **Accessory Uses Permitted in Commercial Districts**
- 7.04. **Bulk and Area Requirements in Commercial Districts**
- 7.05. **Requirements for Special Exception Uses in Commercial Districts**
- 7.06. **Location of Sexually Oriented Businesses**
- 7.07. **Requirements for Specific Use Permits in Commercial Districts**

#### SECTION 7.01. PURPOSES OF COMMERCIAL DISTRICTS

##### A General Purposes

The Commercial Districts are designed to:

1. Achieve the commercial objectives of the Comprehensive Plan.
2. Meet the needs for commercial services and goods of the trade area.
3. Preserve and promote the development of efficient commercial facilities and encourage a compatible relationship between commercial facilities and other land uses and thoroughfares by:
  - a. Differentiating the types and purposes of commercial activities.
  - b. Establishing bulk and area controls.
  - c. Requiring off-street loading and parking facilities.
  - d. Controlling the number, area, location, and types of signs.
  - e. Protecting the character of commercial districts and their peculiar suitability for commercial uses.

##### B. Purposes of the CS Shopping Center District

The CS District is designed to accommodate convenience, neighborhood, subcommunity, and community shopping centers providing a wide range of retail and personal service uses.

**C. Purposes of the CG Commercial General District**

The CG District is designed to:

1. Accommodate existing development of mixed commercial uses which are well established, while providing a degree of protection to adjacent residential areas.
2. Accommodate the grouping of certain commercial and light industrial uses which are compatible with one another.

**D. Purposes of the CBD Central Business District**

The purposes of the Central Business District are to:

1. Accommodate and encourage the most desirable and most productive use of land, with regard to the regulation of building height, floor area or land coverage, within the central business area of the City as designated by the Comprehensive Plan.
2. Encourage a diversity of uses which mutually benefit from close proximity to, and from the available services of, the network of downtown business and collector streets.
3. Preserve and promote the public and private investment in the existing central business area.

**E. Purpose of the CH Commercial High Intensity District**

The CH District is designed to accommodate high intensity commercial and related uses.

**SECTION 7.02. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS**

The principal uses permitted in Commercial Districts are designated by Use Units as set forth in Chapter 13 and Chapter 25 of this Code. Use Units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 13. Use Units permitted in Commercial Districts are set forth below in Table 1.

Table 1. Use Units Permitted in Commercial Districts\*

Use Units		Districts			
No.	Name	CS	CG	CBD	CH
1.	Area-Wide Uses	X	X	X	X
2.	Area-Wide Special Exception Uses	E	E	E	E
4.	Public Protection and Utility Facilities	E	E	E	E
5.	Community Services, Cultural and Recreational Facilities	X***	X***	E***	E****
6.	Single-Family Dwelling	E	E	E	E
7.	Duplex Dwelling	E	E	E	E
7a.	Townhouse Dwelling	E	E	X	X
8.	Multifamily Dwelling and Similar Uses	E	E	X**	X**
9.	Manufactured Home Dwelling		E		
10.	Off-Street Parking Areas	X	X	X	X
11.	Offices, Studios & Support Services	X	X	X	X
12.	Eating Establishments Other than Drive-Ins	X	X	X	X
12a.	Adult Entertainment Establishments		<b>SUP</b>		
13.	Convenience Goods and Services	X	X	X	X
14.	Shopping Goods and Services	X	X	X	X
15.	Other Trades and Services	E	X	E	E
16.	Mini-Storage****	<b>SUP</b>	<b>SUP</b>	<b>SUP</b>	<b>SUP</b>
17.	Automobile and Allied Activities	E	X	E	E
18.	Drive-In Restaurants	E	X		
19.	Hotel, Motel and Recreational Facilities	X	X	X	X
20.	Commercial Recreation, Intensive	<b>SUP</b>	<b>SUP</b>	<b>SUP</b>	<b>SUP</b>
21.	Business Signs	X	X	X	X
22.	Scientific Research and Development		E		
23.	Warehousing and Wholesaling		E		
25.	Light Manufacturing and Industry		E		

\* X = Use by Right

E = Special Exception

SUP = Specific Use Permit. Certain uses included in the various other Use Units may also require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 13 and 25, and Appendix B of this Zoning Code.

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- \*\* Apartment and Rooming/Boarding Houses are not allowed as a street front use in the CH or CBD District, but are encouraged for basement, upper level and rear entry uses in a building whose street frontage is occupied or intended for occupancy by another use allowed in the CH or CBD Zoning District.
- \*\*\* Special housing facilities in Use Unit 5 shall meet the applicable spacing requirements whether permitted by Right, Special Exception, or Specific Use Permits in the Use Conditions, and the Off-Street Parking and Loading Requirements as provided in Chapter 13. See also Chapter 25.
- \*\*\*\* Use Unit 16 requires approval of a Specific Use Permit and shall conform to the minimum requirements of Section 7.07. See also Chapter 13 and 25.

**SECTION 7.03. ACCESSORY USES PERMITTED IN COMMERCIAL DISTRICTS**

**A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in a Commercial District are permitted in such district.

**B. Accessory Use Conditions**

1. Accessory buildings shall meet the minimum building setback lines of the applicable district.
2. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.
3. Signs in the commercial districts, whether accessory or principal uses, are subject to the use conditions of Use Unit 21.
4. Antenna and Antenna Supporting Structures
  - a. Antennas and Antenna Supporting Structures which are accessory to a commercial use are permitted to be mounted on a commercial office building or a customary accessory building; provided, that it shall not exceed 65 feet in height measured from the average ground elevation at the commercial building to the highest horizontal point of the Antenna and Antenna Supporting Structure and that the surface area of all such mounted Antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. These provisions do not apply to principal use Antennas or to Antennas which are accessory to uses requiring approval of a Specific Use Permit.
  - b. Structures other than a commercial building or customary accessory building which are used to support accessory Antennas (including guy lines) shall:

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- (1) Be located in the rear yard only, and be limited to one such structure;
- (2) Not exceed 65 feet in height, measured from the average ground elevation at the commercial building to the highest point of the Antenna and Antenna Supporting Structure;
- (3) Not encroach upon the land or airspace of any abutting property; and
- (4) Not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

**SECTION 7.04. BULK AND AREA REQUIREMENTS IN COMMERCIAL DISTRICTS**

Table 2

Bulk and Area Requirements in the Commercial Districts

	Districts			
	CS	CG	CBD	CH
<b>FRONTAGE (Minimum Feet)</b>				
Arterial or Freeway Service Road	150	100	NA	NA
Not an Arterial or Freeway Service Road	50	50	NA	NA
<b>FLOOR AREA RATIO (Maximum)</b>	0.50	0.75	NA	NA
<b>SETBACK FROM CENTERLINE OF ABUTTING STREET</b> (Minimum Feet) MEASURED FROM CENTERLINE of abutting street; add to the distance designated in the column to the right, 1/2 of the right-of-way width designated on the Major Street Plan, or 25 feet if the street is not designated on the Major Street Plan:				
Arterial or Freeway Service Road	50	50	0	0
Not an Arterial or Freeway Service Road	25	25	0	0
<b>SETBACK FROM ABUTTING R DISTRICT</b> <b>BOUNDARY LINES (Minimum Feet)</b>	10*	10*	0*	0*
<b>BUILDING HEIGHT (Maximum Feet)</b>	NA	NA	NA	NA

\* Plus 2 feet of setback for each 1-foot building height exceeding 15 feet, if the abutting property is within an RE, RS or RD District.

**SECTION 7.05. REQUIREMENTS FOR SPECIAL EXCEPTION USES IN COMMERCIAL DISTRICTS**

The Special Exception uses permitted in Commercial Districts, as designated in Table 1, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

- A.** Multifamily use where permitted by Special Exception shall comply with the bulk and area requirements of the RM-2 District.
- B.** Provided that the more restrictive Use Unit requirements shall control, and except as provided above, all Special Exception uses shall comply with the bulk and area requirements of the use district in which located.
- C.** Drive-in restaurants where permitted by Special Exception are subject to the following requirements and conditions:
  - 1. Eating establishments which encourage or permit substantial in-car on-premise consumption of food shall be permitted within commercial shopping districts only in such locations as will not interfere with or detrimentally affect any adjoining or nearby residential properties.
  - 2. All lighting shall be directed toward the proposed drive-in facility and away from any neighboring Residential Districts. Area-wide loudspeakers shall not be allowed. Noise from any outdoor paging system shall not be audible from any abutting R District.
  - 3. Traffic circulation shall be reviewed and approved by the City Engineer, including the location of ingress and egress points.
  - 4. The subject tract of land (proposed development site) shall have a minimum of 150 feet of frontage on a designated major arterial street.
- D.** Uses included within Use Unit 15 where permitted by Special Exception are subject to the requirements of Section 13.15.

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- E. Manufactured home development, where permitted by Special Exception, shall comply with the bulk and area requirements shown in Chapter 5 of this Zoning Code.

**SECTION 7.06. LOCATION OF SEXUALLY-ORIENTED BUSINESSES**

**A. Definitions**

- 1. As used in this Section, the terms sexual conduct and specified anatomical areas shall mean as follows:
  - a. Sexual Conduct includes the following:
    - (1) The fondling or other touching of human genitals, pubic region, buttocks, or female breasts.
    - (2) Ultimate sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, and sodomy.
    - (3) Masturbation.
    - (4) Excretory functions as part of or in connection with any of the activities set forth in (1) through (3) above.
  - b. Specified Anatomical Areas includes the following:
    - (1) Human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.
    - (2) Human male genitals in a discernible turgid state, even if completely and opaquely covered.
- 2. For purposes of this Code, sexually-oriented businesses are defined as follows:
  - a. Adult Amusement or Entertainment: Amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing or relating to Sexual Conduct or Specified Anatomical Areas, as defined herein, including but not limited to topless or bottomless dancers, exotic dancers, strippers, male or female impersonators or similar entertainment.

b. Adult Bookstore:

(1) An establishment wherein 10% or more of its display area consists of books, films, videos, magazines, periodicals, games, novelties or other materials which are distinguished or characterized by an emphasis on depicting or describing **Sexual Conduct or Specified Anatomical Areas, hereinafter referred to as "sexually oriented materials"**.

(2) Display Area as used herein shall be measured as follows:

(a) For bookshelves, magazine racks and similar display devices, display area shall be calculated by multiplying the length times the width of such devices. If sexually oriented materials are mixed with non-sexually oriented materials in or on such devices, the entire device shall be considered as consisting of sexually oriented materials.

(b) For table tops, counters, display cases and similar display devices, display area shall be calculated by multiplying the length times the width of each surface on which merchandise is displayed. If sexually oriented materials are mixed with non-sexually oriented materials on such surfaces, the entire surface shall be considered as consisting of sexually oriented materials.

(c) For walls, display area shall be the area of the wall enclosed by the smallest imaginary rectangle which contains each item.

(d) The display area of merchandise hanging or suspended from the ceiling shall be calculated by multiplying the item's length or width, whichever is longer, times the item's height.

c. Adult Mini Motion Picture Theater: An enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.

d. Adult Motel: A motel wherein material is presented, as part of the motel services, via closed circuit TV or otherwise, which is distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.

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- e. Adult Motion Picture Arcade: Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled, still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.
- f. Adult Motion Picture Theater: An enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.
- g. Massage Parlor: Any place where for any form of consideration or gratuity, non-therapeutic massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with Sexual Conduct or where any person providing such treatment, manipulation or service related thereto exposes Specified Anatomical Areas.
- h. Model Studio: Any place other than an institutional, university or college art classes where, for any form of consideration or gratuity, figure models who display Specific Anatomical Areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity.
- i. Sexual Encounter Center: Any building or structure which contains, or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by employees, devices or equipment or by personnel provided by the establishment which appeals to the prurient interest of the patron, to include, but not to be limited to bath houses, massage parlors, and related or similar activities.
- j. Adult Novelty Shop: Any commercial establishment that displays, sells, or offers for sale instruments, devices, or paraphernalia designed or marketed primarily for use to stimulate human genital organs or for use in connection with sadomasochistic practices (flagellation or torture by or upon a person clothed or naked, or the combination of being fettered, bound, or otherwise physically restrained on the part of one clothed or naked).

**B. Prohibition**

No person shall exercise supervisory control, manage, operate, cause the establishment or permit the establishment of any of the Sexually Oriented Businesses as defined in Section 7.06.A, in an area zoned other than CG. In addition, no person shall exercise supervisory control, manage, operate, cause the establishment or permit the establishment of any of the Sexually Oriented Businesses, as defined in Section 7.06.A within:

1. 1,000 feet from any other Sexually Oriented Business. The 1,000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which a sexually oriented business is conducted, to the nearest point of the wall of the portion of the building in which another Sexually Oriented Business is conducted.
2. 1,000 feet from a church.
3. 1,000 feet from a school of the type which offers a compulsory education curriculum.
4. 1,000 feet from a public park or private park.
5. 1,000 feet from areas zoned residential.
6. 1,000 feet from Use Unit 2 Area-wide Special Exception Uses or Specific Use Permits and Use Unit 5 Community Services and Similar Uses caring for or often frequented by persons under 18 years of age described as follows:
  - a. These uses include, but are not limited to children's preschools, children's nurseries, children's day camps, juvenile delinquency centers, children's camp grounds, children's group homes, children's day care centers, libraries, museums, planetariums and aquariums. The 1,000 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which the sexually oriented business is conducted to the nearest public entrance of the property containing the use primarily caring for or predominantly frequented by persons under 18 years of age. For purposes of determining measured distance of property situated on the opposite side of the street from such church or school, it shall be considered as of it were located on the same side of the street with such church or school.
  - b. Provided further that the City Council may permit by Specific Use Permit sexually oriented businesses, as defined by Section 7.06.A in an IL, IM or IH District, subject to the distance limitations established in this Section.

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- c. The establishment of a sexually oriented business shall include the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area, or the conversion of an existing business location to any of the uses described in Section 7.06.A.
  - d. If a new church, school, public or private park or protected Use Unit 2 or Use Unit 5 use is established less than 1,000 feet from an existing lawful sexually oriented business, the spacing requirement of this Section shall not apply as they relate to the new church, school, public or private park or protected Use Unit 2 or Use Unit 5 uses.
- 7. The 1,000 feet shall be measured from the nearest property line of such church, school, public or private park, area zoned residential, or Use Unit 2 or Use Unit 5 uses to the nearest public entrance door of the premises of the Sexually Oriented Business or Adult Novelty Shop along the street right-of-way line providing the nearest direct route traveled by pedestrians between such points. For purposes of determining measured distance, property on the opposite side of the street from such church, school, public or private park, area zoned residential, or Use Unit 2 or Use Unit 5 use shall be considered as if it were located on the same side of the street with such church, school, public or private park, areas zoned residential, or Use Unit 2 or Use Unit 5 use.
- C.** Provided further that the City Council may permit by Specific Use Permit Sexually Oriented Business, as defined in Section 7.06.A in an IL, IM or IH District, subject to the distance limitations set forth herein.
- D.** The establishment of a Sexually Oriented Business shall include the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area, or the conversion of an existing business location to any of the uses described in Section 7.06.A.
- E.** Nonconforming Uses
  - 1. Any business lawfully existing as of the effective date of this Code that is in violation hereof shall be deemed a nonconforming use. Such a nonconforming use will be permitted to continue for a period not to exceed two (2) years, unless sooner terminated for any reason whatsoever or voluntarily discontinued for a period of 30 days or more. Such nonconforming uses shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use.

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2. In the event that two (2) or more Sexually Oriented Businesses are within 1,000 feet of one another and otherwise in a permissible zone, the first such Sexually-Oriented Business licensed and continually operating at a particular location shall be the conforming use and the later established business(es) shall be nonconforming.
  3. Nothing in this Code is intended to make legal any business or activity that is expressly declared illegal under the provision of this Code or under any other local, state or federal laws.
- F. Beginning May 15, 2004, and every four years thereafter, the administration shall cause a review to be conducted on the spacing requirements of Sexually Oriented Businesses from other such uses and propose any amendments necessary to preserve the interests protected by this Ordinance.

**SECTION 7.07. REQUIREMENTS FOR SPECIFIC USE PERMITS IN COMMERCIAL DISTRICTS**

- A. Certain uses included in the various Use Units shown in Table 1 may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 25 and 13, and Appendix B of this Zoning Code.
- B. Mini-storage facilities located in CBD Districts shall comply with the following requirements:
1. The building height is limited to 12 feet, provided however, if the facilities contain an accessory dwelling to be used for management and security purposes, the height of the dwelling shall not exceed 35 feet.
  2. The minimum building setback from an adjacent arterial street or freeway service road shall be 50 feet, plus one half (1/2) the right-of-way designated on the Major Street Plan. The minimum building setback from an adjacent nonarterial street shall be 35 feet. The minimum building setback from a freeway and all other boundaries shall be ten (10) feet, provided however, the City Council may allow less building setback in these instances if the wall of the building is also to be used to meet the screening requirement, but in no event shall such setback be less than five (5) feet.
  3. Building walls on the exterior of the development shall consist of masonry or concrete construction using brick, stone, decorative block, concrete, stucco or concrete tilt-up panels.
  4. The floor area ratio (FAR) shall not exceed 0.5.
  5. Access doors to storage units shall not be visible at ground level from an abutting O or R District and shall not be visible from an abutting public street.

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6. No hazardous, toxic or explosive materials are permitted to be stored in such facilities.
7. Open air storage is prohibited in the CBD District. Open air storage is prohibited on the perimeter of the lot in the CBD District, but is permitted on the interior of the lot if the storage is not visible at ground level from an abutting O or R District or any public street.
8. The development site shall have frontage on and access to an arterial street unless otherwise provided by the City Council upon approval of a Specific Use Permit.
9. Only one ground sign shall be permitted. Location, size and height of such sign shall be determined by the City Council upon approval of a Specific Use Permit, provided however, the sign shall not exceed 15 feet in height and 12 square feet of display surface area and illumination, if any, shall be by constant light.
10. A screening fence or masonry wall (as required by the City Council upon approval of a Specific Use Permit) a minimum of eight (8) feet in height is required along the lot line or lot lines in common with an R District. The wall of the buildings may be used to comply with this screening requirement upon approval of a Specific Use Permit and in such case open spaces between perimeter buildings shall be screened with an eight (8) foot tall masonry wall.

## CHAPTER 8

### SR SCIENTIFIC RESEARCH AND DEVELOPMENT DISTRICT PROVISIONS

- 8.01. Purposes of the SR District
- 8.02. Principal Uses Permitted in the SR District
- 8.03. Accessory Uses Permitted in the SR District
- 8.04. Bulk and Area Requirements in the SR District
- 8.05. Requirements for Special Exception Uses in the SR District
- 8.06. Requirements for Specific Use Permits in the SR District

#### SECTION 8.01 PURPOSES OF THE SR SCIENTIFIC RESEARCH AND DEVELOPMENT DISTRICT

The SR District is designed to provide an environment conducive to the development of scientific research facilities and institutions.

#### SECTION 8.02 PRINCIPAL USES PERMITTED IN THE SCIENTIFIC RESEARCH AND DEVELOPMENT DISTRICT

The principal uses permitted in the SR Scientific Research and Development District are designated by Use Units as set forth in Chapter 13 and Chapter 25 of this Code. The Use Units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 13. The Use Units permitted in the Scientific Research and Development District are set forth below in Table 1.

Table 1. Use Units Permitted in Scientific Research District\*

Use Units		District
No.	Name	SR
1.	Area-Wide Uses	X
2.	Area-Wide Special Exception Uses	E
4.	Public Protection and Utility Facilities	E
10.	Off-Street Parking Areas	X
11.	Offices, Studios & Support Services	X
22.	Scientific Research and Development	X

\*X = Use by Right

E = Special Exception

SUP = Specific Use Permit. Certain uses included in the various Use Units may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 13 and 25, and Appendix B of this Zoning Code.

## **SECTION 8.03 ACCESSORY USES PERMITTED IN THE SR DISTRICT**

### **A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in a Scientific Research District are permitted in such district.

### **B. Accessory Use Conditions**

1. Accessory buildings shall meet the minimum building setback lines of the district.
2. An accessory building erected as an integral part of the principal building shall be structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.
3. Business signs
  - a. Business signs shall comply with the requirements of this section and, in addition, shall comply with the general use conditions for business signs as provided in 13.21.C. Where the requirements of this section are greater or more restrictive than the above-specified requirements, the requirements of this section shall apply.
  - b. The sign shall not exceed one square foot of display surface area per each two (2) lineal feet of street frontage; provided, however, that in no event shall the sign be permitted to exceed 300 square feet in display surface area.
  - c. Signs, if visible from an R District other than street, highway or freeway right-of-way, or if visible from a Designated Residential Development Area, shall be setback from such district or area a minimum distance of 50 feet.
  - d. Ground signs shall not exceed 30 feet in height.
  - e. Illumination, if any, shall be by constant light.
  - f. Any ground sign shall maintain a minimum separation of 100 feet from any other ground sign.
  - g. The maximum number of ground signs per lot of record shall be one per 200 feet of arterial street frontage or fraction thereof.
  - h. Roof signs are prohibited.

4. During the period of construction, a temporary sign advertising the construction of improvements on the premises may be located on each arterial street frontage of the development. The sign shall not exceed one square foot for each two (2) lineal feet of arterial street frontage; provided, however, that in no event shall the sign be restricted to less than 32 square feet nor be permitted to exceed 400 square feet of display surface area. The sign shall not exceed 15 feet in height, and illumination, if any, shall be by constant light.
5. One temporary real estate sign advertising the sale, rental or lease of the premises may be erected on each street frontage of a lot. The sign shall not exceed 32 square feet in display surface area, nor 15 feet in height, and illumination, if any, shall be by constant light.
6. Accessory Antenna and Antenna Supporting Structures
  - a. Antennas and Antenna Supporting Structures which are accessory to a scientific research use are permitted to be mounted on an scientific building or a customary accessory building; provided, that it shall not exceed 65 feet in height measured from the average ground elevation at the scientific building to the highest horizontal point of the Antenna and Antenna Supporting Structure and that the surface area of all such mounted Antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. These provisions do not apply to principal use Antennas or to Antennas which are accessory to uses requiring approval of a Specific Use Permit.
  - b. Structures other than a scientific research building or customary accessory building which are used to support accessory Antennas (including guy lines) shall:
    - (1) Be located in the rear yard only, and be limited to one such structure;
    - (2) Not exceed 65 feet in height, measured from the average ground elevation at the scientific building to the highest point of the Antenna and Antenna Supporting Structure;
    - (3) Not encroach upon the land or airspace of any abutting property; and
    - (4) Not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

**SECTION 8.04 BULK AND AREA REQUIREMENTS IN THE SR DISTRICT**

Table 2. Bulk and Area Requirements in the Scientific Research and Development District

	District
	SR
FRONTAGE (Minimum)	200 feet
FLOOR AREA RATIO (Maximum)	0.50
SETBACK FROM CENTERLINE OF ABUTTING STREET (Minimum) MEASURED FROM CENTERLINE of abutting street; add to the distance designated in the column to the right, 1/2 of the right-of-way width designated on the Major Street Plan or 25 feet if the street is not designated on the Major Street Plan:	
Arterial or Freeway Service Road	50 feet
Not an Arterial or Freeway Service Road	50 feet
SETBACK FROM ABUTTING AG, R, OR O DISTRICT BOUNDARY LINES (Minimum)*	50 feet
BUILDING HEIGHT (Maximum)	NA

\* Buildings which abut an RE, RS or RD District shall be setback an additional two feet for every foot of building height exceeding 35 feet. Does not apply when the SR District abuts a freeway zoned AG, R or O; however, in those instances a 10 foot minimum setback shall be required.

**SECTION 8.05 REQUIREMENTS FOR SPECIAL EXCEPTION USES IN THE SR DISTRICT**

Special Exception uses shall meet applicable Use Conditions and Off-Street Parking and Loading Requirements as provided in Chapter 13, provided that the more restrictive Use Unit requirements shall control. Special Exception uses shall comply with the bulk and area requirements of the use district in which located.

**SECTION 8.06 REQUIREMENTS FOR SPECIFIC USE PERMITS IN THE SR DISTRICT**

Certain uses included in the various Use Units shown in Table 1 may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 25 and 13, and Appendix B of this Zoning Code.

**CHAPTER 9**  
**INDUSTRIAL DISTRICT PROVISIONS**

- 9.01. Purposes of Industrial Districts**
- 9.02. Principal Uses Permitted in Industrial Districts**
- 9.03. Accessory Uses Permitted in Industrial Districts**
- 9.04. Bulk and Area Requirements in Industrial Districts**
- 9.05. Requirements for Special Exception Uses in Industrial Districts**
- 9.06. Antennas and Antenna Supporting Structures**
- 9.07. Requirements for Specific Use Permits in Industrial Districts**

**SECTION 9.01. PURPOSES OF INDUSTRIAL DISTRICTS**

**A. General Purposes**

The Industrial Districts are designed to:

1. Achieve the industrial objectives of the Comprehensive Plan.
2. Meet the needs for industrial services and goods of the City of Sand Springs and trade area,
3. Preserve and promote the development of efficient industrial areas and to minimize the adverse affects of industrial uses on other land uses and thoroughfares by:
  - a. Differentiating the types and purposes of industrial activities.
  - b. Establishing bulk and area controls.
  - c. Requiring off-street loading and parking facilities.
  - d. Controlling the number, area, location, and types of signs.
  - e. Protecting the character of industrial districts and their peculiar suitability for industrial uses.

**B. Purposes of the IL Industrial Light District**

The IL District is designed to provide an environment conducive to the development of industrial facilities and to provide areas suitable for manufacturing, and other industrial activities which have slight or no objectionable environmental influences.

**C. Purposes of the IM Industrial Moderate District**

The IM District is designed to group together a wide range of industrial uses, which may produce moderately objectionable environmental influences in their operation and appearance.

**D. Purposes of the IH Industrial Heavy District**

The IH District is designed to provide areas for manufacturing and other industrial activities which may constitute substantial environmental influences or hazards.

**SECTION 9.02. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS**

The principal uses permitted in the Industrial Districts are designated by Use Units as set forth in Chapter 13 and Chapter 25 of this Code. Use Units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions, in Chapter 13. The Use Units permitted in the industrial districts are set forth below in Table 1.

Table 1. Use Units Permitted in Industrial Districts\*

Use Units		Districts		
No.	Name	IL	IM	IH
1.	Area-Wide Uses	X	X	X
2.	Area-Wide Special Exception Uses	E	E	E
3.	Agriculture	X	X	X
4.	Public Protection and Utility Facilities	E**	E**	E**
5.	Community Services, Cultural and Recreational Facilities	X	X	X
10.	Off-Street Parking Areas	X	X	X
11.	Offices, Studios, and Support Services	X	X	X
12.	Eating Establishments, Other than Drive-Ins	E	E	E
12a.	Adult Entertainment Establishments	SUP	SUP	SUP
13.	Convenience Goods and Services	E	E	E
14.	Shopping Goods and Services	E	E	E
15.	Other Trades and Services	X	X	X
16.	Mini-Storage	SUP	SUP	SUP
17.	Automotive and Allied Activities	E	X	X
18.	Drive-In Restaurants	E	E	E
19.	Hotel, Motel, and Recreational Facilities	E	E	E
20.	Commercial Recreation, Intensive	SUP	SUP	SUP
21.	Business Signs	X	X	X
22.	Scientific Research and Development	X	X	X
23.	Warehousing and Wholesaling	X	X	X
24.	Extractive Operations, Mining and Mineral Processing		SUP	SUP
25.	Light Manufacturing and Industry	X	X	X
26.	Moderate Manufacturing and Industry	E	X	X
27.	Heavy Manufacturing and Industry		E	X
28.	Junk and Salvage Yards			SUP

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- \* X=Use by Right  
E=Special Exception  
SUP = Specific Use Permit. Certain uses included in the various other Use Units may also require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 13 and 25, and Appendix B of this Zoning Code.
- \*\* Antennas and Antenna Supporting Structures may be allowed by Right only if in compliance with Section 9.06 of this Code. All other such uses require approval of a Specific use Permit. See Section 13.04 and Chapter 25.

**SECTION 9.03. ACCESSORY USES PERMITTED IN INDUSTRIAL DISTRICTS**

**A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in an Industrial District are permitted in such district.

**B. Accessory Use Conditions**

1. Accessory buildings shall meet the minimum building setback lines of the applicable district.
2. An accessory building erected as an integral part of the principal building shall be structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.
3. Accessory outside storage of materials, equipment, or products, within 200 feet of an abutting R District, shall be screened by the erection of a screening wall or fence along the lot line or lines in common with the abutting R District.
4. Accessory signs in the IL, IM, and IH districts are subject to the use conditions in Use Unit 21.
5. Accessory Antennas and Antenna Supporting Structures
  - a. Accessory Antennas and Antenna Supporting Structures which are accessory to an industrial use are permitted to be mounted on an industrial building or a customary accessory building; provided, that it does not exceed sixty-five (65) feet in height measured from the average ground elevation at the industrial building to the highest horizontal point of the Antenna and Antenna Supporting Structure and that the surface area of all such mounted Antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. These provisions do not apply to principal use Antennas or to Antennas which are accessory to uses requiring approval of a Specific Use Permit.
  - b. Structures other than an industrial building or customary accessory building which are used to support accessory Antennas (guy lines) shall:
    - (1) Be located in the rear yard only, and be limited to one such structure;
    - (2) Not exceed sixty-five (65) feet in height, measured from the average ground elevation at the industrial building to the highest point of the Antenna and Antenna Supporting Structure;
    - (3) Not encroach upon the land or airspace of any abutting property; and

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(4) Not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

6. Security facilities required for industrial uses shall be permitted to include an office facility not to exceed 500 square feet. However, the Board of Adjustment, by Special Exception may permit an increase in the size of such facilities.

**SECTION 9.04. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS**

Table 2

Bulk and Area Requirements in the Industrial Districts

	Districts		
	IL	IM	IH
<b>FRONTAGE (Min. Ft.)</b>			
Arterial or Freeway Service Road	150	200	200
Not an Arterial or Freeway Service Road	50	50	50
<b>FLOOR AREA RATIO (Maximum)</b>	NA	NA	NA
<b>SETBACK FROM CENTERLINE OF ABUTTING STREET (Minimum Feet)</b>			
MEASURED FROM CENTERLINE of abutting street; add to the distance designated in the column to the right, 1/2 of the right-of-way width designated on the Major Street Plan or 25 feet if the street is not designated on the Major Street Plan]			
Arterial or Freeway Service Road	50	50	50
Not an Arterial or Freeway Service Road	25	25	25
<b>SETBACK FROM ABUTTING AG, R, OR O DISTRICT BOUNDARY LINES* (Min. Ft.)</b>	75	75	75
<b>BUILDING HEIGHT (Max. Ft.)</b>	NA	NA	NA

\* Does not apply when lot abuts a Freeway zoned AG, R, or O; however, in those instances a 10-foot setback shall be required.

**SECTION 9.05. SPECIAL EXCEPTION USES, REQUIREMENTS**

- A. Provided that the more restrictive Use Unit requirements shall control, Special Exception uses shall comply with the bulk and area requirements of the use district in which located.
- B. Special housing facilities in Use Unit 5 shall meet the applicable spacing requirements in the Use Conditions, and the Off-Street Parking and Loading Requirements as provided in Chapter 13.

**SECTION 9.06. ANTENNA AND ANTENNA SUPPORTING STRUCTURES**

Antennas and Antennas Supporting Structure may be allowed by Right in an Industrial District if the proposer of such facility demonstrates with the required permit applications that said facility complies with the standards specified below. In all other cases, said facilities shall be subject to the requirements of Section 13.04 of this Code and subject to approval of a Specific Use Permit – see Chapter 25.

- A. The Antenna and Antenna Supporting Structure shall be setback from an R District a distance equal to one hundred and ten percent (110%) of its height, measured at grade and in no case shall it exceed a maximum of 200 feet tall.
- B. Certification from a professional engineer licensed to practice in the State of Oklahoma shall be submitted that the Antenna and Antenna Supporting Structure is designed in such a manner as to accommodate the collocation of a minimum of two (2) wireless telecommunication system providers, and it shall meet the standards of the America National Standards Institute and the Electronic Industries Association. Further, certification from such an engineer shall be required upon completion of construction that the Antenna and Antenna Supporting Structure has, in fact, been constructed in accordance with the plans as approved by the City prior to the commencement of its operation.
- C. Written evidence shall be presented to the City by the proposer of such facility with the required permit applications that it complies with the standards of the Sand Springs Airport Zoning Ordinance, Federal Communications Commission and the Federal Aviation Administration.
- D. Unless otherwise required by the Federal Aviation Administration, it shall not be lighted by any continuous, blinking or strobe lighting.
- E. The Antenna Supporting Structure shall be of monopole design.

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- F. Written evidence shall be presented to the City by the proposer of such facility with the required permit applications that the new facility is not closer than one quarter (1/4) mile from any existing such site or site for which an application is pending with the City for an Antenna and Antenna Supporting Structure on which collocation space is reasonably available.
- G. The site shall be buffered with landscaping and vegetative or other screening to mitigate the operational and visual impacts of such uses on abutting and adjacent uses.
- H. If the operation and use of such facilities ceases for a period of 180 days, unless or except said local approvals are given again within sixty (60) days of the expiration of the 180 day period, it shall be removed by the owner at the owner's cost or be subject to removal by the City at the owner's cost.
- I. Operators of such facilities shall give the Code Enforcement Officer/Building Inspector of the City of Sand Springs thirty (30) days prior written notice of any change or modification in the operation of the facility that would cause the facility to no longer be in compliance with Section A through H above. Said notice shall include detailed information about the nature of all such changes. Further, such changes shall cause the approval of such Antenna and Antenna Supporting Structure as a use by Right to be summarily revoked requiring submission of an application for a Specific Use Permit to the Planning Commission as provided in Section 13.04 of this Code. See also Chapter 25.

**SECTION 9.07. REQUIREMENTS FOR APPROVAL OF A SPECIFIC USE PERMIT IN INDUSTRIAL DISTRICTS**

Certain uses included in the various Use Units shown in Table 1 may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 25 and 13, and Appendix B of this Zoning Code.

## CHAPTER 10

### PARKING DISTRICT PROVISIONS

- 10.01. Purposes of the Parking District
- 10.02. Principal Uses Permitted in the Parking District
- 10.03. Accessory Uses Permitted in the Parking District
- 10.04. Bulk and Area Requirements in the Parking District
- 10.05. General Use Conditions in the Parking District
- 10.06. Requirements for Special Exception Uses in the Parking District
- 10.07. Requirements for Specific Use Permits in the Parking District

#### SECTION 10.01. PURPOSES OF THE PARKING DISTRICT

- A. To permit the establishment of off-street parking areas for passenger vehicles to reduce congestion of the public streets and to enhance the efficiency and convenience of institutional, multifamily, office, commercial, and industrial uses which would be served by the off-street parking areas.
- B. To promote a compatible relationship between off-street parking facilities and other land uses by establishing bulk and area, design, screening and sign requirements and limitations.

#### SECTION 10.02. PRINCIPAL USES PERMITTED IN THE PARKING DISTRICT

The principal uses permitted in the Parking District are designated by Use Units as set forth in Chapter 13 and Chapter 25 of this Code. Use Units are groupings of individual uses and are fully described, including their respective requirements and other Use Conditions, in Chapter 13. The Use Units permitted in the Parking District are set forth below in Table 1.

Table 1. Use Units Permitted in the Parking Districts\*

No.	Use Units Name	District PK
1.	Area-Wide Uses	X
2.	Area-Wide Special Exception Uses	E
10.	Off-Street Parking Areas	X

\*X = Use by Right

E = Special Exception

SUP = Specific Use Permit. Certain other uses included in the various Use Units may also require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 13 and 25, and Appendix B of this Zoning Code.

**SECTION 10.03. ACCESSORY USES PERMITTED IN THE PARKING DISTRICT**

**A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in a Parking District are permitted in such district. In addition, the uses set forth in Table 2 are permitted as accessory uses.

Table 2

Accessory Uses Permitted in The Off-Street Parking District

Uses	District
1. Identification Signs	PK
2. Real Estate Signs	PK
3. Attendants Building	PK

**B. Accessory Use Conditions**

1. One identification sign may be erected on each street frontage of a permitted use. The sign shall not exceed 32 square feet of display surface area. The sign shall not exceed 20 feet in height, and illumination, if any, shall be by constant light.
2. A real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of the premises. The sign shall not exceed 32 square feet in surface area, nor 20 feet in height.
3. The use of an attendant building shall be limited to the customary activities incidental to the management and operation of a parking facility. The building shall not exceed one-story in height nor 5% lot coverage.

**SECTION 10.04. BULK AND AREA REQUIREMENTS IN THE PARKING DISTRICT**

Table 3

Bulk and Area Requirements in the Off-Street Parking District

Lot Frontage (Minimum)	20 feet
Maximum percent of lot coverage of buildings and parking surface area	90%
Building setback from abutting RE, RS or RD District boundary lines (Minimum) *	10 feet
Building setback from CENTERLINE OF ABUTTING STREET, add to the distance designated in the column to the right, 1/2 of the right-of-way designated on the Major Street Plan or 25 feet if not designated on the Major Street Plan. (Minimum)	
Arterial or Freeway Service Road	15 feet
Not an Arterial or Freeway Service Road	10 feet
Maximum Building Height	15 feet

\* Plus 2 feet of setback for each 1 foot of building height exceeding 15 feet

**SECTION 10.05. GENERAL USE CONDITIONS IN THE PARKING DISTRICT**

- A. A minimum of ten (10) percent of the lot shall remain pervious and be landscaped.
- B. Unenclosed parking areas which are contiguous to an R District shall be screened by the erection of a six (6)foot screening wall or fence on the lot line or lines in common with an R District. Unenclosed parking areas that are separated from an R District only by a nonarterial street shall be screened by the erection and maintenance of a screening wall, fence or landscaped berm or combination thereof three (3) feet in height along the property line opposite the adjacent R District.
- C. Additional design standards shall apply as set forth in Chapter 14 of this Code.

**SECTION 10.06. REQUIREMENTS FOR SPECIAL EXCEPTION USES IN THE PARKING DISTRICT**

Special Exception Uses shall conform with the bulk and area requirements of the use district.

**SECTION 10.07. REQUIREMENTS FOR APPROVAL OF A SPECIFIC USE PERMIT IN THE PARKING DISTRICTS**

Certain uses included in the various Use Units shown in Table 1 may require approval of a Specific Use Permit as opposed to a Special Exception or being permitted by Right. See Chapters 25 and 13, and Appendix B of this Zoning Code.

## CHAPTER 11

### LANDSCAPE REQUIREMENTS

- 11.00. Purposes**
- 11.01. Applicability and Exemptions**
- 11.02. Landscape Requirements**
- 11.03. Administration**

#### **SECTION 11.00. PURPOSES**

The purposes of the landscape requirements are:

- A.** To promote the beautification of the City of Sand Springs and to enhance its aesthetic quality;
- B.** To promote reasonable preservation and replenishment of valued trees and vegetation;
- C.** To aid in establishing the ecological balance by contributing to air purification, oxygen regeneration, ground water recharge and storm water runoff retardation;
- D.** To achieve a meaningful urban forest while permitting economically feasible urban development to occur; and
- E.** To protect the public health, safety and general welfare by:
  - 1. Minimizing noise, air, water, dust and visual pollution;
  - 2. Screening and buffering incompatible land uses; and
  - 3. Preserving property values and the character of neighborhoods.

**SECTION 11.01. APPLICABILITY AND EXEMPTIONS**

- A.** The landscape requirements herein established shall be effective July 1, 1995, and shall be applicable to all land for which a building permit is sought including new development and expansion of existing uses described as follows:
1. New development: The provisions of this Chapter apply to all new tentative plans and development plans submitted after the effective date of this Chapter.
  2. Expansion of existing uses: Approved plans and development existing prior to the effective date of this Chapter shall comply with the regulations under which approval was given, and shall be subject to the provisions of this Chapter if proposed expansion will exceed 25 percent of the gross floor or lot area of the existing development.
  3. The area and type of landscaping required shall be determined relative to the entire area of the development.
- B.** The landscape requirements shall not be applicable to the following:
1. Land used for single-family or duplex dwellings where only one such structure is to be constructed on the lot;
  2. Restoration of a building constructed prior to July 1, 1995 which is damaged by fire, explosion, flood or other catastrophe;
  3. Interior remodeling;
  4. Land for which a detailed landscape plan has been approved by the Planning Commission prior to July 1, 1995, pursuant to its review of a Planned Unit Development; provided, however, that landscaping is installed in accordance with the approved detailed landscape plan prior to July 1, 1995;
  5. Construction of a structure, other than a building, which does not increase the developed area of a lot more than 30 square feet; and
  6. Barns and similar types of structures constructed in an AG Agriculture District.

## **SECTION 11.02. LANDSCAPE REQUIREMENTS**

### **A. Frontage and Perimeter Requirements**

1. Not less than 15 percent of the street yard shall be established and maintained as landscaped area.
2. Within the lot, a landscaped area shall be established and maintained which is not less than ten (10) feet in width and which extends along the entirety of abutting street right-of-way, except at points of vehicular access.
3. Within the lot, off-street parking areas shall be separated from an abutting Residential District or Residential Development Area in a Planned Unit Development by a landscaped area which is not less than ten (10) feet in width.
4. In computing the landscaped area required in Subsection 11.02.A.1, landscaped areas established as required by Subsections 11.02.A.2. and 11.02.A.3, if located within the street yard, shall be included in the computation.
5. The requirements set forth in Section 11.02.A, shall not be applicable to properties where no street yard exists or none is required.

### **B. Parking Area Requirements**

Within surface off-street parking areas which are not zoned CH or CBD, landscaped areas shall be established and maintained as follows:

1. For lots 2.5 acres or less in size, no parking space shall be located more than 50 feet from a landscaped area containing at least 30 square feet, with a minimum width or diameter of three (3) feet; and
2. For lots greater than 2.5 acres in size, no parking space shall be located more than 75 feet from a landscaped area containing at least 100 square feet, with a minimum width or diameter of seven (7) feet.

### **C. Tree Requirements**

Trees, as defined herein, shall be required as follows:

1. Within the street yard, one tree for each 1,500 square feet, or fraction thereof, shall be preserved or planted and maintained or replaced.
2. For surface parking areas located outside the street yard, which are in zoning districts other than CH or CBD, one tree for each ten (10) parking spaces, with

at least one tree in each required landscaped area, shall be preserved or planted and maintained or replaced.

3. For surface parking areas located in the CBD zoning district which are designed for 20 or more spaces and which parking areas are within 25 feet of a public street right-of-way, trees shall be preserved or planted and maintained or replaced as follows:
  - a. One tree for each 35 lineal feet of parking area located along and parallel to the street boundary which is within 25 feet of public street right-of-way; and
  - b. Required trees shall be located within 10 feet of a public street right-of-way.
4. An existing or planted tree which is at least six (6) inches in caliper shall be considered as two (2) trees for the purpose of determining compliance with the requirement of Subsection 11.02.C., provided, there is no alteration of the soil grade under an existing tree's dripline.
5. Planted trees shall be planted in a pervious area not less than three (3) feet in diameter.
6. Minimum tree sizes at the time of planting shall be as follows:
  - a. Ornamental trees shall be not less than six (6) feet in height and one inch in caliper;
  - b. Conifers/Evergreen trees, such as pine, spruce or cedar, shall be not less than five (5) feet in height; and
  - c. Canopy trees shall not be less than eight (8) feet in height and 1-1/2 inches in caliper.

**D. Miscellaneous Requirements**

1. Required landscaping shall not include artificial plants, trees or other artificial vegetation.
2. Required landscaping shall be irrigated by one of the following methods:
  - a. An underground sprinkling system;
  - b. A drip system; or
  - c. A hose attachment within 100 feet of all landscaped areas.

3. All landscaped areas which are adjacent to pavement shall be protected with curbs or equivalent barriers.
4. Landscaping shall not obstruct traffic visibility at street intersections or at access points to streets.
5. Required landscaping shall be maintained in a live and healthy condition and shall be replaced as necessary to comply herewith.
6. Required landscaped areas shall be maintained free of debris and litter.
7. Required landscaping shall be installed in accordance with an approved landscape plan as set forth in Section 11.03.

**E. Incentive Credits.** To encourage preservation of existing mature trees and/or the planting of larger trees, each square foot of landscaped area which is permeable and within the dripline of a tree at least six (6) inches in caliper, shall constitute 1.5 square feet of landscaped area for the purpose of meeting the requirement of 15% street yard landscaping and/or parking area landscaping, provided, however:

1. Overlapping dripline areas shall only be counted once;
2. At least one-half of the dripline area shall be permeable;
3. The original grade of the dripline area shall not be changed; and
4. The 1.5 square foot incentive credit shall not constitute more than 25% of the landscape requirement.

**F. Parking Credits.** In order to encourage the preservation of trees that are already established and growing, an additional credit for existing trees that are preserved rather than planted, will reduce the required number of off-street parking spaces by one space for each tree in good condition which is greater than 12 inches in caliper.

**G. Bufferyards**

The bufferyard is a unit of yard together with required landscaping. The amount of land and the type and amount of planting specified for each bufferyard requirement are designed to ameliorate nuisances between adjacent land uses, or between a land use and a public street or road. There are buffers required and designated through the City of Sand Springs Comprehensive Plan which must be located in certain areas, and the buffers are to be implemented through the use of appropriate bufferyards.

**H. Outdoor Storage Areas**

Section 11.02

Outdoor storage areas used for the storage of garbage, equipment and other materials shall be screened using a decorative sight-obscuring or screening fence and/or a solid planting screen predominantly of evergreens.

## **SECTION 11.03. ADMINISTRATION**

**A. Landscape Plan.** All applications for a Building Permit for uses requiring landscaping, as set forth in Section 11.02, shall include a landscape plan which provides the following:

1. The date, scale, north arrow, project name and name of the owner;
2. The location of property lines and dimensions of the tract;
3. The approximate center line of existing water courses, the approximate location of significant drainage features, the location and size of existing and proposed streets and alleys, existing and proposed utility easements and overhead utility lines on or adjacent to the lot, and existing and proposed sidewalks on or adjacent to the lot;
4. The location, size and type (tree, shrub, ground cover, or grass) of proposed landscaping and the location and size of the proposed landscaped areas;
5. Planting details and/or specifications;
6. The method of protecting the existing trees which are to be retained and protected from damage during construction;
7. The proposed irrigation system, including a description of the type of irrigation system used for each required landscape area; and
8. The schedule of installation of required landscaping and appurtenances, which shall specify installation of all required landscaping and appurtenances, except trees, prior to the issuance of a Certificate of Occupancy and further specify installation of required trees within the landscape plan within 120 days after issuance of the Certificate of Occupancy; and
9. Planned Unit Developments may require that all landscaping and appurtenances be installed prior to issuance of a Certificate of Occupancy.

**B. Certification of Installation.** Prior to the issuance of a Certificate of Occupancy, written certification shall be submitted to the City by an architect, landscape architect or engineer licensed in the State of Oklahoma or the owner of the property that the installation of the landscaping and appurtenances, except trees, are in accordance with the approved landscape plan. Prior to or within 120 days of the issuance of the Certificate of Occupancy, written certification of an architect, landscape architect or engineer licensed to practice in the State of Oklahoma or the owner of the property that all trees have been installed in accordance with the approved landscape plan shall be submitted to the City.

**C. Administrative Review.** After receipt of a landscape plan, the designated administrative official shall:

1. Approve the landscape plan as complying with the requirements of this Chapter;
2. Approve the landscape plan with conditions which bring it into compliance with the requirements of this Chapter; or
3. Reject the landscape plan as failing to comply with the requirements of this Chapter.

**D. Alternative Compliance**

1. If the administrative official rejects the landscape plan, the applicant may request, after payment of a fee, that the Planning Commission review the plan and determine that, although not meeting the technical requirements of this Chapter, it is equivalent to or better than the requirements of this Chapter.
2. The Planning Commission shall submit its determination in writing to the Planning Department and the applicant.

- E. Appeal from Planning Commission Action.** In accordance with the provisions of Section 11.03.D, an appeal to the City Council may be taken by any person aggrieved by a determination of the Planning Commission.

## CHAPTER 12

### PLANNED UNIT DEVELOPMENT

- 12.00. Description**
- 12.01. Purposes**
- 12.02. General Provisions**
- 12.03. Uses Permitted in a Planned Unit Development**
- 12.04. Bulk and Area Requirements**
- 12.05. Perimeter Requirements**
- 12.06. Off-Street Parking and Loading**
- 12.07. Administration of a Planned Unit Development**

#### **SECTION 12.00. DESCRIPTION**

Planned Unit Development (PUD) is an alternative to conventional development where the particular tract is under common ownership or control, and a development plan for the development of the tract as a unit is proposed and submitted for public review. The supplemental zoning district PUD must be approved by the City Council as a prerequisite to the Planned Unit Development.

#### **SECTION 12.01. PURPOSES**

The purposes of the Planned Unit Development are:

- A.** To permit flexibility that will encourage a more creative approach in the residential, office, commercial and industrial development of land and will result in a more efficient use of open area, while maintaining density and area coverage permitted in the general zoning district or districts in which the project is located.
- B.** To permit flexibility in design, placement of buildings, and use of open spaces, circulation facilities, and off-street parking areas and to best utilize the potential of sites characterized by special features of geography, topography, floodplains, size or shape.
- C.** To implement the Comprehensive Plan.

## **SECTION 12.02. GENERAL PROVISIONS**

Planned Unit Development is permitted on tracts having the supplemental zoning district designation PUD. In every instance, the PUD is to be reviewed as to the proposed location and character of the uses and the unified treatment of the development of the tract. The regulations of the general zoning district or districts remain applicable except as specifically modified pursuant to the provisions of this Chapter. The Planning Commission and City Council in approving or amending a PUD and in approving a minor amendment may impose restrictions as conditions of approval in addition to those imposed by the underlying zoning and the PUD Chapter. No modification of use or bulk and area requirements of the applicable general use district or districts shall be permitted unless a subdivision plat incorporating the provisions and requirements of this Chapter is submitted to and approved by the Planning Commission and the City Council and filed of record in the office of the County Clerk of the County in which the property is located. The Planning Commission may waive the platting requirements if the property is already platted and if the PUD conditions for approval are included in the form of restrictive covenants and filed of record with the County Clerk making the City of Sand Springs beneficiary to said covenants as provided in Section 12.07.F.

## **SECTION 12.03. USES PERMITTED IN A PLANNED UNIT DEVELOPMENT**

### **A. Principal Uses**

The development may consist of one or more of the uses permitted by Right, Special Exception or Specific Use Permit within the general zoning district or districts within which the Planned Unit Development is located provided:

1. A PUD may be residential, office, commercial, parking, scientific research, industrial or a combination thereof.
2. When located within an RE, RS, RD, RT, RM-O, RM-1 or RM-2 District, the development may consist of one or more of the dwelling types contained in Use Unit 6, Single-Family Dwelling; Use Unit 7, Two-Family dwelling; and Use Unit 8, Multi-Family Dwelling and Similar Uses.
3. When located within an RMH District, the development may consist of one or more dwelling types contained in Use Unit 6, Single-Family Dwelling and similar uses; and Use Unit 9, Manufactured Housing.

4. The uses, other than dwellings, which are permitted by Right, Special Exception or Specific Use Permit in any residential district may be included within a residential PUD, if such uses do not occupy more than ten (10) percent of the gross area of the PUD and are designed and located so as to be compatible with the residential uses of the PUD and with the residential use of adjacent properties.
5. The permitted uses within a PUD may be reallocated within the development irrespective of the general zoning district boundaries.

**B. Accessory Uses**

Accessory uses customarily incidental to the principal uses included within the PUD are permitted and shall comply with the accessory use conditions of that district or districts in which it is located. Except as provided below for accessory commercial facilities in residential PUDs, accessory signs shall comply with the provisions of the residential districts except as hereafter provided for accessory commercial uses within a residential PUD. Accessory commercial facilities may be included within the PUD in accordance with the following standards:

1. Accessory commercial uses in a residential PUD shall be limited to the uses contained in Use Unit 12, Eating Places Other Than Drive-Ins, and Use Unit 13, Convenience Goods and Services;
2. The aggregate floor area of the accessory commercial uses in a residential PUD shall not exceed 50 square feet per dwelling unit nor a total of 30,000 square feet;
3. Each accessory commercial use in a residential PUD shall be limited to a maximum of 3,500 square feet of floor area;
4. Accessory commercial signs in a residential PUD shall be limited to one nameplate of not more than 16 square feet for each establishment. Nameplates shall be attached flat against a building wall and shall not be animated, flashing, or have other than indirect illumination. Window signs shall not be permitted;
5. The accessory commercial area in a residential PUD shall be designed primarily for the service, convenience, and benefit of the residents of the PUD and shall be designed and located in such a manner as to be compatible with the residential use of the PUD and of adjacent properties; and

6. Business signs accessory to principal office, commercial or industrial uses shall not exceed the general provisions of the Zoning Code, Chapter 13, provided the approving authority may impose such additional restrictions as are necessary to maximize compatibility with adjacent land uses.

## **SECTION 12.04. BULK AND AREA REQUIREMENTS**

### **A. Intensity of Use**

Within the development, the intensity may be reallocated irrespective of the general zoning district boundaries as follows:

1. Residential Intensity

The residential intensity shall not exceed a maximum number of dwelling units computed as follows:

Maximum Number of Permitted Dwelling Units = Gross Area; as defined below of property located within a Residential District divided by minimum land area per dwelling unit permitted by Right in the applicable use district.

The minimum land area per dwelling unit, for the purpose of the above described computation, shall be the least restrictive minimum land area per dwelling unit permitted in the applicable district as set forth in Section 5.04.A and 5.04.B of the Zoning Code. Each 600 square feet of a quasi-dwelling, such as a care home, shall constitute a dwelling unit. If the PUD is within two (2) or more residential districts, the permitted density shall be the sum of the permitted dwelling units computed separately for the gross area within each district.

2. Non-residential Intensity

The non-residential intensity shall not exceed a maximum permitted floor area computed as follows:

Maximum Permitted Floor Area = Gross Land Area; as defined below, of property located within a non-residential district multiplied by the floor area ratio permitted either by Right, Special Exception or Specific Use Permit within the bulk and area requirements of the applicable use district, except where a floor area ratio is not specified, a floor area ratio of 0.75 shall apply.

The intensity of use of a PUD located within two (2) or more zoning districts of the differing general classifications of residential, office, commercial, scientific research or industrial, shall be separately calculated and allocated within the Planned Unit Development by said general classification.

3. Gross Area Calculation

For a PUD located totally within a residential district or districts, the gross area for the purposes of the above-described computation shall be reduced by the area or areas designated for accessory commercial uses and other accessory uses as defined by the Zoning Code. Further, for the purpose of intensity calculation above, gross area shall mean the lot area plus one-half of the right-of-way area of any abutting street to which the lot has access.

4. Minimum Lot Sizes

Within a residential PUD, a minimum lot size requirement of 800 square feet shall apply to lots utilized for dwelling purposes. A minimum lot width requirement of 20 feet shall apply to lots utilized for dwelling purposes. Within an office, commercial or industrial PUD, lot sizes shall be determined by the Planning Commission with the approval of the City Council.

**C. Livability Space**

1. Within a PUD, livability space for a Residential Development Area shall be provided in an aggregate amount of not less than the amount of livability space required by the applicable zoning district (Section 5.04.A) for conventional development of a comparable number of dwelling units.

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2. Required livability space shall be provided on the lot containing the dwelling unit or units on which computed, or in common areas.

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3. Common area livability space shall be designed and located so as to be accessible to the dwelling units it is intended to serve.
4. Provisions for the ownership and maintenance of common area livability space as will insure its continuity and conservation shall be incorporated in the subdivision plat, in compliance with the provisions of Section 12.07.F.

**D. Building Height, Setbacks and Yards**

1. Within a PUD, the building height limitations, building setback requirements and minimum yards shall be prescribed by the City Council following a recommendation from the Planning Commission and incorporated within the subdivision plat in compliance with Section 12.07.F.
2. In addition to the setback required for the front or any yard abutting a public street, every structure shall be set back from the centerline of an abutting public street designated on the Major Street Plan a horizontal distance of not less than one-half of the right-of-way designated on the Major Street Plan.

**E. Open Space**

Within a PUD, minimum landscaped open space shall be provided in accordance with Chapter 11 of this Code for all non-residential development areas and as follows:

- |                   |                 |
|-------------------|-----------------|
| 1. Office Use     | 10% of lot area |
| 2. Commercial use | 10% of lot area |
| 3. Industrial Use | 5% of lot area  |

**SECTION 12.05. PERIMETER REQUIREMENTS**

The building setback from the exterior boundaries of a PUD shall not be less than the minimum yards customarily required for the district or districts in which located. The City Council, after recommendation by the Planning Commission, shall prescribe additional perimeter requirements for screening, landscaping and setbacks as are necessary to assure compatibility with adjoining properties. The requirements shall be incorporated within a subdivision plat in compliance with Section 12.07.F.

**SECTION 12.06. OFF-STREET PARKING AND LOADING**

Within a PUD, Off-Street Parking and Loading spaces shall be provided as specified in the applicable Use Units in Chapter 13 and Chapter 25, and in conformance with the requirements of Chapter 14, Off-Street Parking and Loading. Required spaces may be provided on the lot containing the uses for which it is intended to serve or in common areas. Common parking area shall be designed and located so as to be accessible to the uses it is intended to serve. Provisions for the ownership and maintenance of common parking areas as will insure its continuity and conservation shall be incorporated into the subdivision plat in compliance with Section 12.07.F.

**SECTION 12.07. ADMINISTRATION OF A PLANNED UNIT DEVELOPMENT**

**A. General**

Any person, corporation, partnership, association, or combination thereof, owning or possessing a property right or interest in or to a tract of land may make application for the supplemental district designation PUD. Such application shall be accompanied by a development plan processed in the manner set forth in this Section.

An application for the supplemental district designation PUD may be processed simultaneously with an application for an amendment to the general zoning district and made contingent upon approval of said application.

**B. Application and Development Plan**

An application for a PUD shall be filed with the Planning Department. The application shall be accompanied by the payment of a fee in accordance with the established fee schedule. Such fee shall not include advertising and costs, which shall be billed to the applicant. The application shall be in such form and content as the Planning Commission may establish. Eight (8) eight copies of an Outline Development Plan shall accompany the filing of the application. The Outline Development Plan shall consist of maps and/or text which contain:

1. Existing topographic character of the land including identification of any floodplain areas and treed areas. In instances of probable development constraints due to slope and/or soil conditions, the City staff may require the submittal of slope and/or soil analysis.

2. Proposed location of land uses, including public uses and open space and the approximate location of buildings, dwellings and both off-street and on-street parking areas.
3. The character and density of dwellings in a residential PUD shall be expressed in number of dwelling units per acre for residential PUDs. The character and intensity of non-residential uses shall be expressed in floor area ratio and/or square footage. Density and intensity shall be allocated to an identifiable segment of the PUD.
4. The location of existing and proposed thoroughfares.
5. Sufficient surrounding area to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed.
6. An explanation of the character of the planned development.
7. The expected schedule of development.
8. Development standards for location, height, setback and size of buildings and other structures expressed by identifiable segment of the PUD.
9. Type of construction of buildings and structures, and the proposed maximum building heights and minimum building setbacks.

### **C. Detail Plans**

The City Council, as a condition of approval of an Outline Development Plan, may require the following Detail Plans to be submitted to the Planning Commission and/or City Council for approval:

1. Detail Site Plans for specific development areas within the PUD that comply with all approved development standards and which include:
  - a. Uses of land;
  - b. Location, size, height and setbacks for all buildings;
  - c. Location and number of off-street parking spaces; and
  - d. Private and public vehicular and pedestrian circulation.
  - e. If a Detail Site Plan is required, approval shall be secured prior to the issuance of a Building Permit.

2. Detail Sign Plans that comply with all approved development standards and which include location, size, height and setbacks for all signs. If a Detail Sign Plan is required, approval shall be secured prior to the issuance of a Sign Permit.
3. Detail Landscape and/or Fence Plans that comply with all approved development standards and which include location, type and size of plant materials, and location and design of required screening fences or walls. If a Detail Landscape and/or Fence Plan is required, approval shall be secured and installation shall occur in accordance with approved plans prior to the issuance of an Certificate of Occupancy.
4. Exterior Building Detail Plans which may include elevations and perspective drawings of the buildings to be constructed. This requirement shall not apply to platted single-family lots. If Exterior Building Detail Plans are required, approval shall be secured prior to the issuance of a Building Permit.
5. When the Planning Commission is authorized by the City Council to approve detail plans, the Commission may delegate to members of its Staff review and approval of Detail Sign and Landscape and/or Fence Plans and minor revisions to previously approved Detail Site Plans to determine if said plans comply with approved development standards of the PUD. Appeals to the Planning Commission from a decision of the Staff, with regard to detail plan, may be taken by any person or persons aggrieved by the filing of a notice of appeal with the Secretary of the Planning Commission within ten (10) days from the date of such Staff decision.

**D. Public Hearing and Planning Commission Action**

1. The Planning Commission, upon the filing of an application for the supplemental district designation PUD, shall set the matter for public hearing giving notice as follows:
  - a. Twenty (20) days notice thereof by publication (to include a map) in a newspaper of general circulation;
  - b. Twenty (20) days notice of a public hearing by mailing written notice to all owners of property within a 300 foot radius of the exterior of the boundary of the property; and
  - c. Twenty (20) days notice of public hearing by posting of a sign or signs on the property sought to be rezoned.

- d. See Section 20.03 for contents of notice.
2. Within 60 days after the filing of an application, the Planning Commission shall conduct the public hearing and shall determine:
  - a. Whether the PUD is consistent with the Comprehensive Plan;
  - b. Whether the PUD harmonizes with the existing and expected development of surrounding areas;
  - c. Whether the PUD is a unified treatment of the development possibilities of the project site; and
  - d. Whether the PUD is consistent with the stated purposes and standards of this Chapter.
3. The Planning Commission shall approve, approve with modification, or disapprove the Outline Development Plan required under a PUD. The Planning Commission shall forward its recommendation, the application, and the Outline Development Plan to the City Council for further hearing as provided in Section 12.07.E.

**E. City Council Action**

Upon receipt of the application, development plan, and the Planning Commission recommendation, the City Council shall hold a hearing, review the development plan and approve, disapprove, modify, or return the development plan to the Planning Commission for further consideration. Upon approval, the Zoning Map shall be amended to reflect the supplemental designation PUD, and the applicant shall be authorized to process a subdivision plat incorporating the provisions of the development plan.

**F. Planned Unit Development Subdivision Plat**

A Planned Unit Development subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the Subdivision Regulations, and, in addition to the requirements of the Subdivision Regulations shall include:

1. Details as to the location of uses and street arrangement;

2. Provisions for the ownership and maintenance of the common open space as will reasonably insure its continuity and conservation. Open space may be dedicated to a private association or to the public, provided that a dedication to the public shall not be accepted without the approval of the City Council and adequate provision made for the costs of maintenance; and
3. Such covenants as will reasonably insure the continued compliance with the approved development plan. In order that the public interest may be protected, the City of Sand Springs shall be made beneficiary of covenants pertaining to such matters as the requirement of approval of detail plans prior to the issuance of any permits, location of uses, height of structures, setbacks, screening, open space, signage and access. Such covenants shall provide that the City of Sand Springs may enforce compliance therewith, and shall further provide that amendment of such covenants shall require the approval of the Planning Commission and City Council and the filing of record with the County Clerk a written amendment to the covenants, endorsed by the Planning Commission and City Council.

#### **G. Issuance of Building Permits**

1. After the filing of an approved PUD plat, and notice thereof to the Building Inspector, no Building Permits shall be issued on lands within the PUD except in accordance with the approved plat.
2. A Building Permit for a free standing or separate accessory commercial structure within a PUD containing no commercial zoning shall not be issued until Building Permits have been issued for at least one-half of the number of dwelling units on which the authorization of the commercial use is based, if based on dwelling units.
3. The Planning Commission and City Council shall require the review of a Detailed Site Plan and approval by said Commission and Council prior to the issuance of any Building Permits within the approved PUD area. This requirement may be waived by the City Council upon just cause being demonstrated by the applicant.

#### **H. Major Amendments**

Changes which would represent a significant departure from the Outline Development Plan are considered Major Amendments and shall require formal abandonment and the subsequent filing of a new application for a PUD.

## **I. Minor Amendments**

1. Minor changes in the PUD may be authorized by the City Council after review and recommendation by the Planning Commission, so long as substantial compliance is maintained with the Outline Development Plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the Outline Development Plan shall require formal abandonment and the subsequent filing of a new application for a PUD.
2. The following may be considered minor amendments:
  - a. Adjustment of internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project is not substantially altered.
  - b. Limitation or elimination of previously approved uses, provided the character of the development is not substantially altered.
  - c. Increases in dwelling units, provided the approved number of dwelling units is permitted by the underlying zoning and the density of a development area is not increased more than 15%.
  - d. Increases in permitted non-residential floor area, provided the increased floor area is permitted by the underlying zoning and the floor area of a development area is not increased more than 15%.
  - e. Modification of the internal circulation system, provided the system is not substantially altered in design, configuration or location.
  - f. Changes in points of access, provided the traffic design and capacity is not substantially altered.
  - g. Addition of customary accessory buildings and uses within the delineated common open space of a residential PUD, including but not limited to swimming pools, cabanas, security buildings, club houses and tennis courts.
  - h. Location of customary residential accessory buildings and uses on an adjoining single-family residential lot within the PUD, including but not limited to swimming pools, cabanas, garages, and tennis courts, provided an agreement has been recorded by the owner in the office of the County Clerk prohibiting the conveyance of the lot containing the accessory use separate from the conveyance of the lot containing the principal use.

- i. Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development is not substantially altered.
  - j. Lot splits which modify a recorded plat and which have been reviewed and approved by the Technical Advisory Committee.
  - k. Home occupations which meet the requirements of Section 5.03.B Home Occupations, of the Zoning Code.
  - l. Modifications to approved signage, provided the size, location, number, character and type of sign is not substantially altered.
  - m. Modification to approved screening and landscaping plans, provided the modification is not a substantial deviation from the original approved plan.
  - n. Changes reducing the number of permitted dwelling units.
  - o. Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use by Right and the proposed use will not result in any increase of incompatibility with the present and future use of the proximate properties.
3. Ten (10) days notice of public hearing shall be given for minor amendments by mailing written notice to all owners of property within a 300 foot radius of the exterior boundary of the subject property.
  4. In instances where the City Council body has specifically imposed a PUD condition more restrictive than originally recommended by the Planning Commission, any minor amendment of that specific condition must be approved by the City Council.
  5. If the Planning Commission determines that the proposed amendment, if approved, will result in a significant departure from the approved Development Plan or otherwise change the character of the PUD significantly or that the cumulative effect of a number of minor amendments substantially alters the approved Development Plan, then the amendment shall be deemed a major amendment to the Development Plan. Major amendments shall comply with the notice and procedural requirements of Section 20.03, Zoning Map Amendments.

6. Appeal from Minor Amendment Determination

- a. An appeal from any minor amendment decision by the Planning Commission may be taken by any person or persons aggrieved, or any taxpayer or any officer, department, board or bureau of the City, to the City Council by filing notice of appeal with the City Clerk and with the Secretary of the Planning Commission within ten (10) days from the date of such action. Such notice of appeal shall specify the grounds of the appeal. No bond or deposit for costs shall be required for such appeal.
- b. Upon filing of the notice of appeal, the Planning Commission shall forthwith transmit to the City Council, the original or certified copies of all the papers constituting the record in the case, together with the decision of the Planning Commission.
- c. The City Council shall notify the applicant and all interested parties, as recorded in the minutes of Planning Commission, of the appeal hearing date.

**J. Abandonment**

1. Abandonment of a Planned Unit Development shall require, in part or whole, the City Council's approval, after recommendation by the Planning Commission, of an application for amendment to the Zoning Map repealing the supplemental designation of PUD. The City Council may amend the underlying zoning upon abandonment of the PUD. Upon final action authorizing abandonment of the Planned Unit Development, no Building Permit shall be issued except in accordance with the restrictions and limitations of the general zoning district or districts.
2. Upon final action authorizing the abandonment of the Planned Unit Development, the Planned Unit Development subdivision plat shall be vacated and no Building Permit shall be issued except in accordance with the restrictions and limitations of the general zoning district or districts.

## CHAPTER 13\*

### USE UNITS

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- 13.26. Use Unit 26 Moderate Manufacturing and Industry
- 13.27. Use Unit 27 Heavy Manufacturing and Industry
- 13.28. Use Unit 28 Junk and Salvage Yards – Specific Use Permit

\* Certain uses shown in this text and Chapter have been modified or replaced by the provisions of the Specific Use Permit process as described in Chapter 25 of this Code.

\*\* Outdoor Advertising Signs are prohibited by Ordinance No. 1086 Amended passed January 5, 2005. See Section 15.04 (A) of this Code.

### SECTION 13.00. INTRODUCTION OF USE UNITS

#### A. General

The Use Unit, as modified by Chapter 25 and requirements for approval of a Specific Use Permit, is a grouping of individual uses having similarities in

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characteristics of function and/or performance which enable systematic consideration of location and other regulation. Within each zoning district, the permitted uses are the included uses of the designated Use Unit. The Use Units herein established are identified by number and name. Set forth in each Use Unit is a descriptive statement and alphabetical listing of the included uses, use conditions, and off-street parking and loading requirements.

**B. Interpretation**

Questions of the inclusion or exclusion of a particular principal use within a Use Unit shall be decided by the Board of Adjustment. A use if specifically listed in a Use Unit shall not by interpretation be included as a principal use within any other Use Unit.

**C. Applicability of Use Conditions**

A use shall be subject to the provisions of the zoning district in which located and in addition shall be subject to the use conditions specified in the applicable Use Unit. Where the requirements of the Use Unit are greater than the requirements of the use district, the Use Unit requirements shall govern.

**D. Off-Street Parking and Loading Requirements**

The off-street parking and loading requirements shall not apply to uses located within the CH or CBD Central Business District.

**SECTION 13.01. USE UNIT 1. AREA-WIDE USES BY RIGHT**

**A. Description**

Certain public uses, agricultural uses, open land uses, and similar uses which are either subject to other public controls or which do not have adverse effects on other land uses.

**B. Included Uses:**

- 1. Passive Agricultural Uses such as: Cultivation  
Forestry  
Grazing  
Planting
- 2. Open Land Uses such as: Arboretum  
Flood management project  
Reservoir  
Wildlife preserve
- 3. Public Uses such as: Fire alarm  
Historical marker  
Street sign  
Thoroughfare  
Utility line

**C. Off-Street Parking and Loading Requirements.** None

**SECTION 13.02. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES\***

**A. Description**

Uses which in some instances may be suitable for location in any district, but because of their potential adverse influence on adjacent properties require site review and are therefore permitted in all districts only as a Special Exception requiring Board of Adjustment approval, unless otherwise designated as requiring approval of a Specific Use Permit (SUP). See Chapter 25.

**B. Included Uses:**

- Adult Detention Center/Correctional Facility, SUP
- Airport, Heliport, SUP
- Bus Station
- Cemetery, SUP
- Construction Facilities, Off site
- Convict Pre-release Center, SUP
- Correctional Community Treatment Center, SUP
- Crematory, SUP
- Detention Facility, Adult or Juvenile, SUP
- Electric Generation Plant, SUP
- Governmental Services, NEC
- Gun Club, SUP
- Jail, SUP
- Juvenile Delinquency Center, SUP
- Mausoleum
- Post Office
- Prison, SUP
- Residential Treatment Center, SUP
- Rifle and Skeet Range, Gun Club, SUP
- Sanitary Land Fill, SUP
- Sewage Disposal Facility, SUP
- Transitional Living Center, SUP
- Uses which utilize tents, canopies or open air activities \*\* such as:
  - Carnival
  - Christmas tree sales
  - Circus
  - Fruit and vegetable sales
  - Plant sales
  - Tent Revival
- Water Treatment Facility, SUP

\* SUP = Specific Use Permit Approval process is required in place of a Special Exception. See Chapter 25.

\*\* Open air activities shall include sales from trucks, trailers, pickups and other vehicles.

**C. Use Conditions**

1. Uses which utilize tents, canopies or open air activities:
  - a. May be approved for a maximum of 60 days per calendar year. The Board of Adjustment may permit alternative off-street parking materials.
  - b. Required parking spaces shall not be used for the tent, canopy or open air activity.
  - c. Tents, canopies, and open air activities shall meet the building setback requirements set forth in the applicable zoning districts.
2. Construction Facilities:
  - a. The use may continue for a period not to exceed two (2) years in the same location.
  - b. Ingress and egress must be from arterial or collector streets, provided that the Board of Adjustment may approve a location with access to a minor street upon finding that such location would result in less traffic on streets in residential areas.
  - c. The use shall not be located nearer than 100 feet to any lot containing an occupied dwelling, without the consent of the owner thereof.

3. Spacing Requirement:

To avoid clustering, detention/correctional facilities, emergency and protective shelters, homeless centers, residential treatment centers and transitional living centers shall not be located on a lot within 1/4 mile (1,320 feet) from any other lot containing such facilities. The City Council, however, may upon approval of a Specific Use Permit, permit the clustering of such uses if it is determined by the City Council that the location of such uses will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Airport, Heliport	1 per each 500 SF of enclosed passenger terminal area	1 per 2,000 to 40,000 SF of floor area plus 1 per 40,000 to 100,000 SF, plus 1 per each additional 100,000 SF
Detention Center, Adult, Juvenile	1 per 1000 SF of floor area	1 per 10,000 to 100,000 SF of floor area, plus 1 per each additional 100,000 SF of floor area
All other uses	As may be required by the Board of Adjustment or City Council upon approval of a Specific Use Permit	

**SECTION 13.03. USE UNIT 3. AGRICULTURE**

**A. Description**

Agricultural uses and services and certain other uses suitable for location in an agricultural environment.

**B. Included Uses**

- Animal and Poultry Raising
- Chick Hatchery
- Dairy Farming
- Farming
- Fishery
- Guest or Dude Ranch
- Horticultural Nursery
- Ranching
- Riding Stable or Academy
- Veterinary Hospital (large animals)

**C. Use Conditions**

1. A veterinary hospital (large animals) requires a minimum lot area of 5 acres.
2. Horticultural nursery permits the growing of plant stocks only, and no retail sales are permitted on the site.

**D. Off-Street Parking and Loading Requirement. None**

**SECTION 13.04. USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES**

**A. Description**

Public protection and utility facilities which may have technical locational requirements necessitating specific locations in and around areas serviced which can be objectionable to adjacent and abutting uses are permitted by Special Exception in all zoning districts in accordance with the use conditions of this section, **unless approval of a Specific Use Permit (SUP) is required as specified herein.**

**B. Included Uses**

Ambulance Service  
Antenna and Antenna Supporting Structure, SUP  
Electric Regulating Station, Excluding storage or service garages and yards, SUP  
Fire Station  
Pressure Control Station (gas or liquid, excluding storage or service yards or service garages and yards)  
Public Protection Services  
Public Utility Services  
Shelter (Civil Defense or Storm)  
Water Storage Facility, NEC, SUP

**C. Use Conditions for Antenna and Antenna Supporting Structures**

1. The installation of new Antennas and Antenna Supporting Structures on existing such facilities which predate this Code and have otherwise been approved as a use by Right, Special Exception or Specific Use Permit by the City may be permitted by Right upon the certification of a professional engineer licensed to practice in the State of Oklahoma that the existing structure will accommodate the new user without requiring structural modification and otherwise obtaining the required permits. Excluding the requirement for obtaining approval of a Specific Use Permit, such new facilities shall be subject to subsections D.2., D.3., D.4., D.5., D.6 (excluding the collocation design requirement), D. 10 and E. 11 which follow.
2. The installation of Antennas and Antenna Support Structures, except as provided above and in Section 9.06 above shall require approval of an application to the Planning Commission for a Specific Use Permit. Such application shall include a site plan showing all proposed improvements and a scale drawing which displays the location of all existing such sites and sites on which applications are pending with the City for Antennas and Antenna Supporting Structures within a one fourth (1/4) mile radius of the site proposed in the application.

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- D. In order to obtain approval of a Specific Use Permit for an Antenna and Antenna Supporting Structure, the Planning Commission shall require, subject to modification and additional requirements as deemed necessary by said Commission as a part of the review process, that the Antenna and Antenna Supporting Structure satisfy the following:
1. Written evidence shall be presented to the City by the proposer of such facility that the new facility is not closer than one fourth (1/4) mile from any existing such site or site for which an application is pending the with the City for an Antenna and Antenna Supporting Structure on which collocation space is reasonably available.
  2. Shall be setback from an R district boundary one hundred and ten percent (110%) of its height as measured at grade and in no case shall it exceed a maximum of 200 feet fall.
  3. Shall be subject to initial and continuing compliance with all other applicable local, state and federal codes and standards for operation of that particular facility. These requirements shall include but not be limited to meeting the standards and requirements of the Sand Springs Airport Zoning Ordinance, Federal Aviation Administration, Federal Communications Commission, Electronic Industries Association and American National Standards Institute.
  4. Shall be buffered with landscaping and vegetative or other screening to mitigate the operational and visual impacts of such uses on abutting and adjacent uses.
  5. If the operation and use of such facilities ceases for a period of 180 days, unless or except said local approvals are given again within 60 days of the expiration of the 180 day period, it shall be removed by the owner at the owner's cost or be subject to removal by the City at the owner's cost.
  6. It shall be designed and constructed in such a manner as to accommodate collocation of a minimum of two (2) wireless telecommunication system providers unless it can be demonstrated by the applicant, in conjunction with the Specific Use Permit process, that such collocation was not technically feasible or that it would unreasonably impede or otherwise impair the operation of the initial or subsequently located facilities.
  7. If collocation is determined by Planning Commission and City Council to unreasonably impede or impair the operation of the proposed facility, a minimum spacing of one-fourth (1/4) mile from other such facilities shall be met.
  8. The Antenna Supporting Structure shall be of monopole design.

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9. Certification from a professional engineer licensed to practice in the State of Oklahoma shall be submitted that the Antenna and Antenna Supporting Structure is designed and constructed in such a manner as to accommodate the collocation of minimum of two (2) wireless telecommunication system providers, and that it meets the standards of the American National Standards Institute and the Electronic Industries Association. Further, certification from such an engineer shall be required upon completion of construction and prior to commencement of operation that the Antenna and Antenna Supporting Structure has, in fact, been constructed in accordance with the plans as approved by the City.
10. Written evidence of compliance with the standards of the Sand Springs Airport Zoning Ordinance, Federal Communications Commission and the Federal Aviation Administration.
11. Operators of such facilities shall give the City Planner of the City of Sand Springs 30 days prior written notice of any change or modification in the operation of the facility that would cause the facility to no longer be in compliance with Sections "1" through "10" above and the conditions of approval granted by the City Council. Said notice shall include detailed information about the nature of all such changes. Further, such changes shall cause the approval of the Specific Use Permit to be summarily revoked and become the basis for requiring submission of a new application to the City of Sand Springs if operation is to continue.
12. Notwithstanding the preceding sections, upon obtaining approval for collocation of a specified number of users on a particular facility by a Specific Use Permit, subsequent users up to the specified number may be permitted by Right upon demonstrating compliance with all conditions of the original approval.

**E. Off-Street Parking and Loading Requirements**

Off-Street Parking and Loading Requirements shall be as determined by the Board of Adjustment or in accordance with a Specific Use Permit.

**SECTION 13.05. USE UNIT 5. COMMUNITY SERVICES, CULTURAL AND RECREATIONAL FACILITIES**

**A. Description**

Community services, cultural and recreational facilities which are needed in residential areas to serve the residents or need a residential environment, but which are or can be objectionable to nearby residential uses. These uses are permitted by Special Exception in some districts, by Right in some districts, by Specific Use Permits in some districts, and prohibited in other districts. See also Chapter 25.

**B. Included Uses**

Adult Day Care  
Aquarium  
Art Gallery (not operated for profit)  
Assisted Living Center  
Care Home  
Children's Home  
Children's Nursery  
Church, SUP  
Club, Social or Fraternal  
College  
Community Center  
Community Group Home  
Convalescent Home, SUP  
Convent, Monastery, Novitiate  
Cultural and Recreational Facility  
Cultural Facility, NEC  
Day Camp  
Day Care Home  
Elderly/Retirement Housing  
Emergency and Protective Shelter, SUP  
Extended Care Facility  
Golf Course, SUP  
Halfway House, SUP  
Homeless Center, SUP  
Hospital  
Library  
Life Care Retirement Center  
Marina  
Monastery  
Museum, SUP  
Novitiate  
Nursing Home, SUP  
Planetarium  
Service Organizations, Clubs or Lodges (the chief activity of which is a service and which is not operated as a business or for profit, and which hold and maintain an income tax exempt status)  
Public Park  
Public Tennis Courts  
Sanitarium  
Residential Treatment Center, SUP  
Schools, Public or Private, offering a compulsory education, SUP  
Transitional Living Center, SUP  
University

**C. Use Conditions**

1. Churches when located within an AG or R District:
  - a. Minimum lot area of one acre and a minimum lot width of 100 feet.
  - b. No parking shall be permitted within a required front yard.
  - c. Requires approval of a Specific Use Permit. See Chapter 25.
2. Schools, Public or Private:
  - a. High Schools shall have their principal vehicular entrance and exit on an arterial street.
  - b. Buildings and grounds which have been approved for a Specific Use Permit for Use Unit 5 school use may also be used for a children's nursery, preschool, community center or day camp.
3. College, university, convent, monastery, novitiate, hospital:
  - a. A minimum site area of one acre shall apply.
  - b. A college or university hospital requires approval of a Specific Use Permit. See Chapter 25.
4. Nursing Home: The nursing home shall meet all applicable licensing requirements of the State of Oklahoma. The maximum floor area ratio is 0.5. A Nursing Home requires approval of a Specific Use Permit. See Chapter 25.
5. Aquarium, day camp, museum, planetarium and service organizations, clubs or lodges when located within an AG, RE or RS district shall have a minimum lot area of one acre.
6. Sponsor's Signs: Up to 15 square feet of the total display surface area of signage permitted for a school, college, university or public park may be used to display the name and/or logo of the sponsor of facilities at the school, college, university or public park.
7. Assisted Living Center/Life Care Retirement Center: The nursing facility or medical facility shall meet applicable licensing requirements of the State of Oklahoma, Oklahoma State Health Department as an intermediate care facility or as a skilled nursing home. The maximum floor area ratio is 0.5.

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8. Elderly/Retirement Housing: Design requirements for elderly/retirement housing shall include as a minimum:
  - a. Elevators for multifamily structures over one story in height;
  - b. Emergency alarm systems in every dwelling unit; and
  - c. Safety “grab bars” in bathrooms.
9. Community Group Home, Covent, Monastery and Novitiate: The maximum floor area ratio is 0.5.
10. The uses in Use Unit 5 when located on a lot which is abutting an RE, RS, RD or RT district shall be screened by the erection and maintenance of a screening wall or fence along the lot lines in common with the RE, RS, RD or RT district.
11. Spacing Requirement: To avoid clustering, detention/correctional facilities, emergency and protective shelters, halfway houses, homeless centers, residential treatment centers and transitional living centers shall not be located on a lot within one fourth mile (1,320 feet) from any other lot containing such facilities. The City Council, upon recommendation of the Planning Commission, however, may as a Specific Use Permit, permit the clustering of such uses if it is determined that the location of such uses will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Adult Day Care	1 per 500 SF of floor area	None
Aquarium, Art Gallery, Museum, Planetarium, Cultural Facility NEC	1 per 400 SF of floor area	1 per 10,000-200,000 SF plus 1 per each additional 200,000 SF of floor area
Assisted Living Center	.75 per dwelling unit	None
Care Home, Nursing Home	1 per 500 SF of floor area	1 per 10,000-100,000 SF area plus 1 per each Additional 100,000 SF of floor area
Children’s Nursery	1 per 400 SF of floor area	NA

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Church	1 per 40 SF of chapel SF of sanctuary floor area	1 per 10,000-200,000 plus 1 per each of additional 200,000 SF of floor area
College, University	1 per 400 SF of class-Room floor area plus 1 per 3 stadium seats	1 per 10,000-200,000 SF plus 1 per each additional 200,000 200,000 SF of floor area
Community Center	1 per 200 SF of floor area	1 per 10,000-100,000 SF area plus 1 per each additional 100,000 SF of floor area
Community Group Home	1 per 1,000 SF of floor area	None
Convent Monastery Novitiate	1 per 800 SF of floor area	1 per 10,000-200,000 SF area plus 1 per each additional 200,000 SF of floor area
Elderly/Retirement Housing	.75 per dwelling unit	None
Golf Course	6 per green plus 1 per 400 SF of clubhouse floor area	1 per 10,000-100,000 SF plus 1 per each 100,000 SF of floor area
Halfway House or Homeless Center	1 per 1,000 SF of floor area	NA
Hospital	1 per bed	1 per 10,000-100,000 SF plus 1 per each additional 100,000 SF of floor area
Library	1 per 300 SF of floor area	1 per 10,000-200,000 SF area plus 1 per each additional 200,000 SF of floor area

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Life Care Retirement Center	.75 per dwelling unit and .35 per nursing center bed	1 per 10,000-200,000 SF plus 1 per each additional 200,000 SF of floor area
Public Park	1 per 3 stadium seats plus 1 per 200 SF of community center or recreation building, plus 1 per 200 SF of pool area	1 per 10,000-100,000 SF plus 1 per each additional 100,000 SF of floor area
Public Tennis Court	2 per court, plus 1 per 400 SF of clubhouse area	1 per 10,000-100,000 SF plus 1 per each area of additional 100,000 SF floor area
Sanitarium	1 per 1,000 SF of floor area	1 per 10,000-100,00 SF plus 1 per each additional 100,000 SF of floor area
Service Organizations, Clubs or Lodges	1 per 250 SF of floor area	1 per 10,000-100,000 SF plus 1 per each additional 100,000 SF of floor area
Schools:		
Elementary and Junior High	1 per 800 SF of floor area plus 1 per 3 stadium seats	1 per 10,000-200,000 SF plus 1 per each additional 200,000 SF of floor area
If parking is separate or if stadium does not exist	1 per 400 SF of floor area plus 1 per 3 stadium seats	

**SECTION 13.06. USE UNIT 6. SINGLE-FAMILY DWELLING**

**A. Description.** Single-family detached dwelling and similar uses.

**B. Included Uses.** Single-family detached dwelling and Foster Home

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**C. Use Conditions**

A single-family detached dwelling and Foster home shall:

1. Be affixed to a permanent foundation as defined herein;
2. Utilize customary residential exterior finishing materials as defined herein;
3. Have a core area of living space at least 20 feet by 20 feet in size exclusive of an attached garage; and
4. Meet all other City Codes and Ordinances.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Single-family detached dwelling unit	2 per dwelling unit	NA
Foster home	2 per dwelling unit	NA

**SECTION 13.07. USE UNIT 7. DUPLEX DWELLING**

**A. Description.** Duplex Dwelling.

**B. Included Uses.** Duplex Dwelling.

**C. Use Conditions**

A duplex dwelling shall:

1. Be attached to a permanent foundation as defined herein;
2. Utilize customary residential exterior finishing materials as defined herein;
3. Have a core area of living space in each dwelling unit at least 20 feet by 20 feet in size exclusive of an attached garage; and
4. Meet all other City Codes and Ordinances.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Duplex dwelling	2 per dwelling unit	NA

**SECTION 13.07a. USE UNIT 7a. TOWNHOUSE DWELLING**

**A. Description.** Single-Family Attached Townhouse Dwelling.

**B. Included Uses.** Single-Family Attached Townhouse Dwelling.

**C. Use Conditions**

A Single-Family Attached Townhouse Dwelling shall:

1. Be affixed to a permanent foundation as defined herein;
2. Utilize customary residential exterior finishing materials as defined herein;
3. Have a core area of living space in each dwelling unit at least 20 feet by 20 feet in size, exclusive of an attached garage;
4. Be located on a separate lot within a townhouse development containing at least three (3) lots, a subdivision plat for the same having been duly recorded in the office of the County Clerk;
5. Be attached by a common party wall or walls to another townhouse dwelling unit;
6. Not be located above another dwelling unit; and
7. Meet all other City Codes and Ordinances.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Single-Family Attached Townhouse Dwelling	2 per dwelling unit	NA

**SECTION 13.08. USE UNIT 8. MULTIFAMILY DWELLING AND SIMILAR USES**

**A. Description.** Multifamily dwellings and similar uses.

**B. Included Uses**

Apartments  
Fraternity or Sorority House  
Multifamily Dwelling  
Rooming/Boarding House

**C. Use Conditions**

1. Fraternity, Sorority, Rooming/Boarding House: In the determination of the applicable bulk and area requirements, a fraternity, sorority, or rooming/boarding house, shall be considered a multifamily dwelling, with each 600 square feet of floor area constituting a one-bedroom dwelling unit.
2. The uses included in the Use Unit 8 when located on a lot which is abutting an RE, RS or RD District shall be screened by the erection and maintenance of a screening wall or fence along the lot lines in common with the RE, RS or RD District.
3. Multifamily Dwellings and Rooming/Boarding houses are not allowed as a street frontage use in the CH or CBD District, but are encouraged for basement, upper level and rear entry uses in a building whose street frontage is occupied or intended for occupancy by another use allowed in the CH or CBD zoning district.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Fraternity or Sorority House	1 per 2 beds	1 per 10,000 to 200,000 SF plus 1 per each additional 200,000 SF of floor area
Apartments and Multifamily Dwellings	1.5 per efficiency or 1 bedroom dwelling unit. 2 per 2 or more bedroom dwelling units	None
Rooming/Boarding House	1 per 2 beds	1 per 10,000 to 200,000 SF plus 1 per each additional 200,000 SF of floor area

**SECTION 13.09. USE UNIT 9. MANUFACTURED HOME DWELLING**

- A. Description.** A Manufactured Home Dwelling, excluding any type or form of recreational vehicle (RV).
- B. Included Uses.** Manufactured Home Dwelling, excluding any type or form of recreational vehicle (RV).

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**C. Use Conditions**

1. The manufactured dwelling when located within an RMH district and located on a lot which is abutting an RE, RS, RT or RD district shall be screened from the abutting RE, RS, RT or RD district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the RE, RS, RT or RD district.
2. All manufactured dwellings placed in any district by Right or Special Exception shall be installed with ground anchors and skirted.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Manufactured Home Dwelling	2 per each dwelling unit	None

**SECTION 13.10. USE UNIT 10. OFF-STREET PARKING AREAS**

**A. Description.** Off-Street Parking Areas which are principal uses.

**B. Included Uses.** Off-Street Parking Areas

**C. Use Conditions**

Off-Street parking areas shall conform to the design, lighting, and improvement requirements for off-street parking contained in Chapter 14.

**D. Off-Street Parking and Loading Requirement.** Not applicable.

**SECTION 13.11. USE UNIT 11. OFFICES, STUDIOS, AND SUPPORT SERVICES**

**A. Description**

Offices, studios, medical and dental laboratories, and certain other compatible or supporting services. **The Office Uses included in Use Unit 11, when located on a 40-acre tract or larger, may be approved as a Specific Use Permit. See Chapter 25.**

**B. Included Uses**

- Abstract Company
- Advertising Agency
- Artist's Studio
- Bank
- Broadcasting or Recording Studio
- Business School
- Computing Service

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Copying Service  
Data Processing Service  
Dental Offices, Clinics, Laboratories  
Doctor's Office  
Drafting Service  
Employment Agency  
Financial Institution, other than pawn shop  
Funeral Home  
General Business Offices, excluding on premise sale of Merchandise  
Interior Design Consultant  
Medical Offices, Clinics, Laboratories  
Office and Studio  
Office Building  
Optician or Optical Laboratories  
Photography Studio  
Prescription Pharmacy, provided that no sundry or other merchandise is sold or offered for sale  
Professional services such as accountants, architects, attorneys, engineers, planners or realtors  
Studio or School for teaching ballet, dance, drama, fine arts, music, language, business or modeling  
Therapeutic Massage, Licensed or Certified\*  
Ticket Office  
Transportation Ticket Office  
Travel Agency  
Veterinary, excluding boarding services

- \* Certification is required from the National Certification for Therapeutic Massage Body Work or certification of completion of a program of therapeutic massage from a school licensed by the Oklahoma Board of Private Vocational Schools.

**C. Use Conditions**

1. The uses included in Use Unit 11, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. The uses included in Use Unit 11, when located on a 40-acre or larger tract, may be approved as a Specific Use Permit. See Chapter 25.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Funeral Home	1 per 40 SF of assembly floor area plus 1 per 300 SF of non-assembly floor area	1 per 10,000 to 100,000 SF plus 1 per each additional 100,000 SF of floor area

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Medical & Dental Offices, Clinics & Laboratories	1 per 200 SF of floor area	1 per 10,000 to 100,000 SF plus 1 per each additional 100,000 SF of floor area
All Other Uses	1 per 400 SF of floor area for the first 30,000 SF of floor area in a building and if the building exceeds 30,000 SF, 1 per 450 SF of floor area for the floor area exceeding 30,000 SF	1 per 10,000 to 100,000 SF plus 1 per each additional 100,000 SF of floor area

**E. Other Requirements**

1. Only vehicles which are accessory to permitted principal uses on the lot shall be permitted to be parked on the lot. Such vehicles shall include customer's vehicles, repair or service vehicles, and those vehicles driven in the ordinary course of the principal user's business.
2. Except for the purpose of immediate loading or unloading, accessory vehicles or trailers in excess of 1-1/2 tons capacity, or accessory vehicles or trailers with signs that exceed 32 square feet that direct attention to a business, service, commodity, or entertainment offered or sold on the premises shall not be parked closer to the street than the nearest building wall unless granted a Special Exception from the Board of Adjustment, or upon approval of a Specific Use Permit. See Chapter 25.

**SECTION 13.12. USE UNIT 12. EATING ESTABLISHMENTS OTHER THAN DRIVE-INS**

**A. Description**

Eating places offering on premises consumption of food and drink within the principal structure and/or providing carry out service if no curbside service is provided, and if no in-car on premises consumption is permitted. Use Unit 12 is established in recognition of the desirability of providing dining facilities in certain environments in which commercial facilities of a higher use intensity would be objectionable.

**B. Included Uses**

- Cafe
- Cafeteria
- Coffee shop
- Delicatessen
- Restaurant, and other similar eating establishments\*

\*An accessory use bar which is customarily incidental and subordinate to a principal use restaurant is included in this Use Unit.

**C. Use Conditions**

1. The uses included in Use Unit 12, when located within a district other than an R District and located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. The uses included in Use Unit 12 shall take place within a completely enclosed building, except outdoor customer seating is permitted, whether uncovered or covered by a tent or canopy, provided:
  - a. Outdoor customer seating area shall abut the building wall of the business, but extend no closer to the street than the building setback requirements;
  - b. Outdoor customer seating area shall not occupy or use required parking spaces or access aisles;
  - c. Outdoor customer seating area exceeding 10% of the indoor building floor area of the principal use shall be considered floor area for purposes of determining off-street parking and loading requirements as set forth herein; and,
  - d. Noise from any outdoor entertainment activity shall not be audible from any abutting R district.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Eating Establishment	1 per 100 SF of floor area	1 per 5,000 to 10,000 SF plus 1 per each additional 15,000 SF of floor area

**E. Other Requirements**

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1. Only vehicles which are accessory to permitted principal uses on the lot shall be permitted to be parked on the lot. Such vehicles shall include customer's vehicles, repair or service vehicles, and those vehicles driven in the ordinary course of the principal user's business.
2. Except for the purpose of immediate loading or unloading, accessory vehicles or trailers in excess of 1-1/2 tons capacity, or accessory vehicles or trailers with signs that exceed 32 square feet that direct attention to a business, service, commodity, or entertainment offered or sold on the premises shall not be parked closer to the street than the nearest building wall unless granted a Special Exception from the Board of Adjustment or upon approval of a Specific Use Permit.

**SECTION 13.12a. USE UNIT 12a. ADULT ENTERTAINMENT ESTABLISHMENTS**

**A. Description.** Businesses which cater primarily to adults 21 years of age and above and which sell and serve intoxicating beverages and/or low-point beer (as defined by Oklahoma Statutes) on the premises and all Sexually Oriented Businesses. **Adult Entertainment Establishments require approval of a Specific Use Permit. See Chapter 25.**

**B. Included Uses**

- Bar/Tavern, SUP
- Beer Bar, SUP
- Billiard Parlor/Pool Hall, SUP
- Night Club, SUP
- Private Club, SUP
- Sexually-Oriented Business, SUP

**C. Use Conditions:**

1. Adult Entertainment Establishments and Sexually Oriented Businesses require approval of a Specific Use Permit. See Chapter 25.
2. The uses included in Use Unit 12a, when located on a lot which is abutting an R district shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.
3. Sexually Oriented Businesses shall meet the conditions set forth in **Section 7.06 of this Code**
4. Adult Entertainment Establishments, other than Sexually Oriented Businesses, shall meet the following spacing standards provided, however, that the spacing standards shall not apply to accessory use bars as defined in this Code:

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- a. Public entrance doors shall be located at least 50 feet from an R District, which shall be measured in a straight line from the nearest point on a residential zoning district boundary line (not including residentially zoned expressway right-of-way) to the nearest public entrance door of the Adult Entertainment Establishment; and
  - b. Shall be located a minimum of 300 feet from a public park, school or church, which shall be measured from the nearest point on the property line of a park, school or church to the nearest public entrance door of the Adult Entertainment Establishment measured along the street right-of-way line providing the nearest direct route usually traveled by pedestrians between such points. For purposes of determining measured distance, property situated on the opposite side of the street from such park, school or church shall be considered as if it were located on the same side of the street with the park, school or church; and
  - c. Shall be spaced 300 feet from any other Adult Entertainment Establishment listed in Use Unit 13.12a, which 300 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which said business is conducted, to the nearest point of the wall of the portion of the building in which another adult entertainment business is conducted.
  - d. Church, as used herein, shall mean all contiguous property owned or leased by a church upon which is located the principal church building or structure, irrespective of any interior lot lines.
  - e. School, of the type which offers a compulsory education curriculum, as used herein, shall mean all contiguous property owned or leased by a school upon which is located the principal school buildings irrespective of any interior lot lines.
5. The uses included in Use Unit 12a shall take place within a completely enclosed building, except outdoor customer seating is permitted, whether uncovered or covered by a tent or canopy, provided:
- a. Outdoor customer seating area shall abut the building wall of the business, but extend no closer to the street than the building setback requirements;
  - b. Outdoor customer seating area shall not occupy or use required parking spaces or access aisles;
  - c. Outdoor customer seating area exceeding 10% of the indoor building floor area of the principal use shall be considered floor area for purposes of determining off-street parking and loading requirements as set forth herein; and

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- d. Noise from any outdoor entertainment activity or speakers shall not be audible from any abutting R District.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Bar, Beer Bar, Tavern, Billiard Parlor, Pool Hall, Night Club, Private Club.	1 per 75 SF of floor area	1 per 5,000 to 10,000 SF plus 1 per each additional 15,000 SF of floor area
Sexually Oriented Business:		
Motel	1 per room plus 1 per manager	1 per 5,000 to 10,000 SF plus 1 for each additional 15,000 SF of floor area
Theater	1 per 4 seats or 1 per booth plus 1 per manager	1 per 5,000 to 10,000 SF plus 1 for each additional 15,000 SF of floor area
All other such uses	1 per 225 SF of floor area	1 per 5,000 to 10,000 SF plus 1 for each additional 15,000 SF of floor area

**SECTION 13.13. USE UNIT 13. CONVENIENCE GOODS AND SERVICES**

**A. Description**

Retail trade and service establishments which are desirable conveniences in certain Residential, Office and Commercial Districts. Use Unit 13 is established to permit the location of convenience goods and services in certain environments in which commercial facilities of a higher use intensity would be objectionable.

**B. Included Uses:**

**1. Retail Trade Establishments**

- Convenience Commercial
- Commercial Shopping
- Drug Store
- Florist
- Food:
  - Bakery
  - Candy & confection and/or nut store
  - Dairy store

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Food specialty store  
Grocery  
Health food store  
Ice cream store  
Gift, Novelty, Souvenir Shop  
Liquor Store  
Meat Market  
Newsstand  
Souvenir Shop  
Tobacco Store

**2. Service Establishments**

Courier  
Dry Cleaning and Pick up  
Barber Shop  
Beauty Shop  
Florist  
Laundry Service and Pick up  
Tanning Salon

**C. Use Conditions**

1. The uses included in Use Unit 13, when located within a district other than an R District and located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. The uses included in Use Unit 13 shall take place within a completely enclosed building, except that accessory outdoor customer seating and accessory outdoor display of merchandise is permitted, whether uncovered or covered by a tent or canopy provided:
  - a. Outdoor customer seating area shall abut the building wall of the business, but extend no closer to the street than the building setback requirements;
  - b. Outdoor display area shall extend no closer to the street than the building setback requirement;
  - c. Outdoor display area or outdoor customer seating area shall not occupy or use required parking spaces or access aisles;
  - d. Outdoor display area shall be considered floor area for the purposes of determining off-street parking and loading requirements as set forth herein;
  - e. Outdoor customer seating area exceeding 10% of the indoor building floor area of the principal use shall be considered floor area for purposes of determining off-street parking and loading requirements as set forth herein; and

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- f. Noise from any outdoor entertainment activity speaker shall not be audible from any abutting R District.
- g. In the CS District there shall be no open air storage or display of merchandise offered for sale within 300 feet of an abutting R District.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Retail Trade and Service Establishments	1 per 225 SF of floor area	1 per 5,000 to 10,000 SF plus 1 per each additional 15,000 SF of floor area

**E. Other Requirements**

1. Only vehicles which are accessory to permitted principal uses on the lot shall be permitted to be parked on the lot. Such vehicles shall include customer's vehicles, repair or service vehicles, and those vehicles driven in the ordinary course of the principal user's business.
2. Except for the purpose of immediate loading or unloading, accessory vehicles or trailers in excess of 1-1/2 tons capacity, or accessory vehicles or trailers with signs that exceed 32 square feet that direct attention to a business, service, commodity, or entertainment offered or sold on the premises shall not be parked closer to the street than the nearest building wall unless granted a Special Exception from the Board of Adjustment, or approval of a Specific Use Permit. See Chapter 25.

**SECTION 13.14. USE UNIT 14. SHOPPING GOODS AND SERVICES**

**A. Description**

Retail establishments engaged in the merchandising of shopping goods and services.

**B. Included Uses:**

**1. Retail Trade Establishments**

- Antique Shop
- Appliance Repair
- Appliance Store
- Art Gallery, commercial
- Artist Supply Store
- Automobile Parts and Accessories Store
- Bait Shop and Fishing Tackle Sales
- Bicycle Shop
- Book Store
- Business and Office Machine Sales Establishment

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Camera and Photographic Supply Store  
Clothing and Accessories Store  
Computer Sales  
Cosmetic Shop  
Department Store  
Dressmaking Shop  
Dry Goods Store

Feed Store  
Fur Storage  
Furrier and Fur Shop  
Garden Supply Store  
Hardware Store  
Hobby Shop  
Home Furnishings Establishment selling such items as: appliances,  
china, glassware and metal ware, draperies, carpets, curtains,  
upholstery, floor coverings and furniture  
Jewelry Store and Jewelry Repair  
Laundry, Not Self-Service  
Leather Good and Luggage Store  
Medical, Dental and Orthopedic Appliances and Supply Store  
Monument Sales and Engraving, excluding Shaping  
Musical Instrument and Supply Store  
Office Furnishing Establishment  
Office Machine Sales  
Office Supplies Store  
Paint Store  
Pawn Shop  
Pet Shop  
Phonograph and Record Shop  
Photography Supply Store  
Radio and Television Sales  
Record Shop  
Reducing Salon  
Shoe Repair Shop  
Shoe Store  
Shopping Goods and Services  
Sporting Goods Store  
Stationery Store  
Tailor Shop  
Toy Shop  
Variety Store  
Wall Paper Store  
Wig Shop

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**2. Retail Building Material Establishments**, exclusive of fabrication or repair:

Air Conditioning and Heating Sales  
Building Materials  
Electrical Supply  
Plumbing Fixtures

**3. Service Establishments**

Caterer  
Costume Rental Service  
Dry Cleaning Establishment Limited to 3,000 SF maximum floor area  
Gasoline Service Station  
Gun Smith  
Household Appliance Repair  
Interior Decorating  
Laundromat, Self-Service  
Locksmith  
Oil and Lubrication Service (three bay maximum)  
Photo finishing  
Picture Framing  
Printing and Publishing Services  
Radio and Television Repair  
Reproduction Sales, Services and Bindery  
Self Service Laundromat  
Tune-up Service (three bay maximum)  
Veterinarian Clinic, small animals and excluding outside animal runs  
Watch and Jewelry Repair  
Wedding Chapel

**C. Use Conditions**

1. The uses included in Use Unit 14, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. The uses included in Use Unit 14 shall take place within a completely enclosed building, except that accessory outdoor display of merchandise is permitted, whether uncovered, or covered by a tent or canopy, provided:
  - a. Outdoor display area shall extend no closer to the street than the building setback requirement;
  - b. Outdoor display area or outdoor customer seating area shall not occupy or use required parking spaces or access aisles;

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- c. Outdoor display area shall be considered floor area for the purposes of determining off-street parking and loading requirements as set forth herein; and
- d. In the CS District there shall be no open air storage or display of merchandise offered for sale within 300 feet of an abutting R District, except the incidental open air display of tires, batteries, lubricants and automobile accessories.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Antique and Furniture Stores	1 per 300 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area
Gasoline Service Station, Oil and Lubrication Service and Tune-up Service	1 per 500 SF of floor area - minimum of 5 spaces	NA
Outdoor display or storage of lawn, garden and construction materials	1 per 600 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area
All other outdoor display or storage of merchandise	1 per 300 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area
All Other Uses	1 per 200 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area

**E. Other Requirements**

1. Only vehicles which are accessory to permitted principal uses on the lot shall be permitted to be parked on the lot. Such vehicles shall include customer's vehicles, repair or service vehicles, and those vehicles driven in the ordinary course of the principal user's business.
2. Except for the purpose of immediate loading or unloading, accessory vehicles or trailers in excess of 1-1/2 tons capacity, or accessory vehicles or trailers with signs that exceed 32 square feet that direct attention to a business, service, commodity, or entertainment offered or sold on the premises shall not be parked closer to the street than the nearest building wall unless granted a Special Exception from the Board of Adjustment, or approval of a Specific Use Permit. See Chapter 25.

**SECTION 13.15. USE UNIT 15. OTHER TRADES AND SERVICES**

**A. Description**

Trade establishments primarily providing business and household maintenance goods and services ordinarily not found in the primary retail districts because of differing market and site requirements.

**B. Included Uses**

**1. Trade establishments, including incidental fabricating, processing, installation and repair:**

- Air Conditioning and Heating
- Bakery, Wholesale
- Bottled Gas
- Carpeting
- Decorating, Interior
- Fence
- Fuel Oil Sales
- Furniture Repair
- General Merchandising Establishment, NEC
- Glass
- Greenhouse, retail sales
- Heating Equipment, Fabrication, Installation, Repair
- Ice Plant
- Lumber Yard
- Model Homes (for display only)
- Plastic Materials
- Plumbing Shop
- Portable Storage Building, sales
- Vending Machines, sales and services

**2. Service Establishments**

- Disinfecting and exterminating services
- Janitorial service
- Newspaper publishing
- Window cleaning

**3. Other Services**

- Dry Cleaning/Laundry, 7,000 SF maximum floor area

**4. Contract Construction Service**

- Air Conditioning
- Carpentry
- Decorating

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Electrical  
Exterminating Service  
Furnace Cleaning  
Landscaping  
Painting  
Paper Hanging  
Plastering  
Plumbing

Sign Painting  
Tile Setting

**5. Business Service**

Armored Car Service  
Courier  
Limousine Service

**6. Personal Services**

Auctioneer  
Bindery  
Cabinet Maker  
Drapery Service  
Frozen Food Locker  
Kennel, SUP – See Chapter 25  
Linen Supply  
Packing and crating of household and other similar goods  
Rug Cleaning and Repair  
Tattoo Parlor  
Taxidermist  
Veterinarian Hospital, Livestock  
Woodworking Shop

**7. Repair Services**

Armature Rewinding Service  
Business Machine Repair  
Computer Repair  
Data Processing Machine Repair  
Electrical Repair Service  
Furniture  
Household Appliances  
Mattresses and Pillows  
Re-upholstery  
Rug Repair

**8. Trade Schools**

Barber  
Beauty  
Trade, SUP – See Chapter 25

**C. Use Conditions**

1. The uses included in Use Unit 15, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. Certain uses within Use Unit 15 require approval of a Specific Use Permit. See Chapter 25.
3. Certain uses in Use Unit 15, where permitted by Special Exception or by Specific Use Permit (see also Chapter 25), are subject to the following requirements:
  - a. The permitted uses shall not interfere with or detrimentally affect any adjoining or nearby residential properties.
  - b. Traffic circulation shall be reviewed and approved by the City Engineer, including the location of ingress and egress points.
  - c. The subject tract of land (proposed development site) shall have either a minimum of 150 feet of frontage on a designated major arterial street or a minimum of 50 feet of frontage on a nonarterial street.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Trade and Repair Establishments	1 per 400 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area
Service Establishments	1 per 400 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area
Trade School	1 per 40 SF of classroom or 1 per 3 seats, whichever is greater	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area

**SECTION 13.16. USE UNIT 16. MINI-STORAGE**

**A. Description**

A structure(s) which contains separate, small size, self-service storage facilities leased or rented to individuals or small businesses. These facilities are designated to accommodate access only from regular size passenger vehicles and two-axle trucks. **Use Unit 16 Mini-Storage requires approval of a Specific Use Permit. See Chapter 25.**

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**B. Included Uses**

Mini-Storage, SUP

**C. Use Conditions**

1. Approval of Mini-Storage requires approval of a Specific Use Permit. See Chapter 25.
2. The uses included in Use Unit 16, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
3. Within the CS District, there shall be no open air storage of any kind that is visible at ground level from an R District, O District or from a public street.
4. The development site shall have frontage on and access to an arterial street. Access to non-arterial streets from such development is not permitted.

**D. Off-Street Parking and Loading Requirements.**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Mini-Storage	1 per 5,000 SF of mini-storage floor area plus 2 for an accessory dwelling	NA

**SECTION 13.17. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES**

**A. Description**

Automotive and allied activities

**B. Included Uses**

**1. Sales**

- Agricultural Implement Sales
- Aircraft Sales
- Automobile Sales, new and used
- Boat Sales
- Camper Sales
- Manufactured Home Sales
- Motorcycle Sales
- Recreational Vehicle (RV) Sales
- Truck Sales

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**2. Services**

- Automobile Rental
- Auto Wash
- Vehicle Repair and Service (except painting)

**C. Use Conditions**

1. The uses included in Use Unit 17, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. Within the CS District, there shall be no open air storage or display of merchandise offered for sale within 300 feet of an adjoining R District.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Agriculture Implements, Automotive, Camper, Manufactured Home, Motorcycle & Truck Sales	1 per 600 SF of floor area plus 1 per 1,000 SF of open air display storage or service area	1 per 5,000 to 10,000 SF plus 1 per each additional 15,000 SF of floor area
Automobile Rental	1 per 600 SF of floor area plus adequate off-street parking shall be provided for storage of rental vehicles. No on-street parking of rental vehicles shall be permitted	NA
Vehicle Repair	1 per 200 SF of floor area, a minimum of 5 spaces	NA
Auto Wash	NA	NA

**SECTION 13.18. USE UNIT 18. DRIVE-IN RESTAURANTS**

**A. Description**

Eating establishments providing curb service or offering food or drink for on-premise consumption within parked motor vehicles, or permitting the on-premise consumption of food or drink within a parked motor vehicle or outside the principal structure.

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**B. Included Uses:** Drive-In Restaurants

**C. Use Conditions**

The uses included in Use Unit 18, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.

**D. Off-Street Parking and Loading Requirements**

Uses	Parking Spaces	Loading Berths
Drive-In Restaurants	NA	1 per 5,000 to 25,000 SF of floor area, plus 1 per each additional 25,000 sq. ft. of floor area

**SECTION 13.19. USE UNIT 19. HOTEL, MOTEL AND RECREATION FACILITIES**

**A. Description**

Hotels, motels and commercial amusement establishments ordinarily not requiring large sites and which have use characteristics permitting their location in or near developed commercial trade areas.

**B. Included Uses**

- Billiard Center, Family
- Bingo Facility, Commercial
- Bowling Alley
- Dance Hall
- Enclosed Commercial Recreation Establishments, NEC
- Gymnasium
- Health and Fitness Center
- Hotel\*
- Ice Skating Rink
- Motel\*
- Motion Picture Theater, Enclosed
- Racquetball Club
- Rifle Range, Enclosed
- Skating Rink, Enclosed
- Slot Car Track
- Swimming Pool, Enclosed
- Tennis Club
- Video Games

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\*An accessory use bar which is customarily incidental and subordinate to a principal use hotel or motel is included in this Use Unit.

**C. Use Conditions**

1. The uses included in Use Unit 19, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lot lines in common with the R District.
2. Dance halls shall be located a minimum of 300 feet from an R District; provided, however, that dance facilities which are accessory to not for profit, bona fide lodges, posts, clubs, fraternal, benevolent or charitable organizations shall be exempt from this setback requirement. The 300 feet shall be measured in a straight line from the nearest point of the wall of the portion of the building in which said business is conducted to the nearest point on a residential zoning district boundary line (not including residentially zoned expressway right-of-way).

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Dance Hall, Video Games, Bingo Facility	1 per 100 SF of floor area	1 per 5,000 to 10,000 SF floor area plus 1 for each additional 15,000 SF of floor area
Health Club	1 per 150 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area
Hotel, Motel	1 per sleeping room plus 1 per 225 SF of accessory facilities such as card shop, flower shop, barber and beauty shops, etc., and 1 per 100 SF for accessory facilities such as restaurants and taverns	1 per 40,000 to 150,000 SF, plus 1 per each additional 150,000 SF of floor area, plus 1 per 5,000 to 25,000 SF, plus 1 per each additional 25,000 SF of accessory facilities, such as restaurants and taverns, plus 1 per each additional 25,000 SF of floor area
Motion Picture Theater	1 per 4 seats	1 per 5,000 to 10,000 SF plus 1 per each additional 15,000 SF of floor area
All Other Uses	1 per 200 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area

**SECTION 13.20. USE UNIT 20. COMMERCIAL RECREATION: INTENSIVE**

**A. Description**

Commercial recreation facilities, the principal activities of which are usually open-air and located in undeveloped, outlying sections of the City. **All uses in Use Unit 20 require approval of a Specific Use Permit. See also Chapter 25.**

**B. Included Uses**

Amphitheater  
Amusement Activities, NEC  
Arena  
BMX Track  
Drag Strip  
Drive-In Theater  
Fairground  
Frisbee Golf Course  
Go-Kart Track  
Golf Driving Range  
Miniature Auto Track  
Outdoor Recreation, NEC  
Overnight Camping for Recreational Vehicles  
Paintball  
Race Tracks, Auto, Boat, Dog, Horse  
Rodeo Grounds  
Skateboard Track  
Stadium, NEC  
Tennis Courts, Commercial  
Water Slide

**C. Use Conditions**

1. The uses included in Use Unit 20, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District
2. Overnight camping for recreational vehicles requires a minimum lot area of three (3) acres.
3. All uses in Use Unit 20 require approval of a Specific Use Permit (see also Chapter 25), and are subject to the following requirements:
  - a. The permitted uses shall not interfere with or detrimentally affect any adjoining or nearby residential properties.

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- b. Traffic circulation shall be reviewed and approved by the City Engineer, including the location of ingress and egress points.
- c. The subject tract of land (proposed development site) shall have either a minimum of 150 feet of frontage on a designated major arterial street or a minimum of 50 feet of frontage on a nonarterial street.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
Golf Driving Range	1 per tee	NA
Drive-In Theater	NA	NA
Uses providing spectator seating such as stadiums, arenas, rodeo grounds	1 per 3 seats	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area
Overnight Camping for Recreational Vehicles	NA	NA
Other uses	1 per 800 SF of site area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area

**SECTION 13.21. USE UNIT 21. BUSINESS SIGNS**

**A. Description**

Business signs

**B. Included Uses**

Business Signs

Outdoor Advertising Signs are prohibited by Ordinance No. 1086 Amended passed January 5, 2005. See Section 15.04 (A).

**C. General Use Conditions for Business Signs**

1. Sign Setback and Separation

- a. Signs, if visible from an R District other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall not be located within 50 feet from said district or area.

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- b. Signs with a display surface area larger than 300 square feet which are visible from an R District other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall not be located within 200 feet from said district or area.
  - c. Signs shall be setback a minimum distance of ten (10) feet from a designated state or federal highway right-of-way.
  - d. Projecting signs shall be setback a minimum distance of 18 inches from the curb.
2. No flashing sign shall be hereafter permitted in any district.
  3. Only one side of a double-faced or v-shaped sign shall be included in the computation of display surface area; provided, the faces of the sign are not separated by more than 15 feet. If said faces are separated by greater than 15 feet, any additional sign face is included in the display surface area calculation.
  4. The following signs shall not be prohibited by this Code and, in addition, shall not be included in the computation of display surface area:
    - a. One nameplate attached to the face of the wall and not exceeding four (4) square feet in surface area.
    - b. Temporary real estate signs.
    - c. Temporary construction signs may be located on each arterial street frontage of the development. The sign shall not be restricted to less than 32 square feet nor be permitted to exceed 300 square feet of display surface area, or exceed 20 feet in height.
    - d. Signs which are not visible from a public street.
    - e. Tablets built into the wall of a building or other structure and used for inscriptions or as memorial tablets or for similar purposes.
    - f. Signs of warning, directive, or instructional nature erected by a public utility, franchised transportation company or governmental agency.
    - g. Legal notices and street numbers.
    - h. Election campaign signs, if erected not more than 45 days prior to an election and removed within seven (7) days following the election.
    - i. Signs within a building and located more than 15 inches from any window; signs within a building and located less than 15 inches from any window and oriented to be primarily visible from inside the building; signs on a window when the display surface area of the sign does not cover more than 50 percent of the window

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- j. Signs, not exceeding three (3) square feet of display surface area, of a warning, directive, or instructional nature, including entrance, exit and restroom signs.
  - k. Signs which are attached as labels of a commodity offered for sale.
  - l. Signs on accessory equipment or structures, including but not limited to satellite dishes, air conditioners and fences, and identifying the manufacturer, make and model, limited to 25 square inches for each piece of equipment or structure.
  - m. A banner attached to the wall of a building and not exceeding 32 square feet so long as the same is maintained in good appearance and condition.
5. In computing permitted display surface area for business signs and outdoor advertising, the lineal footage of an abutting non-arterial street shall not be combined with the lineal footage of any abutting arterial street, freeway or freeway service road which is included in the computation of permitted display surface area.
6. Signs and all parts thereof shall be setback from the centerline of an abutting street one-half the right-of-way width designated on the Major Street and Highway Plan or 25 feet if the street is not designated on the Major Street and Highway Plan in addition to any additional setback required by this Code.
7. Permits for signs are required as follows:
- a. No sign of any kind or nature shall be erected, continued, or placed without first securing a permit.
  - b. Any sign that does not have a current permit shall be removed and disposed of according to law.
  - c. The issuance of a sign permit shall not be construed or interpreted to permit the construction or use of a sign that would constitute a nuisance or violation of other applicable laws of the City.
  - d. The fee for sign permits shall be determined by resolution of the City Council.
8. Promotional business signs shall be permitted only as hereinafter provided:
- a. Sign permits shall be limited to four (4) per year for each business. Such permits authorize the use of the sign for a period of ten (10) days.
  - b. Any or all of the four (4) permitted time periods may run consecutively. Promotional business signs are further regulated as follows:

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- 1) The maximum height of a promotional business sign shall not exceed the height of any ground sign permitted by the Zoning Code on the lot. Further, inflatable promotional business signs shall be setback from the property line(s) one foot for every foot of height as measured from the base of the sign; and
  - 2) Promotional business signs, except inflatable or other non-rigid promotional business signs, are not permitted to be installed on the roof.
9. Except for wall signs, and promotional business signs, and outdoor advertising signs, the maximum number of business signs per lot of record shall be as follows:
- a. CS and IL districts - one per each 150 feet of arterial street frontage or fraction thereof;
  - b. CH, CG, IL and CBD districts – one per each 100 feet of arterial street frontage or fraction thereof; or
  - c. IM and IH districts – one per each 200 feet of arterial street frontage or fraction thereof.
10. Any business ground sign shall maintain a minimum separation of 50 feet from any other ground sign, except side by side ground signs located on a common line perpendicular to the nearest street need not maintain a 50 feet separation.
11. Roof signs are prohibited except as otherwise permitted in 13.21.C.8. Roof signs lawfully existing on the effective date of this Code, or amendments thereto, are regulated by Chapter 15 herein.
12. A wall sign shall not extend above the top of the parapet or building wall on which it is located; provided, however, that in instances where the height of the parapet or building wall, or where construction or architectural features will not permit a wall sign three (3) feet in height, said sign may extend above the parapet or building wall a distance which will permit a sign of three (3) feet in height.
13. A sign is not permitted to be located upon or constructed within a required parking space or loading berth, or to otherwise obstruct vehicular or pedestrian access or circulation, or to pose any other hazard to motor vehicle traffic exiting, entering or traveling within the site on which the sign is located.
14. A sign permitted as a business sign shall not thereafter be changed to an outdoor advertising sign; nor shall a sign permitted as an outdoor advertising sign be changed to a business sign without a permit therefor.
15. No sign shall be permitted in the right-of-way of a public street unless a license and removal agreement has been entered into by the sign owner and the City, and approval has been given by the Board of Adjustment.

16. No ground sign shall be located nearer than 35 feet from the intersection of the right-of-way of two (2) streets or from the intersection of the street right-of-way and a railroad track right-of-way.
17. No ground sign or projecting sign shall be located in such a manner as to obstruct or obscure or in any manner interfere with any traffic signal light or warning signal light or other emergency or public safety purposes.
18. No business ground sign shall use plywood as a face material.
19. Portable business signs:
  - a. Portable business signs that have not been issued a sign permit shall not be permitted within any zoning district unless located and in use prior to August 15, 1984.
  - b. Portable signs that do not have a permanent permit shall only be permitted to inform a passerby of an emergency or unexpected nonrecurring event. In order for a portable sign to receive a permit it must comply with all criteria for the zoning district in which it is to be located, including the General Use Conditions in this Chapter of the Zoning Code. In order to receive approval for a permanent permit:
    - 1) Only constant, internal illumination will be permitted. Flashing lights shall be prohibited;
    - 2) The sign must be anchored in a masonry base, with all portions of the sign below the bottom of the face obscured by the base. In lieu of a masonry base, the sign may be anchored by a system approved by the Code Enforcement Officer/Building Inspector, provided that all portions of the sign below the bottom of the face are obscured by decorative skirting of weather and rot resistant wood;
    - 3) The bottom of the sign face shall be no more than 24" above ground level, and the sign shall be level and square with the property boundaries;
    - 4) All inspections for permanent portable signs will be completed at no fee, but all future permit renewals shall be subject to the prevailing fee schedule; and

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- 5) A portable sign made permanent under these conditions shall not be counted as the one permanent sign per location as restricted by this Code. In addition, the portable sign permit shall be limited to one 30 day period per year from date of issue and one consecutive 30 day extension period subject to approval of the extension period by the Board of Adjustment.

- c. Portable business signs shall not exceed 12 feet in height or 32 square feet in display surface area.

**D. AG District Use Conditions**

A business sign shall not be permitted in the AG District as a principal use and may only be erected on a lot abutting designated state and federal highway. Accessory sign regulations are included in Chapter 4.

**E. Residential District Use Conditions**

Business signs as principal uses are not allowed in residential districts. Accessory sign regulations are included in Chapter 5.

**F. Office District Use Conditions**

Business signs as principal uses are not allowed in Office Districts. Accessory sign regulations are included in Chapter 6.

**G. CS District Use Conditions for Business Signs**

1. A ground sign, projecting sign or a promotional business sign shall not exceed 25 feet in height measured from the mean curb level of the lot upon which it is erected unless, in addition to the minimum setback prescribed in 13.21.C.6, the sign is setback one foot for each foot of height exceeding 25 feet. In no event shall the sign exceed 40 feet unless the abutting street is a designated freeway on the Major Street and Highway Plan. In those cases where the abutting street is a designated freeway, the maximum permitted height is 50 feet.
2. Wall signs shall not exceed an aggregate display surface area of three (3) square feet per each lineal foot of the building wall to which the sign or signs are affixed.
3. Roof, projecting, ground, and outdoor advertising signs, whether permitted as provided herein, or nonconforming, shall not exceed an aggregate display surface area of two (2) square feet per each lineal foot of street frontage if only one such sign is erected and shall not exceed one square foot per each lineal foot of street frontage if more than one such sign is erected. New roof signs are not permitted.

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4. No roof, projecting or ground sign shall contain more than two (2) sides, nor shall the total display surface area for each side exceed 500 square feet. The two sides shall face in opposite directions. "Opposite" shall, in addition to its ordinary meaning, include V-shaped signs when the angle of separation of the display surfaces does not exceed 15 feet.
5. A projecting sign shall not extend more than nine (9) feet above the mean roof level of the structure to which it is affixed.
6. A roof sign shall not extend more than 12 feet above the mean roof level of the structure to which it is affixed. New roof signs are not permitted.

**H. CH, CG, CBD, IL, IM and IH District Use Conditions**

1. A ground sign shall not exceed 30 feet in height, measured from the mean curb level of the lot upon which it is erected, unless in addition to the minimum setback prescribed in subsection 13.21.C.6., the sign is setback one foot for each foot of height exceeding 30 feet provided the sign shall not exceed 50 feet regardless of setback. Within 100 feet of the right-of-way of an abutting elevated street, a ground sign may be erected to a height 15 feet above the elevation of the street if the sign is designed to be viewed primarily from the elevated street and the sign height does not exceed 60 feet.
2. Wall and canopy signs shall not exceed an aggregate display surface area of three (3) square feet per each lineal foot of the building wall to which the sign or signs are affixed.
3. The aggregate display surface area of signs shall be regulated as follows:
  - a. Along a designated state or federal highway business sign corridor, roof, projecting, ground and outdoor advertising signs, whether permitted as provided herein or nonconforming, shall not exceed an aggregate display surface area of three (3) square feet per each lineal foot of street frontage if only one such sign is erected, and shall not exceed two (2) square feet per each lineal foot of street frontage if more than one such sign is erected; or
  - b. Not along a state or federal highway business sign corridor, roof, projecting, ground and outdoor advertising signs, whether permitted as provided herein or nonconforming, shall not exceed an aggregate display surface area of two (2) square feet per each lineal foot of street frontage if only one such sign is erected and shall not exceed one (1) square foot per each lineal foot of street frontage if more than one such sign is erected.

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- 4. No roof, projecting or ground sign shall contain more than two (2) sides nor shall the total display surface area for each side exceed 500 square feet. The two sides shall face in opposite directions. "Opposite" shall in addition to its ordinary meaning, include V-shaped signs when the angle of separation of the display surfaces does not exceed 15 feet.
- 5. A projecting sign shall not extend more than nine (9) feet above the mean roof level of the structure to which it is affixed.
- 6. A roof sign shall not extend more than 12 feet above the mean roof level of the structure to which it is affixed. New roof signs are not permitted.

**I. Off-Street Parking and Loading Requirements. Not applicable.**

**SECTION 13.22. USE UNIT 22. SCIENTIFIC RESEARCH AND DEVELOPMENT**

**A. Description**

Facilities for scientific research, development and testing, which are customarily located on large, landscaped sites and the operation of which does not produce objectionable environmental effects.

**B. Included Uses**

Enclosed scientific research, testing and development.

**C. Use Conditions**

- 1. The uses included in Use Unit 22, when located in an SR District, shall be conducted within enclosed buildings.
- 2. The uses included in Use Unit 22, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All Uses	1 per 1.5 employees or 1 per 800 SF of floor area whichever is less	1 per 5,000 to 40,000 SF of floor area, plus 1 per 40,000 to 100,000 SF, plus 1 per each floor additional 100,000 SF of area

**E. Other Requirements**

1. Only vehicles which are accessory to permitted principal uses on the lot shall be permitted to be parked on the lot. Such vehicles shall include customer's vehicles, repair or service vehicles, and those vehicles driven in the ordinary course of the principal user's business.
2. Except for the purpose of immediate loading or unloading, accessory vehicles or trailers in excess of 1-1/2 tons capacity, or accessory vehicles or trailers with signs that exceed 32 square feet that direct attention to a business, service, commodity, or entertainment offered or sold on the premises shall not be parked closer to the street than the nearest building wall unless granted a Special Exception from the Board of Adjustment or approval of a Specific Use Permit. See Chapter 25.

**SECTION 13.23. USE UNIT 23. WAREHOUSING AND WHOLESALING**

**A. Description**

Warehousing, wholesaling, and trucking often located adjacent to the central business district, in industrial parks served by rail and highway transportation, and port areas.

**B. Included Uses**

Moving and Storage Facility  
Storage, NEC  
Trucking Establishments  
Truck Rentals  
Warehousing, NEC  
Wholesale Establishments, NEC

**C. Use Conditions**

The uses included in Use Unit 23, when located on a lot which is abutting the boundary of an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All Uses	1 per 5,000 SF of floor area	1 per 5,000 to 25,000 SF plus 1 per each additional 25,000 SF of floor area

**SECTION 13.24. USE UNIT 24. EXTRACTION OPERATIONS, MINING AND MINERAL PROCESSING**

**A. Description**

**Use Unit 24 requires approval of a Specific Use Permit in accordance with Chapter 25 of this Code.** Extractive operations, mineral processing operations and manufacturing operations which directly utilize minerals at or near the source, includes:

1. Mining and Quarrying: Mining, quarrying or extraction of coal, ores, stone, sand or gravel.
2. Processing of Mineral Products: Crushing, washing, and grading of coal, ore, stone, sand or gravel; manufacture of Portland cement, concrete or asphaltic concrete, at the source of supply of crushed rock, sand, or gravel, for utilization off the premises.

**B. Use Conditions**

In granting approval of a Specific Use Permit in accordance with Chapter 25 of this Code for extraction operations, mining and mineral processing uses, the Planning Commission and City Council shall consider potential environmental influences, such as dust and vibration, and shall establish in the particular instance, appropriate protective conditions such as setbacks, screening, and method of operation, as will mitigate the adverse affect on proximate land uses.

**C. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All Uses	1 per 1,000 SF of floor area	NA

**SECTION 13.25. USE UNIT 25. LIGHT MANUFACTURING AND INDUSTRY**

**A. Description**

Light manufacturing and industrial uses having slight or no objectionable environmental influences by reason of the emission of odor, heat, smoke, noise or vibration. **The uses included in Use Unit 25 may be approved as a Specific Use Permit when located on a 40-acre or larger tract. See Chapter 25.**

**B. Included Uses**

- Aircraft Assembly and Subassembly
- Aircraft Repairs, Maintenance Instruction and Training
- Apparel and Other Finished Products Made From: fabrics, leather, similar materials
- Automotive Painting

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- Bakery Products - Manufacturing
- Blacksmithing
- Bottling Plant
- Brooms and Brushes - Manufacturing
- Building Contract Construction Service and Storage:
  - Cesspool Cleaning
  - Concrete Construction Service
  - Dry-cleaning, Industrial
  - Heavy Construction, Equipment Storage/Parking
  - Heating, Contracting Construction Service
  - Insulation Contractor
  - Laundry, Industrial
  - Masonry
  - Oil Well Drilling and Cleaning Contracting Service
  - Roofing
  - Sheet Metal
  - Spray Painting
  - Stonework

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Water Well Drilling and Cleaning  
Welding Shop  
Bus Maintenance Shop  
Candle Manufacturing  
Candling or Processing Plant  
Carpet Cleaning  
Clothes Manufacturing  
Cold Storage Plants  
Communication Equipment, Including Radio Television Receiving Sets -  
    Manufacturing  
Costume Jewelry, Costume Novelties, Buttons and Miscellaneous Notions  
    (except precious materials) - Manufacturing  
Drug - Manufacturing  
Dry Cleaning/Laundry - Industrial  
Freight Terminals  
Furniture Packing and Crating  
Garment Manufacturing  
Ice Manufacturing  
Industry NEC, Light  
Laundry Service (Non-personal goods)  
Machine Shop  
Light Manufacturing, NEC  
Mattress and Bedding Renovator  
Mattress Manufacturing  
Motor Freight Depot/Terminal  
Motion Picture Production  
Musical Instruments and Parts - Manufacturing  
Office, Computing and Accounting Machines – Manufacturing  
Paint and Other Solvent Use  
Pens, Pencils, and Other Office and Artist Materials - Manufacturing  
Pharmaceutical Manufacturing  
Pottery and Figurines or Other Similar Ceramic products, using only  
    previously pulverized clay and kilns fired only by electricity or gas  
Printing, Publishing and Allied Industries  
Professional, Scientific and Controlling Instruments, Photographic and Optical  
    Goods, Watches and Clocks - Manufacturing  
Produce Markets Wholesale  
Roasting Coffee and Coffee Products - Manufacturing  
Truck Freight Terminal (repair and storage of commercial contract carriers)  
Umbrellas, Parasols and Canes - Manufacturing  
Welding Equipment and Supply Manufacturing  
Welding Shop

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**C. Use Conditions**

1. The uses included in Use Unit 25 may be approved as a Specific Use Permit when located on a 40-acre or larger tract. See Chapter 25.
2. The uses included in Use Unit 25, which are located within 300 feet of an R District, shall be conducted within enclosed buildings.
3. The uses included in Use Unit 25, when located on a lot which is abutting an R District, shall be screened from the abutting R District, by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All Uses	1 per 1.5 employees or 1 per 800 SF of floor area, whichever is less	1 per 2,000 to 40,000 SF of floor area, plus 1 per 40,000 to 100,000 SF, plus 1 per each add'l 100,000 SF of floor area

**SECTION 13.26. USE UNIT 26. MODERATE MANUFACTURING AND INDUSTRY**

**A. Description**

Manufacturing and industrial uses having moderately objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration. **The uses included in Use Unit 26 may be approved as a Specific Use Permit when located on a 40-acre or larger tract. See Chapter 25.**

**B. Included Uses**

- Aircraft and Aerospace Parts Manufacturing and Remanufacturing
- Alcohol Manufacturing
- Aluminum, Brass, Copper Foundry
- Batch Plant
- Beverage Manufacturing
- Boiler or Forge Works
- Brewery
- Canning and Preserving of Fruits/Vegetables
- Cellophane Manufacturing
- Celluloid Manufacturing
- Cheese Manufacturing
- Chipping of Trees and Shrubs
- Chrome Plating
- Concrete Ready-Mix Plant
- Confectionery and Related Products - Manufacturing
- Cooperage Works

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Corrugated Metal Manufacturing  
Cotton Baling, Compressing and Ginning  
Cotton Storage, Open  
Cottonseed Oil Milling  
Cultured Marble Manufacturing  
Cutlery, Hand Tools, General Hardware - Manufacturing  
Dairy Products Manufacturing  
Die Casting Manufacturing  
Diesel Engine Repairs  
Dyestuff Manufacturing  
Electronic Components and Accessories - Manufacturing  
Electrical Lighting and Wiring Equipment - Manufacturing  
Electrical Machinery, Equipment and Supplies - Manufacturing  
Electroplating  
Fabricated Metal Products, NEC - Manufacturing  
Feed Grinding and Processing  
Fiberglass Products Manufacturing  
Flat Glass - Manufacturing  
Flavor Extracts and Flavoring Syrups Manufacturing, NEC  
Flour Mills  
Food Products, Manufacturing  
Foundry, Nonferrous Metals  
Fur Goods – Manufacturing  
Furniture and Fixtures – Manufacturing  
Galvanizing  
Gas (heating or illuminating) manufacturing or Storage, except where such gas is to be entirely consumed on the same premises  
Glass and Glassware (pressed and blown) manufacturing  
Grain Elevators  
Grain Mill Products - Manufacturing  
Heat Exchangers, Fabrication  
Household Appliance Manufacturing  
Ice Cream Manufacturing  
Indoor Recycling Center for Metal, paper, Glass and Plastic Products  
Industrial Spray Painting and Other Solvent Use  
Jewelry, Silverware and Plated Ware - Manufacturing  
Lamp Black Manufacturing  
Lamp Shades – Manufacturing  
Leather and Leather Products - Manufacturing  
Liquefied Petroleum Gas Sales and Service, Wholesale  
Livestock Auction Sales  
Lumber and Wood Products Manufacturing, NEC  
Machinery Manufacturing  
Moderate Manufacturing, NEC  
Meat Products - Manufacturing  
Milling, Custom  
Monument Manufacture  
Mortician Goods - Manufacturing  
Noodle Manufacturing

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Oilcloth Manufacturing  
Oil Compounding and Barreling  
Oil Well Equipment Storage  
Other Fabricated Metals Products - Manufacturing  
Paper Products – Manufacturing, Not Using Sulphide Processes  
Pickle, Sausage, Sauerkraut or Vinegar Manufacturing  
Pickling, Fruits and Vegetables; Salad Dressings - Manufacturing  
Planing Mill  
Plastics, Blow Molding and Injection Molding  
Pottery and Related Products - Manufacturing  
Prefabricated House Manufacturing  
Prestressed and Pretensioned Concrete Products  
Printing Ink Manufacturing  
Radioactive Service Company  
Rayon or Cellophane Manufacturing  
Ready Built House Manufacturing  
Refrigerator Manufacturing  
Sandblasting (indoor)  
Sash and Door Manufacturing  
Sausage Manufacturing  
Shoddy Manufacturing (low grade cotton or wool)  
Shoe Polish Manufacturing  
Sighting and Fire Control Equipment - Manufacturing  
Signs and Advertising Displays - Manufacturing  
Small Arms Manufacturing  
Soybean Oil Milling  
Space Vehicle Manufacturing  
Starch, Glucose, Dextrin Manufacturing  
Storage of Abandoned or Inoperative Vehicles reclaimed from  
    Highway/Streets for 60 days or less (excludes salvaged or dismantled  
    vehicles)  
Store Fixture Manufacturing  
Tank and Tank Components – Manufacturing  
Textile Mill - Manufacturing  
Tire Recapping  
Tobacco – Manufacturing  
Toy, Amusement, Sporting and Athletic Goods - Manufacturing  
Transportation Equipment Manufacturing  
Vegetable Oil Milling  
Vinegar Manufacturing  
Waste Paper Salvage and Reclamation  
Wool Scouring, Hair Manufacturing  
Wrecker Service, see “Storage of Abandoned or Inoperative Vehicles....”  
    above  
Yeast Manufacturing

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**C. Use Conditions**

1. The uses included in Use Unit 26 may be approved as a Specific Use Permit when located on a 40-acre or larger tract. See Chapter 25.
2. The uses included in Use Unit 26, which are located within 300 feet of an R District, shall be conducted within enclosed buildings.
3. The uses included in Use Unit 26, when located on a lot which is abutting an R District, shall be screened from the abutting R District, by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All Uses	1 per 1.5 employees or 1 per 800 SF of floor area, whichever is less	1 per 2,000 to 40,000 SF of floor area plus 1 per 40,000 to 100,000 SF, plus 1 per each additional 100,000 SF of floor area.

**SECTION 13.27. USE UNIT 27. HEAVY MANUFACTURING AND INDUSTRY**

**A. Description**

Manufacturing and industrial uses having substantial objectionable environmental influences by reason of the emission of odor, heat, smoke, noise or vibration. **The uses included in Use Unit 27 may be approved as a Specific Use Permit when located on a 40-acre or larger tract. See Chapter 25.**

**B. Included Uses**

- Abattoir (slaughter house)
- Acetylene Gas Manufacturing in Excess of 15 Pounds Pressure Per Square Inch
- Acid Manufacturing
- Agricultural Chemicals – Manufacturing
- Ammonia, Bleaching Powder or Chlorine Manufacturing
- Animal Rendering
- Arsenals
- Asphalt Manufacturing or Refining
- Blast Furnace
- Bleaching Powder Manufacturing
- Brick, Tile or Terra Cotta Manufacturing
- Butane and Propane Manufacturing/Storage
- Cement, Lime, Gypsum, Plaster of Paris Manufacturing
- Chlorine or Hydrochloric, Nitric, Picric, Sulphurous or Sulfuric Acid Manufacturing

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Coal Yard  
Coke Manufacturing

Compost Yard  
Concrete Brick and Block - Manufacturing  
Creosote Manufacturing or Treatment  
Disinfectant or Insecticide Manufacturing  
Distillation of Bones, Coal, Tar or Wood  
Emery Cloth and Sandpaper Manufacturing  
Explosive Manufacturing or Storage  
Fat Rendering  
Fertilizer Manufacturing From Mineral or Organic Materials  
Fireworks Manufacturing or Storage  
Garbage Dump, SUP  
Garbage, Offal, or Dead Animal Reduction or Dumping, SUP  
Glue, Gelatin or Size Manufacturing  
Guided Missile Manufacturing  
Gum and Wood Chemicals – Manufacturing  
Guns, Howitzers, Mortars, and Related Equipment - Manufacturing  
Incineration, Reduction of Dead Animals, Garbage or Refuse, Offal  
Insecticide Manufacturing  
Iron or Steel Foundry  
Lime, Cement, Plaster of Paris Manufacturing  
Linoleum, Asphalted-felt Base, and Other Hard Surface Floor Cover –  
Manufacturing  
Lubricating Oils and Grease Manufacturing  
Manufacturing, Heavy, NEC  
Match Manufacturing  
Oil Reclamation Plants  
Oil Refinery  
Paint, Oil, Varnish or Turpentine Manufacturing  
Paper or Pulp Manufacturing by Sulfide Processes Emitting Noxious Gases  
or Odors  
Paving Plants  
Petroleum Bulk Storage for Wholesale  
Plastics/Rubber Manufacturing  
Primary Metal Industries, NEC  
Radioactive Service Company  
Railroad Freight Terminal  
Railroad Roundhouse or Shop  
Railroad Yard  
Refining of Petroleum or Other Crude Materials  
Refuse Dump  
Refuse or Trash Transfer Station, All processing and storage shall be  
within a building or container  
Rendering Plant  
Resource Recovery Facility (all storage and processing within building)  
Rolling/Steel Mill

SECTION 13.27

Rubber Manufacturing from Crude Materials

- Salt Works
- Sandblasting (outdoor)
- Sawmill
- Slaughtering of Animals
- Smelting
- Soap Manufacturing
- Soda Ash, Caustic Soda and Washing Compound Manufacturing
- Steel Works or Fabrication Plant
- Stockyard
- Stone Cutting and Stone Products Manufacturing
- Structural Clay Products, Manufacturing
- Structural Steel Plants
- Sugar Refining
- Tallow, Grease or Lard Manufacturing or Refining
- Tank Farm, Petroleum
- Tanning, Curing or Storing of Leather and Rawhides or Skins
- Tar Roofing or Tar Waterproofing Manufacturing
- Tar Distillation or Manufacturing
- Tile Roofing Manufacturing
- Trades, Industries, or Uses that have Heavily Objectionable Environmental Influences by Reason of the Emission of Odor, Heat, Smoke, Noise, or Vibration
- Trash or Refuse Transfer Station, All processing and storage within building or containers, SUP
- Turpentine Manufacturing
- Varnish Manufacturing
- Washing Compound Manufacturing
- Wood Preserving

**C. Use Conditions.**

The uses included in Use Unit 27 may be approved as a Specific Use Permit when located on a 40-acre or larger tract. See Chapter 25.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All Uses	1 per 1.5 employees or 1 per 800 SF of floor area, whichever is less	1 per 2,000 to 40,000 SF of floor area plus 1 per 40,000 to 100,000 SF, plus 1 per each add'l 100,000 SF of floor area

## SECTION 13.28. USE UNIT 28. JUNK AND SALVAGE YARDS

### A. Description

**All uses in Use Unit 28 require approval of a Specific Use Permit (see also Chapter 25).** Establishments primarily providing an open area where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed, crushed or handled. Materials shall include but are not limited to scrap iron and other metals, paper, plastic, rags, rubber tires, salvaged or dismantled vehicles, vehicular parts, wrecked vehicles, bottles and cans.

### B. Included Uses

Junk and Salvage Yards  
Auto Pool

### C. Use Conditions

1. All uses in Use Unit 28 require approval of a Specific Use Permit (see also Chapter 25).
2. The uses included in Use Unit 28, when located on a lot abutting any AG, R, PK, O, C, SR, IL or IM District shall be screened by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the district to be screened.
3. The uses included in Use Unit 28, when located on a lot abutting a street, highway or thoroughfare, shall be screened by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the district to be screened.
4. The piling of junk or salvage materials shall not exceed the height of the required screening wall or fence within 150 feet of the boundary required to be screened, except as provided in Section 13.28.C.4.
5. Storage racks which are designed for the stacking of materials, including but not limited to automotive front ends, hoods, doors, quarter panels, etc., which exceed the height of the screening fence, shall be setback a minimum of 25 feet from another abutting zoning district, with the exception of the IH district and from a street, highway or thoroughfare along the lot line or lines in common with another district other than the IH district, street, highway or thoroughfare, plus two (2) additional feet of setback for every one (1) foot of rack height above 15 feet.

6. Wrecked or damaged vehicles stored in an Auto Pool facility until insurance or other settlements are made shall not be parted or salvaged; however, may be sold or offered for sale on the premises within the screened areas – no display of such vehicles is permitted along street frontages. All parking areas and drives shall be paved with an All Weather Surface as otherwise required by this Code.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All Uses	1.5 per on-site employee	1 per 2,000 to 40,000 SF of area plus 1 per 40,000 to 100,000 SF, plus 1 per each additional 100,000 SF of area

**E. Screening Requirements**

For the purpose of maintaining a compatible relationship between certain land uses and for the purpose of protecting the public investment in streets, highways and thoroughfares and to promote the safety and recreational value of public travel and to preserve the natural beauty, a screening requirement is hereby established for the initiation and continuance of all uses included in Use Unit 28.

1. Specifications: The required screening wall or fence:
  - a. Shall be a minimum of eight (8) feet in height;
  - b. Shall be constructed with customarily used fencing materials, shall be designed and arranged to provide substantial visual separation as approved by the City of Sand Springs from other land uses required to be screened and from the general public traveling along the streets, highways and thoroughfares;
  - c. Shall be uniform in height, except for significant changes in topography, have a consistency of design, and if painted, walls or fences shall be earth-tone in color when abutting an R District boundary;
  - d. Shall be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance; and
  - e. Shall be erected prior to the occupancy of the building or initiation of the use required to be screened.

2. The screening wall or fence shall be maintained by the owner of the lot containing the use requiring the screening. Failure to maintain after notice by the Code Enforcement Officer/Building Inspector shall constitute an offense hereunder.
  
3. Modification of the screening wall or fence requirements by the City Council as a Specific Use Permit may be as follows:
  - a. Modify or remove the screening requirement where existing physical features, such as trees and other plant materials, buildings, earthen berms or hills, provide substantial visual separation from uses and for the general public traveling along the streets, highways and thoroughfares;
  
  - b. Modify the screening requirement where an alternative screening will provide substantial visual separation of uses and for the general public traveling the streets, highways and thoroughfares such as:
    - 1) Installation of an 8-foot tall chain link fence which utilizes inserts of metal or other materials;
  
    - 2) Plantings per an approved landscape plan specifying number, types and location of proposed plant materials to be installed and maintained; or
  
    - 3) Construction of a 6-foot privacy wall or fence.
  
  - c. Grant an extension of time to erect a screen where properties, other than public streets, highways and thoroughfares, which are to benefit by the screen, are undeveloped and no immediate development plan is known or anticipated; or
  
  - d. Remove the screening requirement where the purpose of the screening requirement cannot be achieved, such as where a road or street is elevated, or where the screening is prohibited by other ordinances and/or regulations such as in floodplains.

## CHAPTER 14

### OFF-STREET PARKING AND OFF-STREET LOADING

- 14.01. Applicability of Requirements**
- 14.02. General Requirements**
- 14.03. Setbacks**
- 14.04. Design Standards for Off-Street Parking Areas**
- 14.05. Design Standards for Off-Street Loading Areas**
- 14.06. Shared Parking**

#### SECTION 14.01. APPLICABILITY OF REQUIREMENTS

The off-street parking and off-street loading facilities whether they are principal uses, accessory uses, or a minimum requirement of the initiation, enlargement, or change of use, unless modified by Section 14.06, shall meet the following requirements:

- A.** For all buildings and structures erected and all uses of land established after the effective date of this Code, parking and loading facilities shall be provided as required by the applicable Use Unit.
- B.** When the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, floor area, seating capacity, or other units of measurement specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.
- C.** Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking and loading facilities shall be provided as required for such new use. However, if the existing building or structure is nonconforming as to parking requirements, then parking requirements for a change in use shall be governed by Section 15.08.
- D.** Accessory off-street parking and loading facilities in existence on the effective date of this Code and located on the same lot as the building or use served shall not hereafter be reduced below, or if already less than, shall not be further reduced below the requirements for a similar new building or use under the provisions of this Code.

## **SECTION 14.02. GENERAL REQUIREMENTS**

- A.** Off-street parking and off-street loading facilities shall not occupy required livability space. Space allocated to any required off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facilities. Space allocated to any required off-street parking shall not be used to satisfy the space requirements for any off-street loading facilities.
- B.** Within the front and exterior side yards in the RM-1 and RM-2 districts not more than one vehicle shall be parked for each 600 square feet of area contained in the front or exterior side yards.
- C.** Required off-street parking spaces and required off-street loading berths shall not be used for the storage, sale, dismantling, or servicing of any vehicle, equipment, materials, or supplies.
- D.** Required off-street parking spaces and required off-street loading berths shall be located on the lot containing the use for which the required spaces or berths are to be provided.
- E.** Required enclosed off-street parking and loading areas shall meet the bulk and area requirements of the use district in which located, except that enclosed off-street parking and loading areas which are required, shall not be included in the computation of permitted floor area.
- F.** The capacity of an off-street parking area shall be the number of parking spaces, having minimum required dimensions, that are located thereon in such a manner that each space can be entered without passing through another space, except in an RE or RS District, where access may be obtained through another parking space.
- G.** Required off-street parking surfacing shall be completed prior to the initiation of the use.

## **SECTION 14.03. SETBACKS**

- A.** Off-street loading areas shall not be located within 50 feet of any abutting property which is within an R District unless it is wholly within an enclosed building or screened on all sides abutting the R District by a screening wall or fence.
- B.** Unenclosed off-street parking and loading areas shall be set back from abutting streets as set forth in Table 1 below.

Table 1

Off-Street Parking and Loading Area Setbacks from the Centerline of Abutting Streets\*

	Parking Area 1 to 5 Spaces	Parking Area 6 or More Spaces	Loading Area
In an R District			
Accessory to a dwelling	28 ft.	40 ft.	NA
Accessory to another use	40 ft.	50 ft.	50 ft.
Not in an R District, but within 50 feet of an R District	40 ft.	50 ft.	50 ft.

\*If the right-of-way width designated on the Major Street Plan exceeds 50 feet, add 1/2 of the amount by which the designated right-of-way exceeds 50 feet.

- C. Unenclosed off-street parking areas (including parking lot aisles) which are accessory to any Use Unit 5 use shall be setback at least 25 feet from any abutting RE or RS District.

**SECTION 14.04. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**

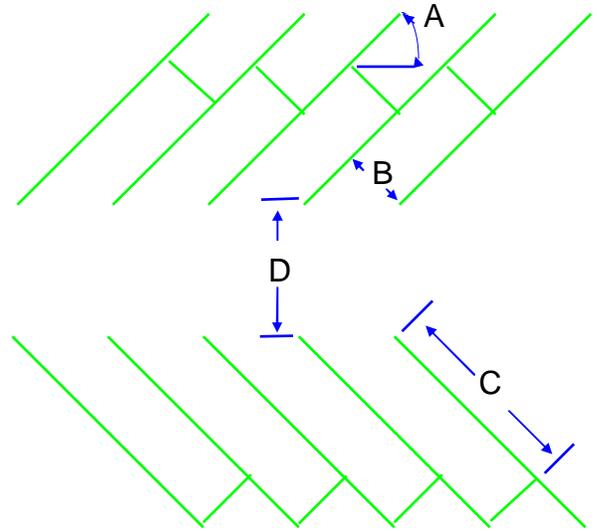
- A. The design standards for off-street parking areas shall be as follows:
  1. All required off-street parking spaces shall have a vertical clearance of at least 6 feet 6 inches;
  2. Handicapped off-street parking spaces shall be provided in size and number as specified in the City of Sand Springs Building Code;
  3. Required off-street parking spaces shall be a minimum of 8.5 feet in width and 18 feet in length exclusive of access drives and aisles; and
  4. Parking layout dimensions for required off-street parking spaces and aisles shall be in accordance with or in proportion to the standards set forth in Figures 1 through 4 below.

FIGURE 1

PARKING LAYOUT DIMENSIONS  
 FOR 8.5' AND 9.0' STALL WIDTHS  
 AT VARIOUS ANGLES WITH ONE WAY AISLES  
 (MINIMUM STANDARDS)

A	B	C	D
45°	8.5	18.0	12.0
	9.0	18.0	12.0
60°	8.5	18.0	16.0
	9.0	18.0	16.0
75°	8.5	18.0	21.0
	9.0	18.0	21.0

A = Stall Angle  
 B = Stall Width  
 C = Stall Length  
 D = Aisle Width



**FIGURE 2**  
**PARKING LAYOUT DIMENSIONS**  
**FOR 8.5' AND 9.0' STALL WIDTHS**  
**AT VARIOUS ANGLES WITH TWO - WAY AISLES**  
**(MINIMUM STANDARDS)**

A	B	C	D
45°	8.5	18.0	20.0
	9.0	18.0	20.0
60°	8.5	18.0	21.0
	9.0	18.0	21.0
75°	8.5	18.0	22.0
	9.0	18.0	22.0

A = Stall Angle  
 B = Stall Width  
 C = Stall Length  
 D = Aisle Width

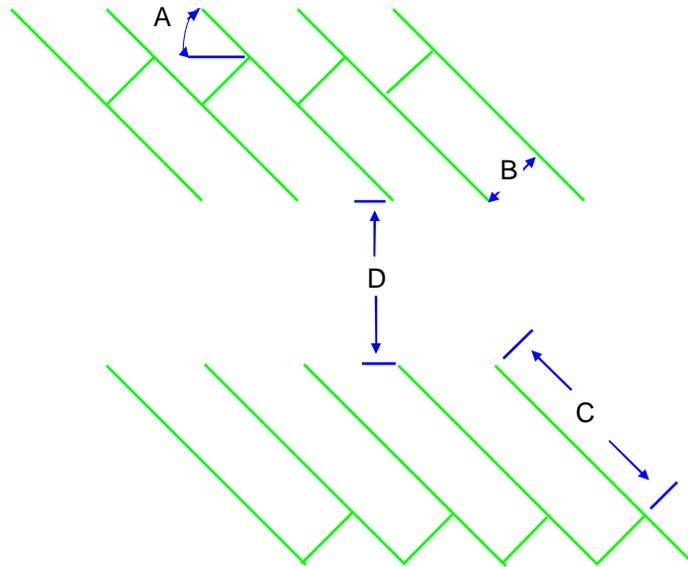


FIGURE 3  
PARKING LAYOUT DIMENSIONS  
AT 0 AND 90 DEGREE ANGLES  
(MINIMUM STANDARDS)

A	B	C	D
0°	8.5	24.0	12.0 (24.0)
	9.0	24.0	12.0 (24.0)

A = Stall Angle  
B = Stall Width  
C = Stall Length  
D = Aisle Width

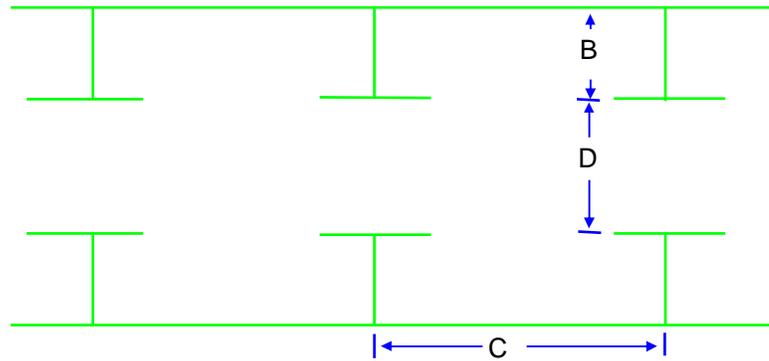
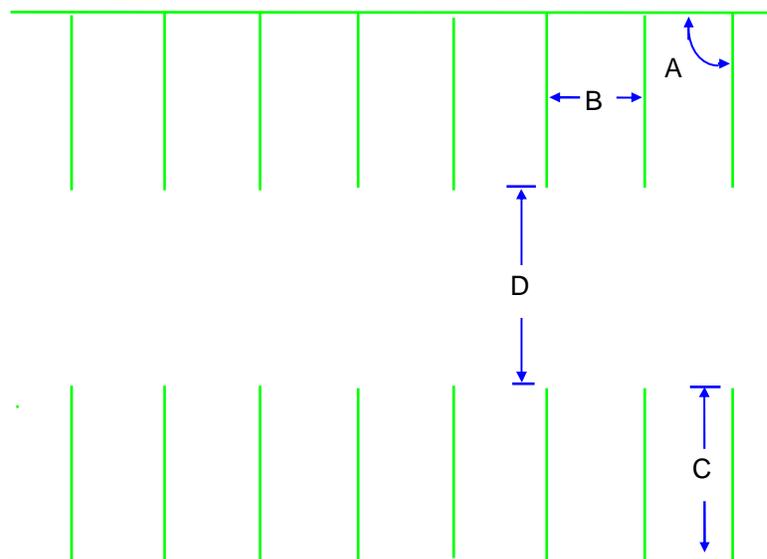


FIGURE 4  
PARKING LAYOUT DIMENSIONS  
AT 90 DEGREE ANGLES  
(MINIMUM STANDARDS)

A	B	C	D
90°	8.5	18.0	24.0
	9.0	18.0	24.0

A = Stall Angle  
B = Stall Width  
C = Stall Length  
D = Aisle Width



- B.** Each required parking space shall be accessible from a public street without passing through another required space, except in the RE or RS Districts.
- C.** Lighting used to illuminate an off-street parking area shall be so arranged as to direct the light away from properties within an R District which do not contain uses for which the parking is being provided.
- D.** Unenclosed off-street parking areas shall be surfaced with an all-weather material.
- E.** Unenclosed off-street parking areas which are principal uses shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an R District. Unenclosed off-street parking areas containing six (6) or more spaces, which are accessory to uses not required to provide screening shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an RE or RS District, provided that if the parking area is located more than 50 feet from the RE or RS lot line or lines, the screening requirement shall not apply.

#### **SECTION 14.05. DESIGN STANDARDS FOR OFF-STREET LOADING AREAS**

- A.** Unless otherwise specified, a required off-street loading berth shall be at least ten (10) feet in width, thirty (30) feet in length, exclusive of aisles, and shall have a vertical clearance of at least 14 feet. However, every off-street loading berth shall be of sufficient size and design to permit the safe and efficient loading and unloading of merchandise and materials without obstructing or impeding aisles, driveways, alleys, public streets and rights-of-way and public walkways.
- B.** Required off-street loading berths shall be provided access to and from a public street or alley by an access drive of at least ten (10) feet in width designed to permit convenient access by semi-trailer trucks.
- C.** Unenclosed off-street loading areas shall be surfaced with an all-weather material.
- D.** Unenclosed off-street loading berths shall not be located within 50 feet of any property in an R District unless it is screened on all sides abutting the R District by a screening wall or fence.
- E.** Lighting used to illuminate an off-street loading area, if any, shall be by constant light and shall be arranged to direct the light away from the properties within an R District which do not contain uses for which the loading area is being provided.

**SECTION 14.06. SHARED PARKING**

Commercial mixed use developments utilizing shared parking areas with more than 400,000 total gross square feet of floor area shall be entitled to a 10% reduction in the required number of off-street parking spaces.

**CHAPTER 15**  
**NONCONFORMITIES**

- 15.01. General**
- 15.02. Nonconforming Uses of Unimproved Land**
- 15.03. Nonconforming Uses of Buildings, or Land in Combination**
- 15.04. Nonconforming Signs**
- 15.05. Nonconforming Lots**
- 15.06. Structural Nonconformities**
- 15.07. Repairs**
- 15.08. Parking, Loading and Screening Nonconformities**
- 15.09. Adult Entertainment Establishments**
- 15.10. Dance Hall Establishments**
- 15.11. Strobe and Beacon Lights**

**SECTION 15.01. GENERAL**

Within the districts established by this Code or amendments that may later be adopted there exist uses, structures, and lots which were lawful before this Code was adopted or amended, but which would be prohibited under the terms of this Code or future amendment to this Code. These uses, structures, and lots, herein referred to as "nonconformities" may continue as regulated by this chapter. A use lawfully existing prior to the effective date of this Code, or amendment thereto, which does not comply with a parking, loading, screening, bulk and area, sign or enclosure requirement, but which is otherwise lawful shall not constitute a nonconforming use within the meaning of Sections 15.02 and 15.03 and may continue as regulated by Sections 15.03, 15.04, 15.05, 15.06 15.07 and 15.08 of this Chapter.

**SECTION 15.02. NONCONFORMING USES OF UNIMPROVED LAND**

- A.** When at the effective date of this Code or amendment thereto a lawful use of land exists, which would not be permitted by the terms of this Code or amendments thereto, and the only structures employed in connection with such uses are all accessory or incidental to such use and in the aggregate do not cover more than 10% of the lot area devoted to the nonconforming use, such use shall be deemed a nonconforming use of unimproved land and shall terminate as follows:
  - 1. If the replacement cost of the accessory structures (other than fences) is less than \$1,000.00, the nonconforming use shall terminate within five (5) years from the effective date of this Code or from the date the use became nonconforming, whichever is later.

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2. If the replacement cost of the accessory structures (other than fences) is \$1,000.00 or more, the nonconforming use shall be terminated on the basis of amortization of the replacement cost of the accessory structures at a rate of \$200.00 per year from the effective date of this Code or from the date the use became nonconforming, whichever is later.

**B.** Pending termination, the nonconforming use of land may be continued provided:

1. No such nonconforming use shall be changed to another nonconforming use, nor enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of this Code or amendment thereof.
2. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of this Code or amendment thereof.
3. No additional structure (other than fences) shall be erected in connection with such nonconforming use of land.
4. If any such nonconforming use of land ceases for any reason for a period of more than 90 days, (except when government action impedes access to or use of the premises) any subsequent use of such land shall conform in all respects to the regulations of the district in which it is located.

**SECTION 15.03. NONCONFORMING USES OF BUILDINGS, OR BUILDINGS AND LAND IN COMBINATION**

When at the effective date of this Code or amendment thereto, there exists a lawful use of a building, or use of a principal building and land, or use of land and accessory structures, such structures covering more than 10% of the lot area, and such use would not be permitted by the terms of this Code or amendment thereto, such use shall be deemed nonconforming and may continue subject to the following provisions:

- A.** No building devoted to a nonconforming use shall be enlarged or extended, except in changing the use of the building to a use permitted in the district in which it is located.
- B.** A nonconforming use of a portion of a building may be extended to the remaining portions of the building if such portions were manifestly arranged and designed for such use, but such use shall not be extended to occupy any land outside the building.

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- C.** A nonconforming use of a building, or building and land in combination, if superseded by a permitted use, shall not thereafter be resumed.
- D.** A nonconforming use of a building, or building and land in combination, if discontinued for six (6) consecutive months, except when governmental action impedes access to or the use of the premises, shall not thereafter be resumed.
- E.** Where nonconforming use status applies to a building and land in combination, termination of use of the building within the meaning of 15.03.D shall eliminate the nonconforming status of the use of the land.
- F.** A nonconforming use of a building or of a building and land in combination when located within a Residential District shall not be changed unless changed to a use permitted in the district in which located. A nonconforming use of a building or of a building and land in combination when located within a district other than a Residential District, may, as a Special Exception, be changed upon approval of the Board of Adjustment after a finding that the proposed use will not result in any increase of incompatibility with the present and future use of the proximate properties.
- G.** Should the structure containing a nonconforming use be damaged or partially destroyed to the extent of more than 50%, but less than 75% of its current replacement cost at time of damage, the restoration of the structure shall be subject to the Board of Adjustment's finding after adherence to the procedural requirements for a Special Exception, that the contemplated restoration is necessary for the continuance of the nonconforming use, and will not result in any increase of incompatibility with the present or future use of proximate properties. Should the structure containing a nonconforming use be damaged or destroyed to the extent of more than 75% of its replacement cost at time of damage, the nonconforming use shall not thereafter continue or be resumed.

## **SECTION 15.04. NONCONFORMING SIGNS**

- A.** Outdoor advertising signs lawfully existing on the effective date of this Code or amendment thereto, but which would be prohibited by the terms of this Code or amendment thereto, shall be deemed nonconforming and may continue subject to the following provisions:

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1. If the sign is nonconforming by reason of restrictions other than on its setback from R Districts or from designated residential development areas, said sign shall not be expanded or otherwise modified except in conformance with this Code;
  2. The sign shall be maintained in good repair and visual appearance;
  3. Should the sign be damaged or partially destroyed to the extent of more than 50% of its current replacement cost at the time of damage, the sign shall be removed, or made to conform; and
  4. If the sign is not used for advertising purposes for a period of 180 consecutive days, the sign shall be deemed abandoned and shall be removed.
  5. **Outdoor Advertising Signs, as defined in Chapter 3 of this Code, are prohibited within the City limits, and no permit shall be granted for the construction of any Outdoor Advertising Sign. Ordinance No. 1086 approved January 5, 2005.**
- B.** Other signs lawfully existing at the effective date of this Code or amendment thereto, but which would be prohibited by the terms of this Code or amendment thereto, shall be deemed nonconforming and may continue subject to the following requirements:
1. If the sign is nonconforming by reason of restrictions on its level of illumination, said sign shall be removed or made to conform within 90 days from the date the sign became nonconforming.
  2. A promotional business sign which is nonconforming by reason of restrictions on its height or setback, shall be removed or made to conform within 40 days from the date the sign became nonconforming.
  3. A window sign(s) which is nonconforming by reason of restrictions on its display surface area shall be removed or made to conform within 60 days from the date the sign became nonconforming.
  4. A sign which is nonconforming by reason of restrictions on the use of strobe or beacon lights may continue so long as the strobe or beacon lights are removed immediately.
  5. If the sign is nonconforming by reason of restrictions other than on its display surface area, height or setback from R Districts or its setback from a Designated Residential Development Area, said sign shall not be expanded or otherwise modified except in conformance with this Code.
  6. The sign shall be maintained in good repair and visual appearance.

## SECTION 15.04

7. Should the sign be damaged or partially destroyed to the extent of more than 50% of its current replacement cost at the time of damage, the sign shall be removed or made to conform.
8. If the sign is not used for advertising purposes for a period of 180 consecutive days, the sign shall be deemed abandoned and shall be removed.

## SECTION 15.05. NONCONFORMING LOTS

- A. In Residential Districts, on any lot on which title is filed of record on or before May 15, 1972, or on any lot within a subdivision approved by the Planning Commission on or before May 15, 1972, or on any lot of record for which a recorded instrument of conveyance bears the endorsement of the Planning Commission and such lot is nonconforming by reason of failure to meet Zoning Code requirements for size or average width, a single-family detached dwelling may be erected without complying with the required lot area, land area per dwelling unit, lot width, livability space per dwelling unit or the required side yard which abuts a public street; provided however, no lot shall be less than 50 feet in width measured at either the street frontage or in the case of an irregular lot along a curvi-linear street at the building setback line; and no side yard shall be less than five (5) feet and livability space shall not be less than 50% of the lot area and all other requirements of the district are complied with.
- B. In Nonresidential Districts, any use permitted by Right in the applicable district may be located on any lot of official record at the effective date of this Code, irrespective of its area or width, provided that other requirements of the use district are complied with.

## SECTION 15.06. STRUCTURAL NONCONFORMITIES

A structure, lawfully existing at the effective date of the adoption or amendment of this Code, but which would be prohibited by the terms of this Code by reason of restriction on floor area, density, intensity, height, yards, its location on the lot, or other requirements concerning the structure, shall be deemed nonconforming and may continue, subject to the following provisions:

- A. No such nonconforming structure may be enlarged or altered in any manner which increases its nonconformity, but any structure may be altered to decrease its nonconformity, provided that the addition of a mezzanine or similar alteration which does not increase the cubic content of the structure shall not constitute an "increase in nonconformity".

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- B.** Should such structure, except Antennas and Antenna Supporting Structures, be damaged or partially destroyed by any means to the extent of more than 50 percent of its current replacement cost at time of damage, the restoration of a nonconforming structure shall be subject to the Board of Adjustment's finding, after adherence to the procedural requirements for a Special Exception, that its restoration to a conforming structure cannot reasonably be made in view of the nature and extent of the damages.
- C.** Antenna and Antenna Supporting Structures, if damaged or destroyed by any means, may be reconstructed by obtaining a Building Permit issued only in compliance with the original conditions of approval; provided, that the Antenna and Antenna Supporting Structure is placed in the same location and has less than or equivalent height and mass.
- D.** Should such structure be moved for any distance whatever, it shall thereafter conform to the provisions of the district in which located.

**SECTION 15.07. REPAIRS**

- A.** On any building containing a nonconforming use or any nonconforming structure, ordinary repairs and maintenance may be made provided that the cubic content of the building is not increased, and structural nonconformity is not increased.
- B.** If a nonconforming structure or a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and a final order of vacation or demolition is entered by any duly authorized official by reason of such condition, it shall not thereafter be used, restored, or repaired, or rebuilt except in conformity with the provisions of the district in which located.

**SECTION 15.08. PARKING, LOADING AND SCREENING NONCONFORMITIES**

A use lawfully existing at the effective date of this Code, or amendment thereto, except for an Adult Entertainment Establishment, as listed in Use Unit 13.12a. and a Dance Hall as set forth in Use Unit 13.19, (see also Sections 15.09 and 15.10), but which does not comply with a parking, loading or screening requirement or requirements of this Code, shall be deemed nonconforming and may continue, subject to the following provisions:

- A.** No such use may be enlarged or extended unless parking and loading is provided as required for the enlargement or extension.

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- B.** No such use may be enlarged or extended unless screening is provided as required for the use.
- C.** No such use may be changed unless parking, loading and screening is provided as required for such use; provided however, that the Board of Adjustment may modify such parking and loading requirements as a Special Exception after finding that the proposed use meets the standards contained in Subsection 17.08.C and the proposed use will not result in any increase of incompatibility with the present and future use of the proximate properties.
- D.** A Use Unit 28, Junk and Salvage Yard use shall be screened in accordance with the provisions of Section 12.28 of this Code on or before the expiration of 12 months from the effective date of this Code (November 23, 1993), provided; however, that existing storage racks that do not meet minimum setback requirements shall be permitted to remain.
- E.** The requirements of Section 2.08 Motorized Vehicles of this Code providing that vehicles parked, stored or displayed for sale, shall be parked, stored or displayed on an all-weather material shall be complied with.

**SECTION 15.09. ADULT ENTERTAINMENT ESTABLISHMENTS**

A Use Unit 12a, Adult Entertainment Establishment, lawfully existing at the effective date of this Code, or amendment thereto, but which does not comply with a parking, loading, spacing or screening requirements or other requirements of this Code, shall be deemed nonconforming and may continue subject to the following provisions:

- A.** Sexually-Oriented Businesses are regulated by Section 7.06.C Nonconforming Uses.
- B.** All other Adult Entertainment Establishments are subject to the following provisions:
  - 1. No such use may be enlarged or extended;
  - 2. No such use may be changed to another use which would not meet parking, loading, screening and spacing requirements, unless changed to a use within Use Units 11, 13 or 14. However, the Board of Adjustment may permit by Special Exception other uses permitted by Right or Special Exception within the zoning district, even though such use may be nonconforming as to parking, loading, screening or spacing;

3. No such use which contains a public entrance door that is within 50 feet of an R District, as set forth in Section 13.12a.C, shall continue more than one year from the date this provision first became effective; and
4. No such use that is less than 300 feet from an R District and is nonconforming as to off-street parking or loading requirements as set forth in Section 13.12a.D shall continue for more than one year from the date this provision first became effective. The 300 feet shall be measured in a straight line from the nearest building wall of the Adult Entertainment Establishment to the nearest point on a residential zoning district boundary line, not including any residentially zoned expressway right-of-way.

### **SECTION 15.10. DANCE HALL ESTABLISHMENTS**

A Dance Hall lawfully existing at the effective date of this Code, or amendment thereto, but which does not comply with a parking, loading, spacing or screening requirement or requirements of this Code, shall be deemed nonconforming and may continue subject to the following provisions:

- A.** No such use may be enlarged or extended;
- B.** No such use may be changed to another use which would not meet parking, loading screening and spacing requirements, unless changed to a use within use Units 11, 13 or 14. However, the Board of Adjustment may permit by Special Exception other uses permitted by Right or Special Exception within the zoning district, even though such use may be nonconforming as to parking, loading, screening or spacing; and
- C.** Such use which is nonconforming as to off-street parking and loading requirements, as set forth in Section 13.19.D. and/or setback (spacing) standards from R Districts as set forth in section 13.19.C shall terminate within one year from the date this provision first became effective.
- D.** The Board of Adjustment may, as a Special Exception, reduce the 300 foot spacing requirement from an R District, and may reduce the number of off-street parking spaces on a lot or may allow the required off-street parking on a lot other than the lot which contains the business, so long as the off-site parking is within the owner's control, accessible, convenient and safe for patrons, and provided the Board finds that the use is not injurious to the neighborhood or otherwise detrimental to the public welfare.

**SECTION 15.11. STROBE AND BEACON LIGHTS**

Strobe and beacon lights, if visible from a public street, shall be removed immediately, unless otherwise required by law.

**CHAPTER 16**  
**ENFORCEMENT**

- 16.00. Duty of the Code Enforcement Officer/Building Inspector and Other Officials**
- 16.01. Zoning Clearance Permit**
- 16.02. Penalties for Violation**
- 16.03. Construction and Use to be as Provided in Applications, Plans and Permits**

**SECTION 16.00. DUTY OF THE CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR AND OTHER OFFICIALS**

- A.** It shall be the duty of the Code Enforcement Officer/Building Inspector to enforce this Code. If any of the provisions of this Code are being violated, the Code Enforcement Officer/Building Inspector shall notify in writing the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it, and shall take such other action to ensure compliance with or to prevent violation of its provisions as is authorized by law.
- B.** All departments, officials, and employees of the City of Sand Springs vested with the duty or authority to issue permits or licenses shall comply with the provisions of this Code, and shall issue no permit or licenses for any use, purpose, excavation, construction, structure, building, or sign in conflict with the provisions of this Code.

**SECTION 16.01. ZONING CLEARANCE PERMIT**

- A.** Zoning Clearance Permit Required

It shall be unlawful for any person, firm or corporation to erect, move, add to or structurally alter any building or structure, or to use or change the use of any building or land or to permit the aforementioned actions, until a Zoning Clearance Permit has been issued by the Code Enforcement Officer/Building Inspector.

- B.** Application for Zoning Clearance Permit

An application for a Zoning Clearance Permit shall be accompanied by:

1. A legal description of the lot, and plans in duplicate, drawn to scale in black line or blueprint, showing the actual shape and dimension of the lot;
2. The location and dimensions of all easements;
3. The location, size and height of any existing buildings or structures to be erected or altered;

- 4 The existing and intended use of each building or structure and portion of the lot; the number of dwellings the buildings are intended to accommodate, if any; and
5. Any such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Code.

**C. Zoning Officer Designated**

The Code Enforcement Officer/Building Inspector is hereby designated as Zoning Officer for the City of Sand Springs, Oklahoma. It shall be the duty of the Code Enforcement Officer/Building Inspector to review applications for Zoning Clearance Permits and insure that all requirements of the Zoning Code are met prior to the issuance of a Zoning Clearance Permit.

**D. Code Enforcement Officer/Building Inspector to Act Within Three (3) Days**

The Code Enforcement Officer/Building Inspector shall act upon each application for a Zoning Clearance Permit within three (3) days after it is filed in compliance with the provisions herein. The Code Enforcement Officer/Building Inspector shall return one copy of the plans and issue a Zoning Clearance Permit or notify the applicant, in writing, of a refusal to issue a permit setting forth the reasons therefore.

**E. Fees for Zoning Clearance Permits**

No Zoning Clearance Permit shall be issued until appropriate fees have been paid as established in the fee schedule adopted by resolution of the City Council.

**SECTION 16.02. PENALTIES FOR VIOLATION**

Any person, firm, or corporation violating any provisions of this Code or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variances, Special Exceptions, or approval of Specific Use Permits or Planned Unit Developments, shall be deemed guilty of an offense and, upon conviction thereof, shall be fined not more than \$200.00. Each day that a violation continues shall constitute a separate offense.

Nothing herein contained shall prevent the City of Sand Springs or its authorized officials from taking other action, authorized by law, to remedy violations.

**SECTION 16.03. CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS AND PERMITS**

Zoning Clearance Permits, Variances, Special Exception or Specific Use Permit uses issued on the basis of approved plans and applications authorize only the uses, arrangement and construction set forth in such approved plans and applications, and no other use, arrangement or construction. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Code, and punishable as provided by Section 16.02.

## CHAPTER 17

### BOARD OF ADJUSTMENT

- 17.01. Establishment, Removal and Organization of the Board of Adjustment**
- 17.02. Powers of the Board**
- 17.03. Proceedings of the Board**
- 17.04. Notice of Public Hearing**
- 17.05. Fees**
- 17.06. Appeals from an Administrative Official**
- 17.07. Interpretation**
- 17.08. Variances**
- 17.09. Special Exceptions**
- 17.10. Appeals to the District Court**

#### **SECTION 17.01. ESTABLISHMENT, REMOVAL AND ORGANIZATION OF THE BOARD OF ADJUSTMENT**

- A.** There is hereby established a Board of Adjustment of the City of Sand Springs with the powers and duties hereinafter set forth. The Board of Adjustment shall consist of five (5) members who shall be residents of the City of Sand Springs, and appointments of said members shall be made by the City Council. Members shall serve without pay for a term of three (3) years. Vacancies shall be filled for an unexpired term of any member in the manner set forth for appointments to a full term.
- B.** A Board member, upon written charges and after public hearing, may be removed by the City Council after notice for any one of the following causes:
  - 1. Failure to attend three (3) consecutive regular or special meetings, or failure to attend two-thirds (2/3) of the regular or special meetings held during any six (6) month period; or
  - 2. Actions and conduct unbecoming to a public official of the City of Sand Springs; or
  - 3. Repeated acts and conduct detrimental to the peace, health, safety and welfare of the citizens of Sand Springs.
- C.** The Board shall organize, elect its chairperson, vice-chairperson and secretary, and adopt rules necessary for the conduct of its affairs.

**SECTION 17.02. POWERS OF THE BOARD**

The Board shall have the power to hear appeals from the determinations of the Code Enforcement Officer/Building Inspector in enforcing this Code, to grant Special Exceptions and Variances, and to make interpretations of the Zoning Map and Text, in accordance with the substantive and procedural standards hereinafter set forth.

**SECTION 17.03. PROCEEDINGS OF THE BOARD**

Meetings shall be held at the call of the Chairperson and at such other times as the Board may determine. The Chairperson, or in the absence of the Chair, the acting Chairperson, may administer oaths and compel attendance of witnesses. All meetings, deliberations, and voting of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be a public record. In all matters, the Board shall decide within 90 days after the filing of an application for relief. The quorum, notice, filing and substantive requirements of the Board shall be set forth in the following sections concerning the Board's exercise of a particular power.

**SECTION 17.04. NOTICE OF PUBLIC HEARINGS**

The Board of Adjustment shall give notice as required herein, and conduct a public hearing before acting on any appeal from a determination of the Code Enforcement Officer/Building Inspector or before granting any Special Exception or Variance.

- A.** Whenever notice of public hearing is required, the notice shall be given as follows:
  - 1. By publication in a newspaper of general circulation 15 full days prior to the date of the public hearing; and
  - 2. By mailing written notice by mail to all owners of property within a 300 foot radius of the exterior boundary of the subject property, ten (10) full days prior to the date of the public hearing.
  
- B.** The notice shall contain:
  - 1. The legal description of the property and the street address or approximate location of the property;
  - 2. The present zoning classification of the property and the nature of the relief sought; and
  - 3. The date, time and place of the hearing.

SECTION 17.04

- C. The applicant shall be responsible for mailing the certified written notice to all owners of the property within 300 foot radius of the exterior boundary of the subject property, and shall be responsible for the accuracy thereof. Any action taken by the Board of Adjustment on an application at a public hearing shall become null and void if the applicant fails to comply with the requirements set forth in this Section.

**SECTION 17.05. FEES**

An application for an appeal from the Code Enforcement Officer/Building Inspector, or any application for a Variance or Special Exception shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by resolution of City Council. Additionally, the applicant shall pay a fee to cover the costs of publishing notice.

**SECTION 17.06. APPEALS FROM AN ADMINISTRATIVE OFFICIAL**

**A. General**

An appeal to the Board of Adjustment may be taken by any person aggrieved or by the City, where it is alleged there is error in any order, requirement, decision or determination of the Code Enforcement Officer/Building Inspector in the enforcement of this Code.

**B. Notice of Appeal**

1. An appeal shall be taken within ten (10) days from the determination complained of by filing with the Code Enforcement Officer/Building Inspector and with the Secretary of the Board, a notice of appeal, specifying the grounds thereof.
2. The Code Enforcement Officer/Building Inspector, upon receipt of notice, shall transmit to the Secretary of the Board and City Clerk, certified copies of all the papers constituting the record of said matter.
3. Upon receipt of the record the Secretary shall cause an investigation to be made upon the appeal and shall set the matter for public hearing.

**C. Board of Adjustment Action**

1. The Board shall hold the public hearing and may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.
2. The Board shall make its decision within 30 days after the final hearing, and the decision shall be in writing and filed of record in the office of the City Clerk.
3. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Code Enforcement Officer/Building Inspector.

**D. Stay of Proceedings**

An appeal stays all proceedings in furtherance of the action appealed from, unless the Code Enforcement Officer/Building Inspector certifies to the Board of Adjustment, after the notice of appeal shall have been filed, that by reason of facts stated in the certificate, a stay would in the Code Enforcement Officer/Building Inspector's opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order granted by the Board or by a court of proper jurisdiction upon due and sufficient cause shown.

**SECTION 17.07. INTERPRETATION**

- A. The Board shall interpret the text of this Code or the Official Zoning Map upon an appeal from a determination of the Code Enforcement Officer/Building Inspector after compliance with the procedural standards of Section 17.06.
- B. Where a question arises as to the zoning district classification of a particular use, the Board of Adjustment, upon written request from the Code Enforcement Officer/Building Inspector, may find and determine the classification of the use in question and may, prior to such determination, order the giving of notice and hold a public hearing.

## **SECTION 17.08. VARIANCES**

### **A. General**

The Board of Adjustment upon application, and after notice (when notice is required) and public hearing, and subject to the procedural and substantive standards hereinafter set forth, may grant such Variance from the terms of this Code as will not cause substantial detriment to the public good or impair the spirit, purposes and intent of this Code, or the Comprehensive Plan, where by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation, condition, or circumstance peculiar to a particular property, the literal enforcement of the Code will result in unnecessary hardship. The Board shall not vary any jurisdictional requirement, such as notice, when it is required. The Board shall not permit by Variance a principal use not otherwise permitted in the applicable district, it being the expressed spirit and intent of this Code that a change of the permitted principal use shall be made by ordinance amendment of the Zoning Code or official Zoning Map. Further, the granting of Variances of principal uses, is not permitted by the City according to Oklahoma State Statutes.

### **B. Application**

A request for a Variance shall be initiated by the filing of an application with the Secretary of the Board and shall be set for public hearing by the Secretary in accordance with the rules established by the Board.

### **C. Board of Adjustment Action**

1. The Board shall hold the hearing and upon the concurring vote of three (3) members may grant a Variance after finding:
  - a. That by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardships;
  - b. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and
  - c. That the Variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.
2. The Board in granting a Variance shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

**D. Time Limitation on Variances**

A Variance which has not been utilized within two (2) years from date of the order granting the Variance shall thereafter be void. For the purpose of this provision, utilization shall mean actual use or the issuance of a Building Permit, when applicable, provided construction is diligently carried to completion.

**SECTION 17.09. SPECIAL EXCEPTIONS**

**A. General**

The Board of Adjustment upon application and after hearing subject to the procedural and substantive standards hereinafter set forth, may grant the following Special Exceptions:

1. Special Exception uses as designated and regulated within the permitted principal or accessory use provisions of the zoning districts;
2. Modification of height restrictions as provided within Section 2.10;
3. The change of a nonconforming use as provided in Section 15.03.F, Nonconformities;
4. The restoration of a partially destroyed structure, containing a nonconforming use as provided in Section 15.03.G, Nonconformities;
5. The restoration of a partially destroyed nonconforming structure as provided in Section 15.06, Nonconformities;
6. The modification of a screening requirement, as provided in Section 2.14.C;
7. The modification of the parking and loading requirements as provided in Section 15.08.C, Nonconformities;
8. The modification of permitted yard obstructions as provided in Section 2.12;

9. Permit residential accessory uses and structures on abutting residentially zoned lots which are under common ownership;
10. The modification of the requirements in Sections 13.11.E, 13.12.E, 13.13.E, 13.14.E, and 13.22.E;
11. Reduction of the number of required off-street parking spaces on a lot or may allow the required off-street parking on a lot other than the lot which contains the adult business as provided in Section 15.09;
12. Reduction of the 300 foot spacing requirement between a Dance Hall and a Residential District as provided in Section 15.10;
13. The modification of front yard requirements as provided in Section 5.04.A.7; and
14. Off-Street parking use of property located within a Residential District, when the property is abutting an Office, Commercial, or Industrial district.

**B. Application**

A request for a Special Exception shall be initiated by the filing of an application with the Secretary of the Board, and shall be set for public hearing by the Secretary in accordance with the rules established by the Board.

**C. Board of Adjustment Action**

1. The Board of Adjustment shall hold the hearing, and upon the concurring vote of three (3) members may grant the Special Exception after finding that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
2. The Board in granting a Special Exception shall prescribe appropriate conditions and safeguards, may limit the grant of the Special Exception to a specified period of time, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

**D. Time Limitation on Special Exceptions**

A Special Exception which has not been utilized within two (2) years from date of the order granting same shall thereafter be void, provided that the Board has not extended the time for utilization. For the purposes of this provision, utilization shall mean actual use or the issuance of a Building Permit, when applicable, provided construction is diligently carried to completion.

**SECTION 17.10. APPEALS TO THE DISTRICT COURT**

**A. Procedure**

1. An appeal from any action, decision, ruling, judgment, or order of the Board of Adjustment may be taken by any person or persons aggrieved, or by the City to the District Court by filing with the City Clerk and with the Secretary of the Board within ten (10) days from the date of such action, a copy of the Petition of Appeal as filed in District Court wherever the land is located, which shall specify the grounds of such appeal.
2. No bond shall be required for such appeal unless ordered by the District Court.
3. Upon filing a copy of the Petition of Appeal with the City Clerk, the City Clerk shall forthwith transmit to the Court Clerk of the County, the original or certified copies of all the papers constituting the record in the case, together with the order, decision or ruling of the Board.
4. Said case shall be heard and tried de novo in said District Court.
5. An appeal shall lie from the action of the District Court as in all other civil actions.
6. All issues in any proceedings under this Section shall have preference over all other civil actions and proceedings.

**B. Stay of Proceedings**

An appeal to the District Court stays all proceedings in furtherance of the action appealed from unless the Chairperson of the Board certifies to the Court Clerk, after a copy of the Petition of Appeal is filed with the City Clerk, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order granted by the District Court.

## CHAPTER 18

### CITY PLANNING COMMISSION

- 18.01. Membership**
- 18.02. Election**
- 18.03. Qualifications**
- 18.04. Terms**
- 18.05. Compensation**
- 18.06. Rules and Procedures**
- 18.07. Duties**
- 18.08. Removal from Commission Membership**

#### **18.01. MEMBERSHIP**

That the membership of the City Planning Commission of the City of Sand Springs shall be and the same is hereby set at seven (7) members. One member of the City Council of the City of Sand Springs shall be appointed to serve as one of the members of said Commission.

#### **18.02. ELECTION**

Each member of said Commission shall be nominated by a member of the City Council. Said nomination shall be seconded by a member of the City Council and said nominee's name shall then be put to a vote of the City Council. Said nominee must be appointed to membership in said Commission by a majority vote of the City Council.

#### **18.03. QUALIFICATIONS**

Each member of said Commission shall be a resident of the City of Sand Springs; a qualified and registered voter therein; a taxpayer; and a person of good character. At no time shall more than two (2) residents of any ward serve upon said Commission as a member thereof, except as to the City Council-person member who serves at large.

#### **18.04. TERMS**

- A.** On the first appointment of full membership, the members shall be appointed to serve terms as follows:
  - 1. Members appointed to post five (5) and six (6) shall be appointed for a term of one (1) year; and
  - 2. Members appointed to post three (3) and four (4) shall be appointed for a term of two (2) years; and

3. Members appointed to posts one (1) and two (2) shall be appointed for a term of three (3) years.
  4. Members appointed to all posts thereafter, shall be appointed for terms of three (3) years.
- B.** Each member appointed shall serve until his or her qualified successor is appointed. In the event of a member vacating or being removed from said appointment, the City Council shall appoint a replacement in the same manner as other members are appointed and said replacement member shall serve only the unexpired term of the member being replaced.

### **18.05. COMPENSATION**

All members shall serve without pay. No member of said Commission shall receive any item, money or thing of material value for his or her services as a member of said Commission.

### **18.06. RULES AND PROCEDURES**

The members of said City Council shall adopt the rules and regulations under and by which said Commission shall function. The Commission shall determine and elect its officers and prescribe such officer's duties. Further, said Commission shall determine all orders of business before said Commission and shall set and determine dates and places of such meetings, both regular and special, as they may deem necessary.

### **18.07. DUTIES**

The City Planning Commission of the City of Sand Springs shall be responsible for the administration of the Planning and Zoning Ordinances of the City of Sand Springs and shall have all powers and functions as provided in the Oklahoma Statutes, relating to City Planning Commissions.

### **18.08. REMOVAL FROM COMMISSION MEMBERSHIP**

Any Commission member, upon written charges and after public hearing, may be removed by the City Council for any one of the following causes:

- A.** Failure to attend three (3) consecutive regular or special meetings, or failure to attend two-thirds (2/3) of the regular or special meetings held during any six (6) month period; or
- B.** Actions and conduct unbecoming to a public official of the City of Sand Springs; or
- C.** Repeated acts and conduct detrimental to the peace, health, safety and welfare of the City of Sand Springs.

## **CHAPTER 19**

### **AIRPORT ZONING BOARD**

- 19.00. Purpose and Necessity**
- 19.01. Intent**
- 19.02. Future Tracts Coming within the Runway Protection Zones**
- 19.03. Membership**
- 19.04. Compensation**
- 19.05. Procedures**
- 19.06. Powers**
- 19.07. Public Hearings Required**
- 19.08. Fees**
- 19.09. Applications**
- 19.10. Enforcement**
- 19.11. Airport Zoning Board Policy**
- 19.12. Airport Zoning Board Members**

#### **19.00. PURPOSE AND NECESSITY**

The purpose of the Airport Zoning Board Chapter shall be to assure the orderly and beneficial development of the area surrounding the City of Sand Springs, Oklahoma Sand Springs-Pogue Airport; to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage, schools, parks and other public requirements; and to conserve the value of buildings and to encourage the most appropriate use of land throughout said area.

#### **19.01. INTENT**

The Airport Zoning Board shall assure the orderly and beneficial development of the area surrounding the City of Sand Springs, Oklahoma Sand Springs-Pogue Airport. These provisions govern the location, use, size and design of public buildings, statues, memorials, parks, parkways, boulevards, playgrounds, public grounds or bridges and other public structures and improvements, and the area and open spaces about buildings or structures; and the approval or rejection of all plans, plats, or replats of land laid out in lots or plats and the streets, alleys and/or other portions of lands located within the Runway Protection Zones as described in the Sand Springs Airport Master Plan (Master Plan).

**19.02. FUTURE TRACTS COMING WITHIN THE RUNWAY PROTECTION ZONES**

Whenever any lot, parcel or tract of land comes within the Runway Protection Zones, as described in the Master Plan as adopted and as amended, said areas or tracts shall become subject to all of the provisions of this Chapter and Code.

**19.03. AIRPORT ZONING BOARD MEMBERS**

- A. That the Mayor and Council of the City of Sand Springs, Oklahoma, acting in their official capacity for such City, a political subdivision, under the terms and provisions of Oklahoma Statutes relating to aircraft and airports, deem it necessary in the interest of public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented and that the airport hazard area appertaining to the Sand Springs Pogue Municipal Airport located in Creek, Osage and Tulsa Counties, State of Oklahoma, should be zoned.
- B. In accordance with the terms and conditions of said Statutes of the state, the Mayor and Council are empowered and directed to appoint two (2) persons to act jointly with other persons as provided by the statutes, as a board to be known as the Joint Airport Zoning Board of the Sand Springs Municipal Airport in Creek, Osage and Tulsa Counties. These persons shall, before entering upon the duties of their office, take and subscribe to the constitutional and statutory oaths of office provided for in the constitution and statutes of the state, after which they shall have all of the powers and duties provided by the "Airport Zoning Act" of the state. See Ordinance No. A-2, Airport Zoning Board.

**19.04. COMPENSATION**

All members shall serve without pay and shall not receive any item, money or thing of value for his or her services as a member of said Board.

**19.05. PROCEDURES**

- A. The members of said Airport Zoning Board shall create the rules and regulations under and by which said Board shall function and shall determine and elect its officers, prescribe such officer's duties, and hire employees as authorized by Oklahoma Statutes.
- B. Further, said Board shall determine all orders of business before it and shall set and determine dates and places of such meetings, both regular and special, as they may deem necessary.

### **19.06. POWERS**

- A.** The Airport Zoning Board shall be responsible for the development and betterment of such area as described herein and to that end make or cause to be made surveys, maps and plans related to the protection of the Runway Protection Zones of the Sand Springs-Pogue Airport based on said Master Plan.
- B.** Before final action shall be taken by any municipal or county government or department thereof on the location and design of any public building, statute, memorial, park, parkway, boulevard, playground, public grounds or bridge, within such area, the location and design of the aforesaid shall be investigated and reported upon by said Airport Zoning Board.

### **19.07. PUBLIC HEARINGS REQUIRED**

- A.** The City Council of the City of Sand Springs, Oklahoma, may by ordinance amend, change or repeal this Chapter or any part thereof; provided however, that before the Council shall amend, change or repeal this Chapter or any part thereof, it shall request the Airport Zoning Board to submit its recommendation on such proposed amendment, change or repeal. Such recommendation shall be made after not less than one public hearing thereon, which hearing may be adjourned from time to time. After considering the Board's recommendation at a public hearing, for which public notice shall be given, the Council may approve the recommendation in whole or in part, or return the recommendation to the Board for further consideration.
- B.** The Board may, upon its own initiative, hold at least one public hearing on any proposed amendment, change or repeal of this Chapter or any part thereof and any recommendations therefore shall be by resolution transmitted to the Council. The City Council shall consider and act upon such recommendation in the same manner as herein set forth for recommendations requested by the Council.
- C.** Notices of public hearing as herein required shall consist of one publication of notice in a newspaper of general circulation in the City of Sand Springs, Oklahoma, not less than 15 days, but not more than 30 days prior to such public hearing. The notice as herein referred shall state in terms certain, the nature of the proposed amendment, change or repeal of this Chapter or any part thereof and the time and place of the public hearing.

### **19.08. FEES**

Upon the filing of an Application for action by said Airport Zoning Board, the property owner or a duly authorized representative shall pay a fee in accordance with the schedule of fees as adopted by resolution of the City of Sand Springs.

### **19.09. APPLICATIONS**

Every application for action by the Airport Zoning Board shall be accompanied by a plat showing the shape and dimensions of the lot to be built upon, the exact size and location of the lot of existing buildings and structures, and the lines within which the proposed building or structure shall be erected or altered, the shape, size and location of all streets, alleys or other public or private dedications, the proposed location and type of water supply and sewage disposal facilities, and such other information with regard to the lot and neighboring lots and their use as may be necessary to determine if such plat indicates a betterment and beneficial development of the area platted, including the location and design of public buildings and structures.

### **19.10. ENFORCEMENT**

The provisions and requirements of this Chapter shall be enforced by the Code Enforcement Officer/Building Inspector of the City of Sand Springs, Oklahoma who is hereby empowered to cause any building, structure, or lot, parcel or tract of land to be inspected and examined and to order in writing the remedying of any condition found to exist therein, or thereon, in violation of any provision of this Chapter or requirement or regulation of the Airport Zoning Board. After such order has been delivered to the violator or posted on the premises where such violation exists, no work or use shall proceed on or in any building, other structure, or any lot, parcel or tract of land covered by such order, except to correct such violation or to comply with an order of the City of Sand Springs.

### **19.11. AIRPORT ZONING BOARD POLICY**

That the Mayor and Council of the City of Sand Springs, Oklahoma, acting in their official capacity for such City, a political subdivision, under the terms and provisions of Oklahoma Statutes relating to aircraft and airports, deem it necessary in the interest of public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented and that the airport hazard area appertaining to the Sand Springs-Pogue Municipal Airport located in Creek, Osage and Tulsa Counties, State of Oklahoma, should be zoned.

## CHAPTER 20

### AMENDMENTS: CHAPTERS 1-19

- 20.00. General**
- 20.01. Policy on Zoning Map Amendments**
- 20.02. Zoning Text Amendments**
- 20.03. Zoning Map Amendments**

#### **SECTION 20.00. GENERAL**

The regulations, restrictions, prohibitions and limitations imposed, and the districts created may from time to time be amended, supplemented, changed, modified or repealed by ordinance, but no change shall be made until the Planning Commission, after notice and public hearing, files with the City Council a report and recommendation on the proposed change. In addition to the procedural provisions hereinafter set out, the Planning Commission shall adopt procedural rules for the conduct of zoning public hearings.

#### **SECTION 20.01. POLICY ON ZONING MAP AMENDMENTS**

It is the policy of the City of Sand Springs that in the consideration of proposed amendments to this Code that:

Amendments will be adopted to recognize changes in the Comprehensive Plan, to correct error, or to recognize changed or changing conditions in a particular area or in the jurisdictional area generally.

#### **SECTION 20.02. ZONING TEXT AMENDMENTS**

The Planning Commission upon its own motion, may, or at the direction of the City Council, shall hold a public hearing, giving notice thereof, of a proposed text amendment. After holding the public hearing, the Planning Commission shall within 30 days transmit its report and recommendation to the City Council.

**SECTION 20.03. ZONING MAP AMENDMENTS**

**A. Initiated by Application**

1. Any person, corporation, partnership, association, or combination thereof, having a legal or equitable interest in or to real property may file an application for a change in the zoning classification of such property by amendment of the Zoning Map. An application shall be filed with the Planning Commission and shall be in such form and content as the Planning Commission may establish. The applicant shall pay an application fee in accordance with the fee schedule established by the Planning Commission and approved by resolution of the City Council. Additionally, the applicant shall pay a fee to cover the costs of publishing notice and posting of signs.
2. An application shall be filed with the Planning Commission at least 30 days prior to the date of public hearing and shall be set for public hearing, provided the Planning Commission upon written request may set the matter for an early public hearing for cause shown.

**B. Initiated by the Planning Commission**

In any instance, the Planning Commission, upon its own motion may, or on the written request of any person may, or at the direction of the City Council shall, hold a public hearing, giving notice thereof, of a proposed map amendment. After holding the public hearing, the Planning Commission shall within 15 days transmit its report and recommendation to the City Council.

**C. Notice Required**

1. The Planning Commission shall give notice of public hearing on any proposed zoning changes as follows:
  - a. At least 20 days notice of the date, time, and place of the hearing by publication in a newspaper of general circulation in the City of Sand Springs. Said notice shall include a map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area; and
  - b. By posting of the affected property at least 20 days before the date of the hearing. The notice shall state:
    - (1) The date, time, and place of public hearing; and

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- (2) Legal description of the property and the street address or appropriate location of the property; and
  - (3) Who will conduct the public hearing; and
  - (4) The present and desired zoning classifications; and
  - (5) The proposed use of the property; and
  - (6) Other information as may be necessary to provide adequate and timely public notice.
- c. Twenty (20) days notice shall be given prior to the date of the public hearing by mailing written notice to all owners of real property included in the proposed change and all owners of real property as listed on the current tax rolls within a 300 foot radius or such other notice of the exterior boundary of the property included in the proposed change. All written notice shall contain:
- (1) The legal description of the property and the street address or approximate location in the City of Sand Springs; and
  - (2) The present zoning of the property and the zoning sought by the applicant; and
  - (3) The date, time and place of the public hearing.
- d. Provided that, if the City of Sand Springs proposes zoning reclassifications in order to revise its Comprehensive Plan or Official Map or to identify areas which require specific land use development due to topography, geography or other distinguishing features, including but not limited to floodplain, drainage and blighted areas, mailing of notice as above provided shall not be required and notice shall be given at least 20 days before the date of the hearing by publication as above provided and by posting on designated properties within the area affected by the proposed zoning reclassification or as otherwise provided by Oklahoma State Statutes. The sign, if posted, and the lettering thereon shall be of sufficient size so as to be clearly visible and legible from the public street or streets toward which it faces and shall state:
- (1) The date, time and place of the public hearing; and
  - (2) Who will conduct the public hearing; and
  - (3) The present and desired zoning classification; and

- (4) Other information as may be necessary to provide adequate and timely public notice.
2. Notice of rezoning shall confer jurisdiction:
  - a. Notice of the proposed RM-2 rezoning shall confer jurisdiction on the Planning Commission and City Council to consider and act upon RM-2, RM-1, RM-O, RT, RD, RS-4, RS-3, RS-2, RS-1 and RE or combination thereof in the disposition of the application, and in like manner, notice of any R district shall confer jurisdiction to consider any less dense R district, except RMH.
  - b. Notice of a proposed CH rezoning shall confer jurisdiction on the Planning Commission and City Council to consider and act upon CH, CG, CS, OH, OM, OL and PK, or combination thereof in the disposition of the application, and in like manner, notice of any C District shall confer jurisdiction to consider any less intense C District, any O District or PK District and notice of any O District shall confer jurisdiction to consider any less intense O District or PK District.
  - c. Notice of a proposed CBD rezoning shall confer jurisdiction on the Planning Commission and City Council to consider and act upon CBD, OH, OM, OL and PK, or combination thereof in the disposition of the application.
  - d. Notice of a proposed IH rezoning shall confer jurisdiction on the Planning Commission and City Council to consider and act upon IH, IM, IL, and combinations thereof in the disposition of the application, and in like manner, notice of any I District shall confer jurisdiction to consider any less intense I District.
  - e. Specific notice of a proposed AG, PUD, SUP, HP, RMH, PK or SR District shall be required to confer jurisdiction on the Planning Commission and City Council to consider such AG, PUD, SUP, HP, RMH, PK or SR District.
3. The applicant shall be responsible for the cost of mailing the certified written notice to all owners of the property within a 300 foot or such other radius of the exterior boundary of the subject property, and shall be responsible for the accuracy thereof.

**D. Planning Commission Action on Zoning Map Amendments**

After notice and public hearing, the Planning Commission shall vote to:

1. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification, or recommended to the City Council that the application be denied.
2. An application recommended for approval, or approval subject to modification shall be transmitted, with the report and recommendation of the Planning Commission, to the City Council within 15 days from the date of Planning Commission action.
3. An application recommended for denial, shall not be considered further unless the applicant within 15 days from the date of the Planning Commission action, files a written request with the City Clerk for a hearing by the City Council. The request for hearing shall be accompanied by the payment of a fee in accordance with the adopted fee schedule. Upon notice of such request, the Planning Commission shall forthwith transmit the application and its report and recommendations to the City Council.
4. In the event the Planning Commission arrives at a tie vote, the application shall be transmitted with a report and notation of the tie vote to the City Council within 15 days from the date of Planning Commission action.

**E. City Council Action on Zoning Map Amendments**

1. The City Council shall hold a hearing on each application regularly transmitted and on each application transmitted pursuant to a written request for further hearing, and shall approve the application as submitted, or as amended, or approve the application subject to modification, or deny the application. Provided, however, in case of a proposed amendment change or repeal of the Code or any part thereof that was not previously recommended for approval by the Planning Commission, or if written public protest against such proposed amendment, change, or repeal shall have been filed in the office of the City Clerk, three (3) full days prior to the time of the public hearing by the owners of 20 percent or more of the area of the lots included in such proposed change or repeal, or by the owners of 50 percent or more of the area of the lots immediately abutting any side of the territory included in a proposed change or repeal, or separated therefrom only by an alley or street less than 300 feet wide, such amendment or repeal shall not become effective except by the favorable vote of three-fifths (3/5) of all members of the City Council.

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2. Prior to the adoption and publication of a rezoning ordinance, the applicant shall remit to the office of the City Clerk the payment necessary to cover the cost of the ordinance publication. The City Clerk shall not cause the ordinance to be published prior to such payment.

## CHAPTER 21

### BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY

- 21.01. Building Permit Required**
- 21.02. Administration and Enforcement**
- 21.03. Certificate of Occupancy Required**
- 21.04. Penalties**

#### **21.01. BUILDING PERMIT REQUIRED**

It shall be unlawful to construct, enlarge, substantially alter, move or demolish a building or structure or other appurtenances or to cause any such work to be done without first making application to the Building Inspector and obtaining the required permit therefore.

Every application for a Building Permit or Certificate of Occupancy shall be accompanied by:

- A.** A plat drawn to scale showing the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of existing buildings and structures, and the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the number of families or housekeeping units the building is designed to accommodate, the proposed location and type of water supply and sewage disposal facilities, and such other information with regard the lot and neighboring lots and their use as may be necessary to determine and provide for the enforcement of these regulations;
- B.** A certificate of approval from the Health Officer of the City of Sand Springs, Oklahoma of the proposed methods of water supply and disposal of sanitary waste; and
- C.** Fees shall be charged in accordance with the fee schedule as adopted by the City Council.

#### **21.02. ADMINISTRATION AND ENFORCEMENT**

The provisions of this Title shall be administered and enforced by the Code Enforcement Officer/Building Inspector of the City of Sand Springs who is hereby empowered to cause any building, structure, or lot, parcel or tract of land to be inspected and examined and to order in writing the remedy of any condition found to exist therein, or thereon, in violation of any provision of this Title. After such order has been delivered to the violator or posted on the premises where such violation exists, no work or use shall proceed on or in any building, other structure, or on any lot, parcel or tract of land covered by such order, except to correct any such violation or to comply with an order of Code Enforcement Officer/Building Inspector.

**21.03. CERTIFICATE OF OCCUPANCY REQUIRED**

No new building shall be occupied and no change in the use of a building or part of a building or lot, parcel or tract of land shall be made until after the Code Enforcement Officer/Building Inspector shall have issued a Certificate of Occupancy therefor.

Such Certificate of Occupancy shall be issued by the Code Enforcement Officer/Building Inspector only after satisfactory evidence of the applicant's compliance with the provisions of this Title.

**21.04. PENALTIES**

Any person, firm, or corporation violating any provision of this Title, shall be deemed guilty of an offense, and upon conviction thereof, shall be fined not more than \$200.00 for each offense, and each day's violation hereof shall be deemed a separate offense. The owner or owners of any buildings or premises or part thereof, where anything in violation of this Title shall be placed or shall exist, and any architect, builder, contractor, agent, person, firm, or corporation employed in connection therewith, and who may have participated or aided in such violation shall be guilty of a separate offense and upon conviction thereof, shall be fined not more than \$200.00 for each offense and each day's violation thereof shall be deemed a separate offense.

**CHAPTER 22**  
**HOUSING CODE**

**This Chapter refers to Title 15, Chapter 15.24. Housing Code of Sand Springs.**

## CHAPTER 23

### FLOODWAY SUPPLEMENTAL DISTRICT

- 23.01. Findings
- 23.02. Purposes
- 23.03. Methods
- 23.04. Definitions
- 23.05. Lands Involved
- 23.06. Establishing the Areas of Special Flood Hazard
- 23.07. Floodplain Development Permit
- 23.08. Compliance
- 23.09. Abrogation and Greater Restrictions
- 23.10. Severability
- 23.11. Interpretation
- 23.12. Warning and Disclaimer of Liability
- 23.13. Local Administrator
- 23.14. Permit Procedures
- 23.15. Variance and Appeal Procedures
- 23.16. Flood Hazard Reduction
- 23.17. Penalties

#### SECTION 23.01. FINDINGS

- (1) The flood hazard areas of the City of Sand Springs are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed, or otherwise protected from flood damage.
- (3) **For additional and current regulations pertaining to this subject refer to Ordinance No. 828, adopted May 17, 1993, as amended.**

**SECTION 23.02. PURPOSES**

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and,
- (7) Insure the potential buyers are notified that property is in a flood area.

**SECTION 23.03. METHODS**

In order to accomplish its purposes, this Chapter uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety, or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (4) Control filling, grading, dredging and other development which may increase flood damage; and
- (5) Prevent or regulate the construction of flood barriers which will increase flood hazards to other lands.

## SECTION 23.04. DEFINITIONS

Unless specifically defined below, words or phrases used in this Chapter shall be interpreted to give them the meaning they have in common usage and to give this Chapter its most reasonable application.

**Appeal** - A request for a review of the Public Works Department's interpretation of any provision of this Chapter.

**Area of Shallow Flooding** - A designated AO zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet. This condition occurs where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

**Area of Special Flood Hazard** - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

**Base Flood** - The flood having a one percent chance of being equaled or exceeded in any given year.

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

**Existing Manufactured Home Park or Manufactured Home Subdivision** - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this Chapter.

**Expansion of an Existing Manufactured Home Park or Manufactured Home Subdivision** - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

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

- (1) The overflow of inland waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

**Floodplain or Flood Prone Areas** - An area of special flood hazard as designated on the FIRM for the City of Sand Springs.

**Flood Insurance Rate Map (FIRM)** - An official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Flood Insurance Study** - The official report provided by the Federal Insurance Administration. The report contains flood profiles, the water surface elevation of the base flood, as well as the FIRM.

**Floodway** - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**Habitable Floor** - Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a habitable floor.

**Mean Sea Level** – For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on community's FIRM are referenced.

**New Manufactured Home Park or Manufactured Home Subdivision** - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this Chapter.

**Riverine** – On or near the banks of a river, or produced by a river or rivers.

**Start of Construction** - The first placement of permanent construction of a structure (other than a manufactured home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory building, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a manufactured home) without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any

part thereof on its piling or foundation. For manufactured homes not within a manufactured home park or manufactured home subdivision, start of construction means the affixing of the manufactured home to its permanent site. For manufactured homes within a manufactured home park or manufactured home subdivision, start of construction is the date on which the construction of facilities for servicing the site on which the manufactured home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

**Structure** - A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

**Substantial Damage** – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the assessed value by the County Assessor's office.

**Substantial Improvement** - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) Before the improvement or repair is started, or
- (2) If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**Variance** - A grant of relief to a person from the requirements of this Chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Chapter.

**SECTION 23.05. LANDS INVOLVED**

This Chapter shall apply to all areas of special flood hazard within the jurisdiction of the City of Sand Springs.

**SECTION 23.06. ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard identified by the Federal Insurance Administration on its Flood Insurance Rate Map (FIRM), Community No. 400211, dated July 26, 1974, and any revisions thereto are hereby adopted by reference and declared to be a part of this Chapter.

**SECTION 23.07. FLOODPLAIN DEVELOPMENT PERMIT**

A floodplain development permit shall be obtained by any persons, firm or corporation prior to development in any floodplain area.

**SECTION 23.08. COMPLIANCE**

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Chapter and other applicable regulations.

**SECTION 23.09. ABROGATION AND GREATER RESTRICTIONS**

This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION 23.10. SEVERABILITY**

In case any portion of this Chapter shall be invalid or unconstitutional, as declared by a court of competent jurisdiction, the remainder of this Chapter shall not thereby be invalid, but shall remain in full force and effect.

### **SECTION 23.11. INTERPRETATION**

In the interpretation and application of this Chapter, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

### **SECTION 23.12. WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Chapter does not imply that the land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the City of Sand Springs or any officer or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

### **SECTION 23.13. LOCAL ADMINISTRATOR**

- (1) The Public Works Department is hereby appointed to administer and implement the provisions of this Chapter.
- (2) The duties and responsibilities of the Public Works Department shall include, but not be limited to, the following:
  - (a) Maintain and hold open for public inspection all records pertaining to the provisions of this Chapter.
  - (b) Review, approve or deny all applications for development permits required by Section 23.07 of this Chapter.
  - (c) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

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- (d) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Public Works Department shall make the necessary interpretation;
- (e) Notify adjacent communities and the Oklahoma Water Resources Board prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;
- (f) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished; and
- (g) When current base flood elevation data has not been provided by the Federal Insurance Administration, the Public Works Department shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state, or other qualified source, in order to administer the provisions of Section 23.16.

## SECTION 23.14. PERMIT PROCEDURES

- (1) Application for a development permit shall be presented to the Public Works Department on forms furnished by the department and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions and elevation of proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
  - (a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all proposed structures;
  - (b) Elevation in relation to mean sea level to which any non residential structure shall be floodproofed;
  - (c) A certificate from a registered professional engineer or architect that the non-residential floodproofed structure shall meet the flood-proofing criteria of section 23.16, subsection (2) (b).
  - (d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

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- (2) Approval or denial of a development permit by the Public Works Department shall be based on all of the provisions of this Chapter and the following guidelines:
- (a) The danger to life and property due to flooding or erosion damage;
  - (b) The susceptibility of the proposed facility and its contents to flooding damage and the effect of such damage on the individual owner;
  - (c) The danger that materials may be swept onto other lands to the injury of others;
  - (d) The potential aggravation of flooding related to existing and anticipated development posed by the proposed use;
  - (e) The safety of access to the property in times of flood for ordinary and emergency vehicles.
  - (f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electric, and water system.
  - (g) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
  - (h) The necessity to the facility of a waterfront location, where applicable;
  - (i) The relationship of the proposed use to the Comprehensive Plan for the City of Sand Springs.

**SECTION 23.15. VARIANCE AND APPEAL PROCEDURES**

- (1) The City Council (Council) shall hear and render judgment on requests for variances from the requirements of this Chapter.
- (2) The Council shall hear and render judgment on an appeal only when it is alleged there is an error in any requirements, decision, or determination made by the Public Works Department in the enforcement or administration of this Chapter.

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- (3) Any person or persons aggrieved by the decision of the Council may appeal such decision in the courts of competent jurisdiction.
- (4) The Public Works Department shall maintain a record of all actions involving an appeal and shall report variances to the Federal Insurance Administration upon request.
- (5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
- (6) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section 23.14, Subsection (2) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (7) Upon consideration of the factors noted above and the intent of this Chapter, the Council may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Chapter (Section 23.02).
- (8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. Prerequisites for granting variances:
  - (a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (b) Variance shall only be issued upon:
    - [i] A showing of good and sufficient cause,
    - [ii] A determination that failure to grant the variance would result in exceptional hardship to the applicant, and
    - [iii] A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

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- (c) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation no more than 2 feet below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (9) An appeal shall be taken within ten days from the determination complained of by filing with the Public Works Department a notice of appeal, specifying the grounds thereof.
- (10) A request for a variance shall be initiated by the filing of an application with the Public Works Department.
- (11) The Council shall give ten full days public notice by publication in a newspaper of general circulation and conduct a public hearing before acting on an appeal from the determination of the Public Works Department or before granting a variance from the requirements of this Chapter. The public notice shall contain the legal description and street address or approximate location of the property in question. The notice shall also contain the date, time, and place of the hearing and the relief or variance requested. The party seeking relief or variances shall be responsible for the accuracy of the information contained in the legal notice and for the cost of publication of the legal notice.

**SECTION 23.16. FLOOD HAZARD REDUCTION**

- (1) General Standards. In all areas of special flood hazards the following provisions are required:
  - (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
  - (b) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
  - (c) All new construction or substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
  - (d) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
  - (e) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters; and

- (f) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (2) Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth by:
- (a) The Federal Insurance Administration;
  - (b) A federal, state, city, or other source that has been reviewed and approved by the Public Works Department; and
  - (c) As set forth in Section 23.16, Subsection (3) (c) the following provisions in addition to those under Section 23.16 (1) are required:
    - (i) Residential Construction - New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the building inspector that the standard of this subsection is satisfied.
    - (ii) Non-residential Construction - New construction or substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall submit a certification to the Public Works Department that the standards of this subsection are satisfied.
    - (iii) Manufactured Homes:
      - [1] No manufactured home shall be placed in a floodway, except in an existing manufactured home park or existing manufactured home subdivision.
      - [2] All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement. Specific requirements shall be:

- [a] Over-the-top ties at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations and manufactured homes less than 50 feet long requiring one additional tie per side;
- [b] Frame ties at each corner of the home with five additional ties per side at intermediate points and manufactured homes less than 50 feet long requiring four additional ties per side;
- [c] All components of the anchoring system be capable of carrying a force of 4,800 pounds;
- [d] Any additions to the manufactured home be similarly anchored.

(3) Standards for Subdivision Proposals

- (a) All subdivision proposals shall be consistent with Section 23.02 and Section 23.03 of this Chapter.
- (b) All proposals for the development of subdivisions shall meet development permit requirements of Section 23.14, and the provisions of Section 23.16 of this Chapter.
- (c) Base flood elevation data shall be generated for subdivision proposals and other proposed development which is greater than the lesser of 50 lots or 5 acres, if not otherwise provided pursuant to Section 23.06 or Section 23.14(2) (g) of this Chapter.
- (d) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

**SECTION 23.17. PENALTIES**

- (1) Fine Imposed: Any person, firm, corporation or other legal entity violating the requirements of this Chapter, or any conditions made pursuant thereto, shall be utility of an offense and, upon conviction thereof, shall be fined not more than \$35.00 and each day's violation thereof shall constitute a separate offense.
- (2) Fine Not Exclusive Remedy: In addition to fine, the City may institute appropriate actions or proceedings at law or equity for the enforcement of the provisions of this Chapter or to correct the violations thereof. The conviction and punishment of any person hereunder shall not relieve such person, from the responsibility to correct prohibited conditions or to remove prohibited buildings, structures, obstructions or improvements, nor prevent the enforcement, correction, or removal thereof.

**CHAPTER 24**  
**SUBDIVISION REGULATIONS**

The Sand Springs Subdivision Regulations are now contained in a separate document.

See Ordinance Number 837, adopted November 8, 1993, by the Sand Springs City Council and as amended.

## Chapter 25

### SPECIFIC USE PERMITS

- 25.01. Purposes
- 25.02. Conditions for Approval
- 25.03. Specific Use Permit List
- 25.04. Use Conditions
- 25.05. Administration

#### SECTION 25.01 PURPOSES

- A. The City Council may, after a public hearing and recommendation by the Planning Commission, authorize for specific parcels of land, the issuance of a Specific Use Permit.
- B. The uses listed in the Specific Use list are so clarified because of the size of the land they require or the specialized nature of the use, or they may more intensely dominate the area in which they are located or their effects on the general public are broader in scope than other types of uses permitted in the district.
- C. The designation of a Specific Use Permit as possible on the Specific Use Permit List does not constitute an authorization or an assurance that such use will be permitted. Rather, each Specific Use Permit application shall be valued as to its probable effect on the adjacent property and community welfare and may be approved or denied as the findings indicate appropriate.

#### SECTION 25.02 CONDITIONS FOR APPROVAL

- A. Plans and Data to be Submitted

Prior to submission of a request for a Specific Use Permit, the City Planner may require one or more pre-application conferences with the potential applicant. In considering and determining its recommendation to the City Council relative to any application for a Specific Use Permit, the Planning Commission will establish the requirements necessary for consideration of the application. The Commission shall also set a deposit amount from the applicant sufficient for payment of the application and permit expenses. The requirements and amount of deposit may be adjusted by the Planning Commission as necessary during the application process. The Planning Commission may require that the applicant furnish preliminary site plans and data concerning the operation, location, function and characteristics of any use of land or building proposed. For uses in which the land use has possible environmental impact, the Commission may require those engineering and/or environmental impact studies necessary for

evaluation of the proposed use. Further, the Commission may require such other information as necessary to evaluate the proposed specific use.

**B. Planning Commission Requirements**

**The Planning Commission may, in the interest of the public welfare and to assure compliance with the intent of this ordinance and the Sand Springs Comprehensive Plan, require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole and be compatible with the natural environment and the planned capacities of public services and facilities affected by the land use. This may include the requirement of having the property platted and/or the requirement of the dedication of sufficient right-of-way or easement as necessary to further the public good. The Commission may impose conditions including, but not limited to, bonding, insurance, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, lighting, noise levels, signage, landscaping, parking and loading, compatibility, and land use intensity/density as may be indicated depending upon the proposed use and its potential effect on adjacent areas or the community.**

The Planning Commission may recommend to the City Council that certain safeguards and conditions concerning bonding, insurance, setbacks, ingress and egress, off-street parking and loading arrangements and location or construction of buildings and uses and operation be required. If the Planning Commission fails to review and make a recommendation within 90 days from the date the application is accepted for processing, the City Council can take action on the application.

**C. City Council Requirements**

**The City Council shall have the same authority as the Planning Commission under subsection B, and in addition may make additional requirements for review and conditions that in its discretion are in the interest of the public welfare and to assure compliance with the intent of this ordinance and the Sand Springs Comprehensive Plan.**

**D. Detail Plans**

A Detail Plan (per Section 12.07.C of the Sand Springs Zoning Code) setting forth the conditions specified may be required of the applicant and such plan when accepted shall be made a part of the permit issued for the specific use.

**E. Designation of Zoning Map**

A Specific Use Permit approved under the provisions of this Zoning Code shall not be considered as an amendment to the zoning ordinance; however, the Specific Use Permit shall be noted on the zoning map as follows: SUP – (the number of the request for a Specific Use Permit). Any of the conditions contained in a Specific Use Permit approval shall be considered as conditions precedent to the granting of a Building Permit for the specific use provided for.

**F. Time Limits for Implementation**

If for any reason the approved specific use ceases operation for a period of two years, then the approval of said specific use shall be considered void and will require another public hearing review by the Planning Commission and City Council. This shall also apply to any approved specific use that does not begin operation within two years of approval. This voiding of approval shall not apply if orderly progress toward completion of construction is taking place. Uses existing before the adoption of the Specific Use Permit ordinance, including non-conforming uses and their incidental and accessory uses, must receive a Specific Use Permit before any expansion of the use is permitted.

**SECTION 25.03 SPECIFIC USE PERMIT LIST\***

The following uses may be allowed by Specific Use Permit as granted by the City Council:

- Adult Detention Center/Correctional Facility (2)
- Adult Novelty Shop (12.a)
- Antenna and Antenna Supporting Structure (4)
- Airport (2)
- Apartments (9 units or more) (8)**
- Auto Pool (28)
- Bar/Tavern (12.a)
- Billiard Parlor/Pool Hall (12.a)
- Casinos, Other Gambling Establishments (12a)
- Cemetery (2)
- Cement, Portland Manufacture (24)
- Churches (5)
- College or University Hospital
- Commercial Resort Facilities when located on a 40-acre or larger tract
- Commercial Recreation, Intensive (20)
- Commercial Theme Parks
- Convalescent Homes (5)
- Convict Pre-release Center (2)
- Correctional Community Treatment Center (2)
- Crematory (2)
- Detention Center Juvenile-Adult (2)
- Electric Generation Plant and/or Sub-Station (2)

Electric Regulating Station, Excluding Storage or Service Yards or Service  
Garages and Yards (4)  
Emergency Protective Shelter (5)  
**Entertainment Establishments (12.a)**  
Extraction Operations, Mining and Mineral Processing (24)  
Garbage Dump (27)  
Garbage, Offal, or Dead Animal Reduction or Dumping (27)  
Gravel Operations (24)  
Golf Course (5)  
Golf Driving Range (20)  
Gun Club (2)  
Halfway House (5)  
Heliport (2)  
Homeless Center (5)  
Industrial Uses – Use Units 25, 26, and 27 when located on a 40-acre  
or larger tract (25, 26, 27)  
Jail (2)  
Junk or Salvage Yards (28)  
Juvenile Delinquency Center (2)  
Kennel (15)  
Mini-Storage (16)  
Mining and Quarrying, Mineral Products Processing, as defined in  
the Zoning Code Use 24 (24)  
Museum (5)  
Night Club (12.a)  
Nursing Homes (5)  
Offices – Use Unit 11 when located on a 40-acre or larger tract (11)  
Prisons (2)  
Private Club (12.a)  
Public or Private Attractions  
Public or Private Schools with a compulsory education curriculum (5)  
Refuse Dump, 27  
Refuse Transfer Station (27)  
Recycling Center  
Residential Treatment Center (5)  
Rifle and Skeet Range (2)  
Sand Operations (24)  
Sanitary Landfill (2)  
Sewage Disposal Facility (2)  
Sexually Oriented Business (12.a)  
Tavern (12.a)  
Trade Schools (15)  
Trash or Refuse Transfer Station, All Processing and Storage within Building  
or Containers (27)  
Transitional Living Center (5)  
Transmitting Tower (excluding amateur radio tower)

Water Storage Facility (4)  
Water Treatment Facility (2)

\* The numbers in parentheses refer to a Use Unit classification shown in Chapter 13, where applicable. Refer to the Use Unit sections for suggested minimum requirements for conditions of approval of a Specific Use Permit.

## **SECTION 25.04 USE CONDITIONS**

### **A. Compliance with District and Use Unit Requirements**

Specific uses permitted shall comply with the most restrictive yard and height requirements of the district in which located and in addition shall comply with the requirements, especially for parking and loading, as required per the related Use Unit in the Sand Springs Zoning Code, except as may be modified by City Council as provided in Section 25.02.

## **SECTION 25.05 ADMINISTRATION**

### **A. Filing of a Petition for Specific Use Permit**

A petition for a Specific Use Permit may be filed with the Planning Commission by the owner(s) of the property concerned, by the duly authorized representative thereof, by the holder of an option to purchase the affected real estate or by the purchaser in a contract to purchase realty. Such petition shall be on a standard form furnished by the Planning Department of the City. All petitions for a Specific Use Permit shall be accompanied by a site plan of the proposed area showing the location of buildings, parking, and other pertinent data concerning the operation of the proposed use.

### **B. Fee for Petition**

A one-hundred dollar (\$100.00) fee shall be required with the Specific Use Permit application, or such other fee as the City Council may from time to time specify by resolution.

### **C. Notice of Hearing**

1. Notice of the public hearing to consider a Specific Use Permit shall be mailed at least twenty (20) days before the public hearing held by the Planning Commission by mailing written notice by the secretary of the Planning Commission to all owners of property within a three hundred foot (300') radius of the exterior boundary of the subject property or such other notice deemed appropriate by the Planning Commission or the City Council.

2. The notice shall contain:
  - a) The date, time and place of the public hearing.
  - b) The present zoning classification of the property and the nature of the Specific Use Permit.
  - c) The legal description of the property and street address or approximate location in the municipality.

**D. Appeals and Confirmation by City Council**

An applicant, or any adversely affected person, may appeal a recommendation of **approval or** denial by the Planning Commission to the City Council, within 10 days of the Planning Commission decision, by (a) completing a Notice of Appeal form that shall be available from the City Planner; and (b) paying an appeal fee in the amount of \$100.00, or such fee as set by council resolution.

If an appeal is not timely filed, the recommendation of the Planning Commission shall be included on a council consent agenda for consideration, and may be removed from the consent agenda by council pursuant to council rules, whereupon the council may either accept the **Findings of Fact and Conclusions of Law** of the Planning Commission, reverse the recommendation of the Planning Commission, modify the decision of the Planning Commission, or remand the matter for further consideration by the Planning Commission.

If an appeal is timely filed, the City Council shall establish a date specific for its decision and may affirm, reverse or remand the **Findings of Fact and Conclusions of Law** of the Planning Commission.

**E. Reapplication or Reconsideration of Mining and Quarrying, Mineral Products Processing**

The City is not required to reconsider requests denied by the municipality related to mining and quarrying, or mineral products processing for the same site unless the municipality determines there has been a material change in the application. A mining application for any portion of a site previously denied by the City Council will be reviewed by the City Planner first to determine if there has been a material change in the application. A material change is a substantial change in the application as compared with prior applications such that it warrants consideration as a new application. The City Planner will establish the requirements necessary for consideration of the application. The City Planner shall also set a deposit amount from the applicant sufficient for payment of the application and permit expenses. The requirements and amount of deposit may be adjusted by the City Planner as necessary during the application process.

Section 25.05

The City Planner will notify the applicant of the decision. The determination of the City Planner may be appealed to the City Manager within fifteen (15) days of the rendering of the decision.

## CHAPTER 26

### HISTORIC PRESERVATION – CERTIFIED LOCAL GOVERNMENT

- 26.00. Purposes
- 26.01. Definitions
- 26.02. Sand Springs Preservation Commission
- 26.03. Historic Preservation District Provisions
- 26.04. Historic Preservation District Zoning Map Amendments
- 26.05. Certificate of Appropriateness

#### SECTION 26.00. PURPOSES

- A. To promote the educational, cultural, economic and general welfare of the public through the conservation, preservation, protection and regulation of historic resources within the City of Sand Springs.
- B. To safeguard the cultural, social, political and architectural heritage of the City by conserving, preserving and regulating Historic Preservation districts.
- C. To conserve, preserve and enhance the environmental quality and economic value of Historic Preservation districts.
- D. To strengthen the City's economic base by promotion of conservation and reuse of the City's historic resources.
- E. To promote the development of the community in accordance with the Comprehensive Plan and Historic Preservation Plans.

#### SECTION 26.01. DEFINITIONS

- A. **Arts Council:** The Arts Council of the City of Sand Springs.
- B. **Certificate of Appropriateness:** The official document issued by the Preservation Commission authorizing work within a Historic Preservation District.
- C. **Design Guidelines:** The criteria which shall be used to guide the Preservation Commission in review of an application for a Certificate of Appropriateness.
- D. **Historic Preservation Commission:** The Sand Springs Historic Preservation Commission created pursuant to the provisions of this Chapter.

- E. Historic Preservation District:** A supplemental zoning district consisting of a building, structure, or site, or an area containing buildings, structures, or sites that is a historic resource.
- F. Historic Resource:** A building, structure, or site, or an area containing a concentration, linkage, or continuity of buildings, structures, or sites, which is generally fifty (50) years or older and contains one or more of the following attributes:
1. Significant character, interest or value as part of the historical development, history or cultural heritage of the City, state or nation; or
  2. Significance as the site of a historic event in the past of the city, state, or nation; or
  3. Associated with a person, or group of persons, who played a significant role in the historical development, history, and cultural heritage of the city, state or nation; or
  4. Embodiment of a distinguishing characteristic, design, detail, material or tone of craftsmanship which represents a historically significant architectural or engineering innovation, type, style or specimen; or
  5. Portrays the environment in an era of history characterized by a distinctive architectural, engineering, or construction style; or
  6. Represents a significant and distinguishable entity of historical importance whose components may lack individual distinction; or
  7. Yielded, or is likely to yield, important information in history or pre-history; or
  8. Meets the criteria for listing on the National Register of Historic Places.
- G. Planning Commission:** The Sand Springs Planning Commission.
- H. Preservation:** The adaptive use, conservation, protection, reconstruction, rehabilitation, restoration, or stabilization of a historic resource. Preservation is further defined and characterized as follows:
1. **Adaptive Use:** The restrained alteration of a historic resource to accommodate uses for which the resource was not originally constructed, but in such a way so as to maintain the general historical and architectural character.
  2. **Conservation:** The sustained appearance of a resource essentially in its existing state.
  3. **Protection:** The security of a historic resource as it exists through the establishment of the mechanisms of this Chapter.

4. **Reconstruction:** The process of recreating or reproducing by new construction all or part of the form and detail of a vanished historic resource as it appeared at a specific period in time.
  5. **Rehabilitation:** The process of recreating a historical resource to a state of efficiency or soundness by repair or alteration designed to encourage its continued use, but without noticeably changing of the exterior appearance of the historic resource.
  6. **Restoration:** The process of accurately recovering all or part of the form and detail of a historic resource and its setting as it appeared at a particular period in time by means of the removal of later work and the replacement of missing earlier work.
  7. **Stabilization:** The process of applying measures designated to halt deterioration and to establish the structural stability of an unsafe or deteriorated resource while maintaining the essential form as it presently exists without noticeably changing the exterior appearance of the historic resource.
- I. **Preservation Commission:** The Sand Springs Historic Preservation Commission created pursuant to the provisions of this Chapter.
- J. **Significant Characteristics of a Historic Resource:** Those characteristics which are important to the historic resource by design or location, and include, but are not limited to materials, detail, height, orientation, proportion, rhythm, scale, setback, setting, shape and workmanship.
1. **Materials:** The physical elements of a building, structure, site or area which creates an aesthetic and structural appearance of the resource, including characteristics such as texture, form, composition and style.
  2. **Detail:** Aspect of a building, structure, site or area which, due to particular treatment, draw attention to certain parts or features of the building, structure, site or area.
  3. **Orientation:** The position of a building, structure, site, or area relative to a particular point in which it is viewed or in relation to other fixed elements in the environment.
  4. **Proportion:** The visible relationship and order established between buildings, structures, sites or areas, their individual parts to one another, as well as between the parts and the whole.
  5. **Rhythm:** The regular pattern or harmonious recurrence of lines, shapes or forms, such elements occurring within or between buildings, structures, sites or areas; including, but not limited to, windows, doors, roofs, porches, driveways, sidewalks, setbacks and heights.
  6. **Scale:** The size of the parts of a building, structure, site or area in relationship to one another and to the human figure.

7. **Setback:** The location of a building or structure as it relates to the street and other buildings and structures around it.
  8. **Setting:** The surrounding buildings, structures, landscaping and familiar features which provide a visual aesthetic or perceptual quality of historic resources.
  9. **Shape:** The physical configuration of a building, structure, site or area, established by its form, surfaces, edges, heights, width and depth.
  10. **Workmanship:** A level of quality exhibited in the construction, detailing, or design of a historic resource.
- K. Work:** Any changes to an existing building, structure, lot, or any portion thereof, including but not limited to the erection, construction, reconstruction, renovation, alteration, painting, removal, or demolition of a building, structure, or lot, irrespective of whether or not a building permit is required.

## **SECTION 26.02. SAND SPRINGS PRESERVATION COMMISSION**

### **A. Creation**

There is hereby created a Sand Springs Preservation Commission, hereinafter referred to as "Preservation Commission".

### **B. Composition and Appointment**

The Preservation Commission shall consist of five (5) members who reside within the City limits or within the unincorporated areas within the annexation fenceline of the City of Sand Springs, Oklahoma, except as noted in Subsection 26.02.B.2, each nominated by the Mayor and confirmed by the City Council of Sand Springs, Oklahoma as follows.

1. All nominees shall be solicited and selected from appropriate professions and organizations related to the position being filled, to include: architecture, landscape architecture, historic architecture, history, pre-history, archaeology, historic archaeology, planning, building and real estate, design, law, the Sand Springs Arts Council and the Sand Springs Historical Society. Preference, where possible, will be given to individuals who have demonstrated previous interest or have experience in historic preservation or history in general.
2. At least three (3) members must have preservation related experience and must belong to a discipline related to preservation, to include: architecture, history, pre-history, archaeology, historic archaeology, planning, real estate, design, landscape architecture, architectural history, or law. Said three (3)

members may reside outside the City Limits and outside the unincorporated areas within the fenceline of the City of Sand Springs, Oklahoma as long as said three (3) members belong to a university, preservation organization, or professional organization serving in one of the above cited disciplines, and as long as such members or disciplines have been determined by the City not to be available from within the City or its annexation fenceline.

**C. Terms**

The terms shall be for three years, except that initial terms shall be staggered as follows: one (1) member shall serve for a one (1) year term, two (2) members shall serve for a two (2) year term, and two (2) members shall serve a full three (3) year term. All members shall serve until their successor takes office.

**D. Vacancies**

In the event of a vacancy occurring in the membership of the Preservation Commission for any reason, an appointment shall be made in the same manner as regular appointments.

**E. Compensation**

Members of the Preservation Commission shall serve without compensation.

**F. Chairman, Vice-Chairman and Secretary**

The Preservation Commission shall annually elect from its appointed members a Chairperson, Vice-Chairperson and Secretary. Vacancies shall be filled in similar manner as regular election.

**G. Rules of Procedure**

The Preservation Commission shall make and adopt regulations for the conduct of its business, subject to the powers enabled herein and hereby.

**H. Meetings**

1. The Preservation Commission shall meet quarterly for the purpose of transacting its business and duties as set forth in this Chapter; provided however, in fulfilling its duties related to Certificate of Appropriateness applications, the Preservation Commission may hold at least one meeting a month, as necessary.

2. All meetings, deliberations and voting of the Preservation Commission shall be open to the public. The Preservation Commission shall keep minutes of

its proceedings, showing the vote of each member upon all actions, or if failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the City Clerk and shall be a matter of public record.

**I. Quorum**

Three (3) members shall constitute a quorum for the transaction of business.

**J. Minimum Vote**

Issues shall be decided by a simple majority of votes by those members present.

**K. Conflict of Interest**

Members of the Preservation Commission to whom some private benefit, directly or indirectly, may come as a result of a public action taken by the Preservation Commission, should not be a participant in that action. The possibility, not the actuality, of a conflict should govern. The individual experiencing a conflict of interest shall declare his interest, and abstain from voting on the matter. The individual shall not discuss the matter with a fellow member or member of the City Council, or Planning Commission for the purpose of influencing a decision thereon.

**L. Staff**

The City Planning Department shall provide staff to the Preservation Commission to assist in the performance of its duties.

**M. Powers and Duties**

Unless otherwise specified in this Chapter, the duties of the Preservation Commission shall be as follows:

1. Prepare, or cause to be prepared, a comprehensive inventory of historical resources within the City of Sand Springs and update said inventory as deemed necessary.
2. Prepare, or cause to be prepared, proposed Historic Preservation Zoning Map amendments or other amendments to the Sand Springs Historic Preservation Plan to be recommended to the Planning Commission for

public hearing and adoption as part of the Comprehensive Plan for the City of Sand Springs.

3. Prepare findings relating to, and make recommendations on, zoning map amendments as set forth in Section 26.04 of this Chapter.
4. Promulgate Design Guidelines as are necessary for the review and approval of applications for a Certificate of Appropriateness and to inform resident property owners, and the general public of those Design Guidelines. Design Guidelines shall relate to the significant character of the historic resource(s) being proposed for "HP" designation. The Design Guidelines shall be developed by the Preservation Commission and shall include review and input of the property owner(s) or agents and other parties directly affected by the proposed designation. Such Design Guidelines shall be subject to final approval and adoption by the City Council upon the holding of a public hearing by the Planning Commission, and the recommendation of the Preservation Commission and Planning Commission.
5. Act upon applications for a Certificate of Appropriateness and perform other duties as set forth in Section 26.05 of this Chapter.
6. Make recommendations to the City Council concerning grants and programs from federal and state agencies, private groups and individuals and the utilization of budgetary appropriations to promote the preservation of historic resources within the City of Sand Springs.
7. Recommend to the City Council the need for employing staff and making contracts with professional and technical experts as may be required for the furtherance of Preservation Commission work, subject to prior approval by the City Council that funding of the expenses from such actions is available.
8. Increase public awareness of the historic resources in the City of Sand Springs and disseminate information to the public concerning historic resources in the City of Sand Springs deemed worthy of preservation. Provide notification as provided herein, to property owners within the HP Zoning Districts of designation and requirements of such designation. Advise and disseminate information to property owners on the preservation, conservation, protection, enhancement, perpetuation and use of historic resources.
9. Place, or cause to be placed, monuments, markers or other identifying elements at locations of historical resources as funds are available.
10. Coordinate, comment on and make recommendations to the appropriate body concerning actions undertaken by other city, state and federal

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agencies with respect to the effect of such actions upon the historical resources in the City of Sand Springs.

11. Consider methods other than those provided for in this Chapter for encouraging and achieving preservation of historic resources within the City of Sand Springs and make appropriate recommendations to the City Council and to other bodies and agencies, both public and private.
12. Prepare, or cause to be prepared, studies and reports and undertake other preservation related tasks as may be deemed appropriate.
13. Prepare, or cause to be prepared, in accordance with the goals and objectives set forth for neighborhood conservation in the Comprehensive Plan of the City of Sand Springs, programs and plans designed to implement neighborhood stabilization, revitalization, and conservation in those neighborhoods of the City of Sand Springs that are fifty (50) years old or older which may lack significance according to the criteria in Section 26.04, yet represent valuable resources to the City of Sand Springs.
14. Coordinate and oversee such related programs and projects as may be directed by the City Council.
15. Perform any other duties and functions imposed by this Chapter or which may be specified by the City Council.

## **SECTION 26.03. HISTORIC PRESERVATION DISTRICT PROVISIONS**

### **A. General Provisions**

Property located within a Historic Preservation District may receive a supplemental zoning district having the designation HP.

### **B. Permitted Uses**

Property located within a Historic Preservation District may be used for the purposes permitted within the general zoning district in which located.

### **C. Historic Preservation District Regulations and Exemptions**

Within a Historic Preservation District, work as defined in this Chapter, shall not commence unless a Certification of Appropriateness has first been issued; provided however, that Work related to the following shall not require a Certificate of Appropriateness:

1. Ordinary maintenance and repair which includes:

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- a. Removal, installation, or replacement of guttering; or
  - b. Removal or replacement of roof covering with like material; or
  - c. Application of any paint color to non-masonry surfaces.
2. Interior of buildings and structures.
3. Portions or parts of buildings, structures or sites not visible from adjoining streets.
4. Accessory structures or buildings, such as storage sheds, garage, decks, patios, fencing, swimming pools and pool houses that are not part of the primary structure, provided, however, such structures and buildings are not located in front yards.
5. Installation of radio or television antenna.
6. General landscape maintenance and planting of new organic materials.
7. Work required for temporary stabilization of a building or structure due to damage.

## **SECTION 26.04. HISTORIC PRESERVATION DISTRICT ZONING MAP AMENDMENTS**

### **A. General**

The City of Sand Springs may establish, amend, or repeal a “HP” Historic Preservation zoning district according to the following criteria and procedures, provided however, Design Guidelines for a proposed “HP” zoning district shall be adopted prior to or concurrent with the mapping of an “HP zoning district.

### **B. Criteria for Historic Preservation District Zoning Map Amendments**

A building, structure, site or area containing buildings, structures or sites which are generally fifty years old or older, may be zoned HP if it meets one or more of the criteria listed under Subsection 26.01. J.

### **C. HP Zoning Map Amendments Initiated by Application**

Amendments by application may be initiated in any one of the following manners:

1. Any person, corporation, partnership, association or by combination thereof, having a legal and equitable interest in or to real property may file an application for an HP zoning classification on such property in accordance with the provisions of Section 20.03.

2. An application shall include in addition to those items contained in Section 20.03, information descriptive of the building, structure, site or area and its relationship to the historical development, history or cultural heritage of the City of Sand Springs, a statement of the criteria felt to have been met as set forth in this Chapter and may include photographs, publications about the subject building, structure, site or area, and any information deemed worthy for proper consideration. Such information and application shall be upon forms established by the Preservation Commission and the Planning Commission.

**D. HP Amendments Initiated by the Planning Commission**

In any instance, the Planning Commission upon its own motion may, or on the written request of any person or the Preservation Commission may, or at the direction of the City Council shall, hold a public hearing, giving notice thereof, of a proposed HP map amendment. After holding the public hearing, the Planning Commission shall within fifteen (15) days transmit its report and recommendation to the City Council.

**E. Preservation Commission Action of HP Zoning Map Amendments**

1. The Preservation Commission shall prepare, or cause to be prepared, a report and recommendation concerning a proposed HP map amendment. The report and recommendation shall include specific findings as to whether the proposed amendment is consistent with the criteria for designation as set forth in this Chapter.
2. A map shall be prepared showing the boundaries of the proposed map amendment, including all lots therein, and identifying those properties whose owners may have indicated support or opposition to such amendment.
3. Property owners may indicate their support or opposition at informal informational meetings, at public meetings or in writing to the Preservation Commission or Planning Commission.
4. The report, recommendation, map, and other pertinent information shall be forwarded to the Planning Commission prior to the public hearing.

**F. Notice Required on HP Zoning Map Amendments**

The Planning Commission shall give notice of the public hearing on any proposed HP zoning changes as follows:

1. At least twenty (20) days notice of the date, time, and place of the hearing by publication in a newspaper of general circulation in the City of Sand Springs. Said notice shall include a map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area.
2. At least twenty (20) days notice by posting on designated properties within the area affected by the proposed zoning reclassification. The sign and the lettering thereon shall be of sufficient size so as to be clearly visible and legible from the public street or streets toward which it faces and shall state:
  - a. The date, time and place of the public hearing; and
  - b. Who will conduct the public hearing; and
  - c. The present zoning of the property and the supplemental HP zoning sought by the applicant; and
  - d. The proposed HP designation of the property; and
  - e. Other information as may be necessary to provide adequate and timely public notice.
3. At least twenty (20) days notice by mailing written notice to all property owners included within the proposed change, which shall contain:
  - a. A map of the area proposed for HP amendment; and
  - b. The present zoning of the property and the supplemental HP zoning sought by the applicant; and
  - c. The date, time and place of the public hearing; and
  - d. A statement that Work generally requires a Certificate of Appropriateness.

**G. Planning Commission Action on HP Zoning Map Amendments**

After notice and public hearing the Planning Commission shall vote to:

1. Recommend to the City Council that the application be approved as submitted or as amended, or be approved subject to modification; or
2. Recommend to the City Council that the application be denied.
3. An application recommended for approval, or approval subject to modification shall be transmitted with the report and recommendation of the Planning

Commission and the Preservation Commission to the City Council within fifteen (15) days from the date of Planning Commission action.

4. An application recommended for denial shall not be considered further, unless the applicant within fifteen (15) days from the date of the Planning Commission action, files a written request with the City Clerk for a hearing by the City Council. The request for hearing shall be accompanied by payment of the required fee. Upon notice of such request, the Planning Commission shall forthwith transmit the application and its report and recommendation, including all material and minutes received from the Preservation Commission, to the City Council.
5. In the event the Planning Commission arrives at a tie vote, the application shall be transmitted with a report and notation of the tie vote to the City Council within fifteen (15) days from the date of the Planning Commission action.

#### **H. Appeal by Preservation Commission**

The Preservation Commission may appeal the denial of an amendment by the Planning Commission by following the procedures set forth in Section 26.04.G.

#### **I. City Council Action on HP Zoning Map Amendments**

The City Council shall hold a hearing on each application transmitted from the Planning Commission and on any proposed zoning map amendment initiated pursuant to Section 26.04.G. The City Council shall approve the application as submitted, or approve the application subject to modification or deny the application. In case of a protest against such zoning change filed at least three (3) days prior to said public hearing by the owners of 20% or more of the area of the lots included in such proposed change, such amendment shall not become effective except by the favorable vote of three-fifths of all members of the City Council.

#### **J. Recording of HP Zoning Map Amendments**

The City Clerk shall file or cause to be filed, a copy of the HP zoning map amendment ordinance and map in the office of the County Clerk.

### **SECTION 26.05. CERTIFICATE OF APPROPRIATENESS (COA)**

#### **A. General Provisions**

1. The Preservation Commission shall review applications for a Certificate of Appropriateness (hereinafter designated as "COA") and may approve, approve

with conditions, or deny the same in accordance with provision of this Chapter and the Design Guidelines.

2. The Preservation Commission shall transmit a copy of the COA along with a set of approved plans to the Building Inspector. The Building Inspector shall not issue any permit in violation of this Chapter or inconsistent with a COA.

## **B. Application and Document Required**

1. An application for COA shall be filed with the proper permitting department upon forms established by the Preservation Commission. An application shall contain a general description of the proposed work, its location, its relationship to the structure and other additional information as required by the Preservation Commission.
2. An application for a COA shall be accompanied by at least two (2) sets of plans of sufficient clarity and detail to show the nature of the work to be performed and the materials to be used and shall include:
  - a. A site plan, if applicable, showing the location of new and existing structures on the site and their location with respect to the building line, property lines, and in the case of new construction, the location of the new building or structure with respect to the front of those buildings or structures immediately adjacent to each side of the lot to be built upon.
  - b. A floor plan, if applicable, identifying the location and limits of the proposed work.
  - c. Facade evaluation(s), if applicable, of the proposed work in sufficient detail to identify the limits and location of the proposed work, and the existing and proposed work, and the existing and proposed materials to be used.
  - d. Any other drawings, photographs, materials brochures or samples, specifications, or information that may be necessary to determine and provide for compliance with this Chapter.

## **C. Preservation Commission Action**

1. The Preservation Commission in its review of COA applications shall utilize the Design Guidelines to measure the appropriateness or inappropriateness of the proposed work and shall, to the highest extent possible, strive to affect a fair balance between the purposes and intent of this Chapter and the desires and needs of the property owner.

2. In addition, the Preservation Commission shall review the application and shall consider the degree to which the proposed work:
  - a. Is consistent with the Design Guidelines, which have been approved and adopted by the City Council.
  - b. Would destroy or alter all or part of the historic resource.
  - c. Would serve to isolate the historic resource from its surroundings or introduce visual elements that are out of character with the historic resource and its setting, or that would adversely affect the physical integrity of the resource.
  - d. Is compatible with the significant characteristics of the historic resource.
  - e. Is compatible with the purposes and intent of this Chapter.

**D. Applications Involving Demolition Stay**

1. An application for demolition, if not approved, shall automatically be stayed for a period of 60 days, unless the Preservation Commission determines that the building or structure:
  - a. Is imminently dangerous to life and property; or
  - b. Does not contribute significantly to the HP district; or
  - c. Cannot be preserved.
2. During this period the Preservation Commission shall consult with the property owner and other interested parties to find alternatives to demolition. Should alternatives suitable to the property owner not be found, the COA for demolition shall automatically be approved and issued upon termination of the stay period.
3. Prior to the expiration of the 60 day period, the Preservation Commission may request the City Council to extend the stay for a period not to exceed an additional 60 days. The Preservation Commission shall by mail, notify the property owner of such request and the date for public hearing. The City Council shall consider whether:
  - a. The Preservation Commission has presented reasonable alternatives that would preserve the structure; or
  - b. Suitable alternatives have been found and further time is required to finalize arrangements for achieving such alternatives; or



**2. Preliminary Design or Conceptual Plan Review**

The Preservation Commission may approve, approve with conditions or deny a preliminary design or conceptual plan of the proposed work, provided however, that any such approval or approval with conditions shall be subject to the approval of the COA application.

**3. Approval of COA by Preservation Commission Staff**

When such work is of a rehabilitative nature on an existing structure or building, and such work does not include new construction or alteration, and such work involves replacement of existing elements with like materials, and such work complies with the Design Guidelines for such work, and such work will have no material effect on the building or the structure, the Preservation Commission staff may issue a COA noting “no material effect” and transmit the application to the proper permitting department for issuance.

## CHAPTER 27

### HOUSING TAX CREDIT PROGRAM

- 27.00. Purpose for Public Hearing
- 27.01. Receipt of Notice for Hearing
- 27.02. Publication and Fees
- 27.03. Conduct of Hearing
- 27.04. Recording of Hearing
- 27.05. Evidence
- 27.06. Findings of Fact and Recommendation
- 27.07. Resolution of the City Council
- 27.08. Appeal
- 27.09. Hearings in Other Jurisdictions
- 27.10. Housing Law Compliance

#### SECTION 27.00. PURPOSE FOR PUBLIC HEARING

Under a variety of programs related to the subject of this section created and administered by various federal and state agencies, the City of Sand Springs is authorized, and in some cases required, to hold public hearings to make certain determinations necessary for the application to and/or operation of the program. These public hearings shall be conducted by the city in the following manner and specified procedures unless the applicable federal or state agency, or the applicable program, has a requirement which preempts this chapter. In the event of a partial preemption, this chapter shall control to the maximum extent possible. Examples of such hearings shall specifically include but are not limited to low income housing tax credit programs of the Internal Revenue Service of the United States, as administered by the Oklahoma Housing Finance Agency. In the event of any program inconsistency with the provisions of this chapter, the process in this chapter shall control for any resolution of the city council and, as such, is not severable.

#### SECTION 27.01. RECEIPT OF NOTICE FOR HEARING

A. Upon receipt of notice by the City of Sand Springs of an application to a state or federal program which requires or authorizes the city to comment on or evaluate appropriateness of the proposed development, or determine the existence of a need for such a development within the city limits, the Sand Springs Planning Commission shall proceed to make a recommendation of the desirability, appropriateness and need for the specific proposed development under the following procedures. The resulting findings and recommendation shall be reduced to written comments, submitted to the Sand Springs City Council for consideration of a resolution supporting or opposing the application based upon a review of the planning commission's hearing record, findings of fact and recommendation. The city council's resolution shall be filed with the appropriate agency in a timely manner.

**B.** Upon receipt of notice of an application to a state or federal program and the need for a public hearing, or upon the request from any interested party requesting a planning commission recommendation for approval of such proposed development, the city manager or his designee shall promptly schedule a public hearing at a mutually agreed date, time and place before the planning commission for consideration of the proposed development.

## **SECTION 27.02. PUBLICATION AND FEES**

**A.** The city shall cause to be published at least one time in a newspaper of general circulation within the city a notice of the date, time and place of the consideration of the proposed development, together with the statement of the purpose of the public hearing and the location of the proposed development. The publication shall occur at least ten (10) days prior to the date of the planning commission public hearing. In addition, the city shall provide all property owners within a three hundred (300) foot radius of the property boundary of the proposed development with same written notification at least ten (10) days prior to the date of the public hearing. The property owner(s) shall be determined on the basis of the preceding years' tax rolls.

**B.** The fee for publication of such notice shall be the responsibility of the applicant. In addition, the applicant shall submit to the city an application fee, as determined by resolution of the city council, prior to any public hearing and shall bear responsibility for costs incurred by the city to notify affected property owners in accordance with fees adopted for such notices by resolution of the city council.

## **SECTION 27.03. CONDUCT OF HEARING**

**A.** At the public hearing before the planning commission, the applicant shall be allowed the opportunity to make statements and present documentary evidence personally, or through agent or legal counsel, of the proposed development and to otherwise provide argument in support of the proposed development, including the right to respond to opposing statements or documentary evidence through rebuttal statements or cross examination of other interested parties.

**B.** At the conclusion of the applicant's statement and presentation of documentary evidence, any other interested party may appear to present evidence or argument in support of or opposition to the positions asserted by the applicant or others. To expedite this process, the planning commission shall provide an opportunity for the persons or entities desiring to participate in the public hearing to be identified at the start of the hearing and may consider an appropriate uniform time limitation.

**C.** City staff or agents thereof shall be afforded an opportunity to present statements or documentary evidence concerning the proposed development's impact upon public facilities and infrastructure, as well as any other matters deemed beneficial or detrimental to the public's health, safety and welfare. City staff shall have the right to

respond to opposing statements or documentary evidence through rebuttal statements or cross examination of other interested parties.

#### **SECTION 27.04. RECORDING OF HEARING**

The proceedings may be electronically recorded in accordance with the requirements of Oklahoma Open Meetings Act and made available in accordance with the requirements of the Oklahoma Open Records Act. Should the applicant or any other interested party require transcription, either through clerical transcription or by licensed court reporter, the cost of such transcription shall be borne by the requesting party.

#### **SECTION 27.05. EVIDENCE**

In the event additional documentary evidence is offered at the public hearing, and the interest of justice requires admission of such evidence, the planning commission may grant a recess or otherwise continue the hearing to a date certain in order to allow a response, subject to the right of the opponent of such evidence to waive this right of delay.

#### **SECTION 27.06. FINDINGS OF FACT AND RECOMMENDATION**

**A.** At the conclusion of the public hearing, the planning commission shall deliberate and announce its findings of fact and shall make a recommendation to the city council of support for or opposition to the application, as determined by a majority vote of the planning commission's total membership. The planning commission's findings may include, but not be limited to, the following criteria:

1. Whether the proposed development meets the adopted comprehensive plan for the City of Sand Springs;
2. Whether the proposed development meets identified housing needs found in the City of Sand Springs;
3. Whether the applicant has shown evidence of appropriate zoning as well as an ability to meet applicable subdivision requirements;
4. Whether the applicant has shown evidence of the availability of adequate public facilities/services for the proposed development;
5. Whether the applicant has shown evidence of neighborhood and community participation in the planning of the proposed development;
6. Whether the applicant has otherwise met and complied with the threshold requirements, selection criteria, financial feasibility analysis, and additional requirements contained in the federal or state program's applicable rules, and whether

the application is consistent with all applicable federal, state and local laws, rules and regulations.

7. Whether the applicant has presented a viable business plan for the proposed development, including therewith information concerning applicant's financial wherewithal to complete such development as well as any historical data relating to applicant's operation of developments similar to the proposed development;

8. Whether the application and documentary evidence contains errors, inconsistencies or omissions;

9. Whether the proposed development is in the best interests of the City of Sand Springs.

**B.** The city staff shall prepare a written determination of the planning commission's findings of fact and recommendation, which shall be submitted in resolution form to the city council for its consideration.

#### **SECTION 27.07. RESOLUTION OF THE CITY COUNCIL**

**A.** Within thirty (30) days of the planning commission hearing, city council shall receive the planning commission's hearing record, including documentary evidence presented, and shall consider the planning commission's findings of fact and recommendation of support for or opposition to the application as a resolution of the council. The city council may remand the application to the planning commission for further hearing if, based on the hearing record, it deems more facts or documentary evidence are warranted in the planning commission's consideration.

**B.** The proceedings of the city council shall be in consideration of the planning commission's recommendation and, as such, shall not be construed to be a public hearing to consider the application and proposed development de novo.

**C.** Upon adoption of a resolution by the city council, such resolution shall be transmitted to the applicant and to the federal or state agency administering the program. All other interested parties may obtain copies of the planning commission's hearing record, the city council resolution, and any other applicable documents, recordings or other materials by making a request to the city clerk in accordance with the records policies of the city.

**D.** Once adopted by the city council, the resolution shall be considered a final order by the city. Should a resolution fail to be approved by a majority vote of the city council, the recommendation of the City of Sand Springs shall be deemed in opposition to the application for cause, and shall be considered a final order by the city.

**SECTION 27.08. APPEAL**

While the city cannot create jurisdiction within the district courts of the state, it is the city's understanding of applicable law that such a determination by the city council is subject to appeal to the district courts by the filing of a declaratory judgment action in Tulsa County District Court, the Court having jurisdiction of the city's corporate headquarters, regardless of the location of the land on which the applicant's project was to be built. The city's staff shall expeditiously forward a record of the matter to the district court upon the filing of any such declaratory judgment action and then shall defend the action taken by the planning commission and city council.

**SECTION 27.09. HEARINGS IN OTHER JURISDICTIONS**

Upon receipt of notice from a state or federal agency of an application concerning a project in another jurisdiction, the city manager or his designee may determine if any interests of the city will be impacted, and may participate in such hearings as appropriate to defend such city interests as may be determined to exist.

**SECTION 27.10. HOUSING LAW COMPLIANCE**

It is not the intent or purpose of this chapter to circumvent any fair housing laws or regulations, but instead to ensure complete compliance with all local, state and federal laws concerning housing and to ensure that housing is provided in a nondiscriminatory manner.

**APPENDIX A: USE UNIT -- SUMMARY ZONING DISTRICTS\***

Chapter 13. Use Units	AG	RE	RS1	RS2	RS3	RS4	RD	RT	RMO	RMH	RM1	RM2	PK	OL	OM	OH	CS	CG	CBD	CH	SR	IL	IM	IH
1. Area-Wide Uses By Right	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2. Area-Wide Special Exception	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
3. Agriculture	X																					X	X	X
4. Protection & Utilities	E	E	E	E	E	E	E	E	E	E	E	E		E	E	E	E	E	E	E	E	E	E	E
5. Services, Cultural, Rec.	E	E	E	E	E	E	E	E	E	E	E	E		E	X	X	X	X	E	E		X	X	X
6. Single-Family Dwelling.	X	X	X	X	X	X	X	X	X	E	X	X		E	E	E	E	E	E	E				
7. Duplex Dwelling					E	E	X	X	X		X	X		E	E	E	E	E	E	E				
7a. Townhouse Dwelling								X	X		X	X		E	E	X	E	E	X	X				
8. Multifamily & Similar Uses											X	X		E	E	X	E	E	X	X				
9. Manufactured Home Dwelling	E									X							E							
10. Off-Street Parking												E	X	X	X	X	X	X	X	X	X	X	X	X
11. Offices/Studios/Support Svcs.												E		X	X	X	X	X	X	X	X	X	X	X
12. Eating Establ./ Not Drive-Ins																X	X	X	X	X		E	E	E
12a. Adult Entertainment Establ.																	S					S	S	S
13. Convenience Goods and Services																	X	X	X	X		E	E	E
14. Shopping Goods and Services																	X	X	X	X		E	E	E
15. Other Trades & Services																	E	X	E	E		X	X	X
16. Mini-Storage											S	S			S	S	S	S	S			S	S	S
17. Automotive & Allied Activities																	E	X	E	E		E	X	X
18. Drive-In Restaurants																	E	X				E	E	E
19. Hotel, Motel & Recreation																E	X	X	X	X		E	E	E
20. Commercial Rec., Intensive	S																S	S	S	S		S	S	S
21. Business Signs	X																X	X	X	X		X	X	X
22. Scientific Research & Develop.																	E				X	X	X	X
23. Warehousing & Wholesaling																	E					X	X	X
24. See Note 1	S																						S	S
25. Light Manufacturing																	E					X	X	X
26. Moderate Manufacturing																						E	X	X
27. Heavy Manufacturing																							E	X
28. Junk & Salvage Yards																								S

X = USE BY RIGHT                      E = USE BY SPECIAL EXCEPTION                      S = USE BY SPECIFIC USE PERMIT  
 \* Certain uses in the Use Units in Appendix A and Chapter 13 require approval of a Specific Use Permit as shown in Chapter 25.  
 Note 1: Extraction Operations, Mining and Mineral Processing

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

#### APPENDIX B: INDEX OF LAND USES -

#### NUMERIC AND SPECIFIC USE PERMIT (SUP)

##### (Number 1)

1	Arboretum
1	Area-Wide Uses by Right
1	Cultivation
1	Fire Alarm
1	Flood Management Project
1	Forestry
1	Grazing
1	Historical Marker
1	Planting
1	Street Sign
1	Thoroughfare
1	Utility Line
1	Wildlife Preserve

##### (Number 2)

2, SUP	Adult Detention Center/Correctional Center
2, SUP	Airport
2	Area-Wide Special Exception Uses
2	Bus Station
2	Carnival
2, SUP	Cemetery
2	Christmas Tree Sales
2	Circus
2, SUP	Community Treatment Correctional Center
2	Construction Facilities, Off-site
2, SUP	Convict Pre-Release Center
2, SUP	Correctional Facility
2, SUP	Crematory
2, SUP	Correctional Facility, Adult or Juvenile
2, SUP	Electric Generation Plant
2	Fruit and Vegetable Sales from Tents or Vehicles
2	Governmental Services, NEC
2, SUP	Gun Club
2, SUP	Heliport
2, SUP	Jail

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

2, SUP	Juvenile Delinquency Center
2	Mausoleum
2	Open air activities
2	Plant Sales, from Tents or Vehicles
2	Post Office
2, SUP	Prison
2, SUP	Rifle and Skeet Range
2, SUP	Sanitary Landfill
2, SUP	Sewage Disposal Facility
2	Tent Revival
2, SUP	Water Treatment Facility

#### (Number 3)

3	Agriculture
3	Animal Raising
3	Chick Hatchery
3	Dude Ranch
3	Farming
3	Fishery
3	Guest Ranch
3	Horticultural Nursery
3	Nursery, Horticultural
3	Poultry Raising
3	Ranching
3	Riding Stable or Academy
3	Stable, Riding or Academy
3	Veterinary Hospital, Large Animals

#### (Number 4)

4	Ambulance Service
4, SUP	Antenna and Supporting Structure
4, SUP	Electric Regulating Substation, Excluding Storage or Service Yards or Service Garages or Yards
4	Fire Station
4	Pressure Control Station
4	Public Protection and Services
4	Public Utility Facilities
4	Radio and Television Repair
4	Shelter, Civil Defense or Storm
4, SUP	Water Storage Facility, NEC

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

#### (Number 5)

5	Adult Day Care
5	Aquarium
5	Art Gallery (not operated for profit)
5	Assisted Living Centers
5	Bottling Plant
5	Camp, Day
5	Care Home
5, SUP	Cemetery
5	Children's Home
5	Children's Nursery
5, SUP	Church
5	Club, Social or Fraternal
5	College or University
5	Community Center
5	Community Group Home
5, SUP	Convalescent Home
5	Convent
2, SUP	Crematory
5	Cultural and Recreation Facility
5	Cultural Facility, NEC
5	Day Camp
5	Day Care Home (See "Family Day Care Homes" 5.03.B)
5	Elderly/Retirement Housing
5, SUP	Emergency and Protective Shelter
5	Extended Care Facility
5, SUP	Golf Course
5, SUP	Halfway House
5, SUP	Homeless Center
5	Hospital
5	Library
5	Life Care Retirement Center
5	Marina
5	Monastery
5, SUP	Museum
5	Novitiate
5, SUP	Nursing Home
5	Planetarium
5	Public Park
5	Public Tennis Court
5	Recreation & Cultural Facility, Community
5, SUP	Residential Treatment Center
5	Retirement Housing
5	Sanitarium

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

5, SUP	Schools, Public or Private – offering a compulsory education curriculum
5	Service Organizations, Clubs or Lodges, Non-profit
5	Tennis Court, Public
5, SUP	Transitional Living Center
5	University

#### **(Number 6)**

6	Foster Home
6	Residential, Single-family
6	Single-Family Detached Dwelling

#### **(Number 7)**

7	Duplex Dwelling
7	Residential, Duplex
7a	Residential, Townhouse
7a	Townhouse Dwelling

#### **(Number 8)**

8	Apartments
8	Boarding House
8	Fraternity House
8	Multifamily Dwelling
8	Residential, Multifamily
8	Rooming House
8	Sorority House

#### **(Number 9)**

9	Dwelling, Manufactured
9	Manufactured Home
9	Residential, Manufactured Home

#### **(Number 10)**

10	Off-Street Parking Areas
10	Off-Street Parking
10	Parking
10	Parking Garage

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

#### (Number 11)

11	Abstract Company
11	Advertising Agency
11	Art School
11	Artist's Studio
11	Ballet School
11	Bank
11	Broadcasting Studio
11	Business School
11	Computing Service
11	Copying Service
11	Dance School
11	Data Processing Service
11	Dental Clinic, Laboratory
11	Dentist Office
11	Doctor's Office
11	Drafting Service
11	Drama School
11	Eating Establishment Other Than Drive-In
11	Employment Agency
11	Financial Institution, Other than a Pawn Shop
11	Fine Arts School
11	Funeral Home
11	General Business Office, Excluding on premises Sale of Merchandise
11	Interior Design Consultant
11	Laboratory, Medical or Dental
11	Language School
11	Medical Clinic, Laboratory
11	Modeling School
11	Music School
11	Office & Studio
11	Office Building
11, SUP	Office Uses – Use Unit 11 when located on a 40-acre tract or larger
11	Optician or Optical Lab
11	Pharmacy, Prescription
11	Photocopying
11	Photography Studio
11	Recording Studio
11	School, Art
11	School, Ballet
11	School, Business
11	School, Dance

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

11	School, Drama
11	School, Fine Arts
11	School, Language
11	School, Modeling
11	School, Music
11	Studio & Office
11	Therapeutic Massage, Licensed or Certified
11	Ticket Office
11	Transportation Ticket Office
11	Travel Agency

#### (Number 12)

12	Cafe
12	Cafeteria
12	Coffee Shop
12	Delicatessen

#### (Number 12a)

12a, SUP	Adult Entertainment Establishment
12a, SUP	Adult Entertainment Establishment
12a, SUP	Bar
12a, SUP	Beer Bar
12a, SUP	Billiard Parlor
12a, SUP	Casinos, Other Gambling Establishments
12a, SUP	Night Club
12a, SUP	Pool Hall
12a, SUP	Private Club
12a, SUP	Sexually-Oriented Business
12 a, SUP	Tavern

#### (Number 13)

13	Bakery
13	Barber Shop
13	Beauty Shop
13	Candy Store
13	Commercial Shopping
13	Commercial, Convenience
13	Convenience Goods and Services
13	Courier
13	Dairy Store
13	Drug Store
13	Dry Cleaning Pick-Up

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

13	Electrical Contractor
13	Florist
13	Food, Specialty
13	Gift Shop
13	Grocery Store
13	Health Food Store
13	Ice Cream Store
13	Laundry Service and Pick-Up
13	Liquor Store
13	Meat Market
13	Newsstand
13	Novelty
13	Nut Store
13	Souvenir Shop
13	Tanning Salon
13	Tobacco Shop

### (Number 14)

14	Air Conditioning Sales
14	Antique Shop
14	Appliance Repair
14	Appliance Store
14	Art Gallery, Commercial
14	Artist Supply Store
14	Automotive Parts and Accessories Store
14	Bait Shop and Fishing Tackle Sales
14	Bicycle Shop
14	Book Store
14	Building Materials Store
14	Business Machine Sale
14	Camera and Photographic Supply Store
14	Carpet Store
14	Caterer
14	China, Glassware & Metal Ware Store
14	Clothing and Accessories Store
14	Computer Sales
14	Cosmetic Shop
14	Costume Rental Service
14	Department Store
14	Drapery, Curtain, Upholstery Store
14	Dressmaking Shop
14	Dry Cleaning Laundry Establishment, 3,000 SF maximum
14	Dry Goods Store
14	Electrical Supply Store

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

14	Feed Store
14	Fur Storage
14	Furniture Store
14	Furrier and Fur Shop
14	Garden Supply Store
14	Gasoline Service Station
14	Gun Smith
14	Hobby Shop
14	Home Furnishing Store
14	Hardware Store
14	Household Appliance Repair
14	Interior Decorating
14	Jewelry Store and Repair
14	Laundromat, Self-Service
14	Laundry, not Self-Service
14	Leather Goods Store
14	Locksmith
14	Luggage Store
14	Medical, Dental Supply
14	Monument Sales and Engraving, excluding Shaping
14	Musical Instrument Sales and Supply Store
14	Office Furnishing Establishment
14	Office Machine Sales
14	Office Supplies
14	Oil and Lube Service, 3-bay maximum
14	Orthopedic Appliances Store
14	Paint Store
14	Pawn Shop
14	Pet Shop
14	Phonograph and Record Shop
14	Photo Finishing
14	Photography Supply Store
14	Picture Framing
14	Plumbing Fixture Sales
14	Printing and Publishing Services
14	Radio and Television Sales
14	Record Shop
14	Reducing Salon
14	Reproduction Sales, Services and Bindery
14	Self-Service Laundromat
14	Shoe Repair
14	Shoe Store
14	Shopping Goods and Services
14	Sporting Goods Store
14	Stationery Store
14	Tailor Shop

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

14	Television Repair
14	Toy Shop
14	Television Sales
14	Tune-up Service, 3-bay maximum
14	Variety Store
14	Veterinary Clinic, Small Animals and Excluding Outside Animal Runs
14	Wall Paper Store
14	Watch Repair
14	Wedding Chapel
14	Wig Shop

### (Number 15)

15	Air Conditioning Service
15	Armature Rewinding Repair
15	Armored Car Service
15	Auctioneer
15	Bakery, Wholesale
15	Barber School
15	Beauty School
15	Bindery
15	Bottled Gas
15	Business Machine Repair
15	Cabinet Maker
15	Carpentry
15	Carpet Installation & Repair
15	Computer Repair
15	Data Processing Machine Repair
15	Decorating, Interior
15	Drapery Service
15	Dry Cleaning/Laundry Establishment, 7000 SF maximum
15	Electrical Repair Service
15	Exterminating Service
15	Fence
15	Frozen Food Locker
15	Fuel Oil Sales
15	Furnace Cleaning
15	Furniture Repair
15	General Merchandising
15	Greenhouse, Retail sales
15	Glass Fabrication, Installation, Repair
15	Heating Equipment, Fabrication, Installation, Repair
15	Ice Plant
15	Janitorial Service

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

15, SUP	Kennel
15	Landscape Contractor
15	Limousine Service
15	Linen Supply
15	Lumber Yard
15	Mattress and Pillow Repair
15	Model Home, Display only
15	Newspaper Publishing
15	Other Trades and Services
15	Packing & Crating of Goods
15	Painting Contractor
15	Paper Hanging
15	Plastering Service
15	Plumbing Construction Service
15	Plumbing Shop
15	Portable Storage Buildings, Sales
15	Printing and Publishing
15	Reupholstering
15	Reupholstery
15	Rug Cleaners
15	School, Barber
15	School, Beauty
15	School, Trade
15	Sign Painting
15, SUP	Trade School
15	Tattoo Parlor
15	Taxidermist
15	Tile Setting Service
15	Upholstery Repair
15	Vending Machine Sales, Service
15	Veterinary Hospital, Livestock
15	Window Cleaning
15	Woodworking Shop

#### (Number 16)

16, SUP	Mini-Storage
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#### (Number 17)

17	Agriculture Implement Sales
17	Aircraft Sales
17	Automobile Rental

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

17	Automobile Sales, New, Used
17	Automobile Wash
17	Automotive and Allied Activities
17	Boat Sales
17	Camper Sales
17	Manufactured Home Sales
17	Motorcycle Sales
17	Recreational Vehicle (RV) Sales
17	Rug Repair
17	Vehicle Repair and Service

#### (Number 18)

18	Drive-In Restaurant
18	Restaurant, Drive-In

#### (Number 19)

19	Billiard Center, Family
19	Bingo Facility, Commercial
19	Bowling Alley
19	Commercial Recreation, Enclosed
19	Dance Hall
19	Driving Range, Golf
19	Gymnasium
19	Health and Fitness Center
19	Hotel
19	Ice Skating Rink, Enclosed
19	Motel
19	Motion Picture, Theater, Enclosed
19	Racquetball Club
19	Recreation, Indoor Commercial
19	Rifle Range, Enclosed
19	Skating Rink, Enclosed
19	Slot Car Track
19	Swimming Pool, Enclosed
19	Tennis Club
19	Theater, Motion Picture, Enclosed
19	Video Games

#### (Number 20)

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

20, SUP	Amphitheater
20, SUP	Amusement Activities, NEC
20, SUP	Arena
20, SUP	BMX Track
20, SUP	Campground, Overnight RV
20, SUP	Commercial Recreation, Intensive
20, SUP	Drive-In Theater
20, SUP	Fairground
20, SUP	Frisbee Golf Course
20, SUP	Go-Kart Track
20, SUP	Golf Driving Range
20, SUP	Miniature Auto Track
20, SUP	Outdoor Recreation, NEC
20, SUP	Overnight Campground for Recreational Vehicles
20, SUP	Paintball
20, SUP	Race Track, Auto, Dog, Horse, Boat, BMX
20, SUP	Rodeo Grounds
20, SUP	Skateboard Track
20, SUP	Stadium, NEC
20, SUP	Tennis Court, Commercial
20, SUP	Water Slide

#### **(Number 21)**

21	Business Sign
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#### **(Number 22)**

22	Research, Scientific
22	Scientific Research, Testing, Development, Enclosed

#### **(Number 23)**

23	Moving & Storage Facility
23	Storage, General
23	Truck Rentals
23	Trucking Establishment
23	Warehouses, NEC
23	Wholesale Establishments, NEC

#### **(Number 24)**

24, SUP	Cement, Portland Manufacture
24, SUP	Extraction, Mining
24, SUP	Gravel Operation

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

24, SUP	Masonry Contracting Service
24, SUP	Mineral Products Processing
24, SUP	Mining
24, SUP	Processing of Mineral Products
24, SUP	Sand Operations
24, SUP	Quarrying

#### (Number 25)

25	Aircraft and Aerospace Assembly and Subassembly
25	Aircraft Repairs, Maintenance Instruction and Training
25	Apparel and Other Finished Products Made From: Fabrics, Leather, Similar Materials
25	Automotive Painting
25	Blacksmithing
25	Brooms and Brushes - Manufacturing
25	Building, Contract Construction Service and Storage
25	Bus Maintenance Shop
25	Candle Manufacturing
25	Candling or Processing Plant
25	Carpet Cleaning
25	Cesspool Cleaning
25	Clothes Manufacturing
25	Cold Storage Plants
25	Communication Equipment, Including Radio Television Receiving Sets - Manufacturing
25	Concrete Construction Service
25	Construction, Heavy
25	Costume Jewelry, Costume Novelties, Buttons and Miscellaneous Notions (except precious materials) - Manufacturing
25	Drug – Manufacturing
25	Dry Cleaning/Laundry - Industrial
25	Dry-cleaning, Industrial
25	Dyestuff Manufacturing
25	Freight Terminals
25	Furniture Packing and Crating
25	Garment Manufacturing
25	Heating, Contracting Construction Service
25	Heavy Construction, Equipment Storage/Parking
25	Ice Manufacturing
25	Industry, Light
25, SUP	Industrial Uses – Use Unit 25 when located on a 40-acre or larger tract
25	Insulation Contractor

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

25	Laundry, Industrial
25	Laundry Service (Non-personal goods)
25	Laundry, Industrial
25	Light Manufacturing, NEC
25	Machine Shop
25	Manufacturing, Light
25	Masonry
25	Mattress and Bedding Renovator
25	Mattress Manufacturing
25	Motion Picture Production
25	Motor Freight Depot/Terminal
25	Musical Instruments and Parts - Manufacturing
25	Office, Computing and Accounting Machines – Manufacturing
25	Oil Well Drilling and Cleaning Contracting Service
25	Paint and Other Solvent Use
25	Paint and Other Solvent Use
25	Pens, Pencils, and Other Office and Artist Materials - Manufacturing
25	Pharmaceutical Manufacturing
24	Plastics, Blow Molding and Injection Molding
25	Printing, Publishing and Allied Industries
25	Professional, Scientific and Controlling Instruments, Photographic and Optical Goods, Watches and Clocks - Manufacturing
25	Produce Markets Wholesale
25	Roasting Coffee and Coffee Products - Manufacturing
25	Roofing
25	Roofing Contracting Service
25	Sheet Metal
25	Sheet Metal Contracting Service
25	Spray Painting
25	Stonework
25	Truck Freight Terminal (repair and storage of commercial contract carriers)
25	Umbrellas, Parasols and Canes - Manufacturing
25	Water Well Drilling and Cleaning Service
25	Welding Shop
25	Welding Equipment and Supply Manufacturing

#### **(Number 26)**

26	Aircraft Parts Manufacturing and Remanufacturing
26	Alcohol Manufacturing
26	Aluminum, Brass, Copper Foundry
26	Batch Plant
26	Beverage Manufacturing

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

26	Boiler or Forage Works
26	Brass Works
26	Brewery
26	Canning and Preserving of Fruits/Vegetables
26	Cellophane Manufacturing
26	Celluloid Manufacturing
26	Cement, Lime, Gypsum, Plaster of Paris Manufacturing
26	Cheese Manufacturing
26	Chipping of Trees and Shrubs
26	Chrome Plating
26	Concrete Ready-Mix Plant
26	Confectionery and Related Products - Manufacturing
26	Cooperage Works
26	Corrugated Metal Manufacturing
26	Cotton Baling, Compressing and Ginning
26	Cotton Storage, Open
26	Cottonseed Oil Milling
26	Cultured Marble Manufacturing
26	Cutlery, Hand Tools, General Hardware - Manufacturing
26	Dairy Products Manufacturing
26	Die Casting Manufacturing
26	Diesel Engine Repairs
26	Electrical Lighting and Wiring Equipment - Manufacturing
26	Electrical Machinery, Equipment and Supplies - Manufacturing
26	Electronic Components and Accessories - Manufacturing
26	Electroplating
26	Fabricated Metal Products, NEC - Manufacturing
26	Feed Grinding and Processing
26	Fiberglass Products Manufacturing
26	Flat Glass - Manufacturing
26	Flavor Extracts and Flavoring Syrups Manufacturing, NEC
26	Flour Mills
26	Food Products, Manufacturing
26	Forage Works
26	Foundry, Nonferrous Metals
26	Fur Goods – Manufacturing
26	Furniture and Fixtures - Manufacturing
26	Galvanizing
26	Gas (heating or illuminating) manufacturing or Storage, except where such gas is to be entirely consumed on the same premises
26	Gas Manufacturing or Storage
26	Glass and Glassware (pressed and blown) manufacturing
26	Grain Elevators
26	Grain Mill Products - Manufacturing
26	Heat Exchangers, Fabrication

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

26	Household Appliances - Manufacturing
26	Ice Cream Manufacturing
26	Incineration, Reduction of Dead Animals, Garbage or Refuse, Offal
26	Indoor Recycling Center for Metal, paper, Glass and Plastic Products
26	Industrial Spray Painting and Other Solvent Use
26, SUP	Industrial Uses – Use Unit 26 when located on a 40-acre or larger tract
26	Industry, Medium
26	Jewelry, Silverware and Plated Ware - Manufacturing
26	Lamp Black Manufacturing
26	Lamp Shades – Manufacturing
26	Leather and Leather Products - Manufacturing
26	Liquified Petroleum Gas Sales and Service, Wholesale
26	Livestock Auction Sales
26	Lumber and Wood Products Manufacturing, NEC
26	Machinery Manufacturing
26	Manufacturing, Moderate
26	Meat Products - Manufacturing
26	Metal Foundry, Non-Ferrous
26	Milling, Custom
26	Moderate Manufacturing, NEC
26	Monument Manufacture
26	Mortician Goods - Manufacturing
26	Noodle Manufacturing
26	Oil Cloth Manufacturing
26	Oil Compounding and Barreling
26	Oil Well Equipment Storage
26	Other Fabricated Metals Products - Manufacturing
26	Paper Products Manufacturing, Not Using Sulphide Processes
26	Pickle, Sausage, Sauerkraut, Vinegar Manufacturing
26	Pickling, Fruits and Vegetables; Salad Dressings - Manufacturing
26	Planing Mill
26	Pottery and Figurines or Other Similar Ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas
26	Pottery and Related Products - Manufacturing
26	Prefabricated House Manufacturing
26	Prestressed and Pretensioned Concrete Products
26	Printing Ink Manufacturing
26	Radioactive Service Company
26	Rayon or Cellophane Manufacturing
26	Ready Built House Manufacturing

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

26	Refrigerator Manufacturing
26	Sandblasting (indoor)
26	Sash and Door Manufacturing
26	Sausage Manufacturing
26	Shoddy Manufacturing, (Low Grade Cotton or Wool)
26	Shoe Polish Manufacturing
26	Sighting and Fire Control Equipment - Manufacturing
26	Signs and Advertising Displays - Manufacturing
26	Small Arms Manufacturing
26	Soybean Oil Milling
26	Space Vehicle Manufacturing
26	Starch, Glucose, Dextrine Manufacturing
26	Storage of Abandoned or Inoperative Vehicles reclaimed from Highway/Streets for 60 days or less (excludes salvaged or dismantled vehicles)
26	Store Fixture Manufacturing
26	Tank and Tank Components – Manufacturing
26	Textile Mill - Manufacturing
26	Tire Recapping
26	Tobacco – Manufacturing
26	Toy, Amusement, Sporting and Athletic Goods - Manufacturing
26	Transportation Equipment Manufacturing
26	Vegetable Oil Milling
26	Vinegar Manufacturing
26	Waste Paper Salvage and Reclamation
26	Wool Scouring, Hair Manufacturing
26	Yeast Manufacturing

### **(Number 27)**

27	Abattoir (Slaughter House)
27	Acetylene Gas Manufacturing
27	Acid Manufacturing
27	Agricultural Chemicals – Manufacturing
27	Ammonia, Bleaching Powder or Chlorine Manufacturing
27	Animal Rendering
27	Arsenals
27	Asphalt Refining, Manufacturing
27	Blast Furnace
27	Bleaching Powder Manufacturing
27	Brick and Block Manufacturing, Tile Manufacturing
27	Butane and Propane Manufacturing/Storage
27	Chlorine Manufacturing
27	Coal Yard
27	Coke Manufacturing

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

27	Compost Yard
27	Concrete Brick and Block Manufacturing
27	Creosote Manufacturing, or Treatment
27	Disinfectant or Insecticide Manufacturing
27	Distillation of Bones, Coal
27	Emery Cloth and Sandpaper Manufacturing
27	Explosive Manufacturing or Storage
27	Fat Rendering
27	Fertilizer Manufacturing
27	Fireworks Manufacturing or Storage
27	Foundry, Ferrous Metals
27, SUP	Garbage Dump
27, SUP	Garbage, Offal, or Dead Animal Reduction or Dumping
27	Glue, Gelatin or Size Manufacturing
27	Guided Missile Manufacturing
27	Gum and Wood Chemicals – Manufacturing
27	Guns, Howitzers, Mortars, and Related Equipment - Manufacturing
27, SUP	Industrial Uses – Use Unit 27 when located on a 40-acre or larger tract
27	Industry, Heavy
27	Insecticide Manufacturing
27	Iron or Steel Foundry
27	Lime, Cement, Plaster of Paris Manufacturing
27	Linoleum Manufacturing
27	Lubricating Oils and Grease Manufacturing
27	Manufacturing, Heavy
27	Match Manufacturing
27	Metal Foundry, Ferrous
27	Oil Reclamation Plants
27	Oil Refinery
27	Paint, Oil, Varnish, Turpentine Manufacturing
27	Paper or Pulp Manufacturing by Sulphide Process
27	Paving Plants
27	Petroleum Refining, Bulk Storage for Wholesale
27	Plastics/Rubber Manufacturing
27	Primary Metal Industries, NEC
27	Railroad Freight Terminal
27	Railroad Roundhouse or Shop
27	Railroad Yard
27	Refining of Petroleum & Other Crude Materials
27, SUP	Refuse Dump
27,SUP	Refuse or Trash Transfer Station, All processing and storage shall be within building or containers
27	Rendering Plant
27	Resource Recovery Facility (all storage and processing within

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP    Specific Use Permits (SUP)

	building)
27	Rolling/Steel Mill
27	Rubber Manufacturing from Crude Materials
27	Salt Works
27	Sandblasting (outdoor)
27	Sawmill
27	Slaughtering of Animals, NEC
27	Smelting
27	Soap Manufacturing
27	Soda Ash, Caustic Soda & Washing Compound Manufacturing
27	Steel Mill
27	Steel Works or Fabrication Plant
27	Stockyard
27	Stone Cutting and Stone Products Manufacturing
27	Structural Clay Products - Manufacturing
27	Structural Steel Plants
27	Sugar Refining
27	Tallow, Grease, Lard Manufacturing or Refining
27	Tank Farm, Petroleum
27	Tanning, Curing or Storing of Leather or Hide
27	Tar Distillation or Manufacturing
27	Tar Roofing Manufacturing
27	Trades Emitting Objectionable Odor, Heat, Smoke, Noise
27, SUP	Trash or Refuse Transfer Station – All Processing and Storage within a Building or Containers
27	Turpentine Manufacturing
27, SUP	Use Unit 27 when located on a tract 40-acres or larger
27	Varnish Manufacturing
27	Washing Compound Manufacturing
27	Wood Preserving
27	Wrecker Service, see “Storage of Abandoned or Inoperative Vehicles....” above

### (Number 28)

28, SUP	Auto Pool
28, SUP	Automobile Salvage Yards
28, SUP	Junk Yard
28, SUP	Salvage Yards, NEC
28, SUP	Storage of Damaged/Dismantled Autos or any Form of Junk

## Chapter 13

### Use Unit      Numerical Listing of Use Units and Number/SUP   Specific Use Permits (SUP)

Family Day Care Home (See 5.02.5)

Home Occupation (see Section 5.03.B)

#### **SPECIFIC USE PERMIT ONLY**

College or University Hospital

Commercial Resort Facilities, when located on a  
40-acre or larger tract

Commercial Theme Parks

Public or Private Attractions

Recycling Center

Transmitting Tower, Excluding Amateur Radio

Transportation Equipment Manufacturing

**APPENDIX B: INDEX OF LAND USES  
ALPHABETIC, NUMERIC AND SPECIFIC USE PERMIT (SUP)**

**ALPHABETIC**

**(A)**

27	Abattoir (Slaughter House)
11	Abstract Company
27	Acetylene Gas Manufacturing
27	Acid Manufacturing
5	Adult Day Care
2, SUP	Adult Detention Center/Correctional Facility
12a, SUP	Adult Entertainment Establishments
12a, SUP	Adult Novelty Shop
11	Advertising Agency
3	Agriculture
27	Agricultural Chemicals – Manufacturing
17	Agriculture Implement Sales
14	Air Conditioning Sales
15	Air Conditioning Service
25	Aircraft and Aerospace Assembly and Subassembly
26	Aircraft Parts Manufacturing and Remanufacturing
25	Aircraft Repairs, Maintenance Instruction and Training
17	Aircraft Sales
14	Air Conditioning Sales
2, SUP	Airport
26	Alcohol Manufacturing
26	Aluminum, Brass, Copper Foundry
4	Ambulance Service
27	Ammonia, Bleaching Powder or Chlorine Manufacturing
20, SUP	Amphitheater
20, SUP	Amusement Activities, NEC
3	Animal Raising
27	Animal Rendering
4, SUP	Antenna and Supporting Structure
14	Antique Shop
8	Apartments
25	Apparel and Other Finished Products Made From: Fabrics, Leather, Similar Materials
14	Appliance Repair
14	Appliance Store
5	Aquarium
1	Arboretum
1	Area-Wide Uses by Right
2	Area-Wide Special Exception Uses

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

20, SUP	Arena
15	Armature Rewinding Repair
15	Armored Car Service
27	Arsenals
5	Art Gallery (not operated for profit)
14	Art Gallery, Commercial
11	Art School
11	Artist's Studio
14	Artist Supply Store
27	Asphalt Refining, Manufacturing
5	Assisted Living Centers
15	Auctioneer
28, SUP	Auto Pool
17	Automobile Rental
17	Automobile Sales, New, Used
28	Automobile Salvage Yards
17	Automobile Wash
17	Automotive and Allied Activities
25	Automotive Painting
14	Automotive Parts and Accessories Store

**(B)**

20, SUP	BMX Track
14	Bait Shop and Fishing Tackle Sales
13	Bakery
25	Bakery Products - Manufacturing
15	Bakery, Wholesale
11	Ballet School
11	Bank
12a, SUP	Bar/Tavern
15	Barber School
13	Barber Shop
26	Batch Plant
15	Beauty School
13	Beauty Shop
12a, SUP	Beer Bar
26	Beverage Manufacturing
14	Bicycle Shop
19	Billiard Center, Family
12a, SUP	Billiard Parlor
15	Bindery
19	Bingo Facility, Commercial
25	Blacksmithing
27	Blast Furnace
27	Bleaching Powder Manufacturing

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

8	Boarding House
17	Boat Sales
26	Boiler or Forage Works
14	Book Store
15	Bottled Gas
5	Bottling Plant
19	Bowling Alley
26	Brass Works
27	Brick and Block Manufacturing, Tile Manufacturing
26	Brewery
11	Broadcasting Studio
25	Brooms and Brushes - Manufacturing
14	Building Materials Store
25	Building, Contract Construction Service and Storage
25	Bus Maintenance Shop
2	Bus Station
15	Business Machine Repair
14	Business Machine Sale
11	Business School
21	Business Sign
27	Butane and Propose Manufacturing/Storage

**(C)**

15	Cabinet Maker
12	Cafe
12	Cafeteria
14	Camera and Photographic Supply Store
5	Camp, Day
17	Camper Sales
20, SUP	Campground, Overnight RV
25	Candle Manufacturing
25	Candling or Processing Plant
13	Candy Store
26	Canning and Preserving of Fruits/Vegetables
5	Care Home
2	Carnival
15	Carpentry
25	Carpet Cleaning
15	Carpet Installation & Repair
14	Carpet Store
12a, SUP	Casinos, Other Gambling Establishments
14	Caterer
26	Cellophane Manufacturing
26	Celluloid Manufacturing
27	Cement, Lime, Gypsum, Plaster of Paris Manufacturing

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

24, SUP	Cement, Portland Manufacture
2, SUP	Cemetery
25	Cesspool Cleaning
26	Cheese Manufacturing
3	Chick Hatchery
5	Children's Home
5	Children's Nursery
14	China, Glassware & Metal Ware Store
26	Chipping of Trees and Shrubs
27	Chlorine Manufacturing
2	Christmas Tree Sales
26	Chrome Plating
5, SUP	Churches
2	Circus
25	Clothes Manufacturing
14	Clothing and Accessories Store
5	Club, Social or Fraternal
27	Coal Yard
12	Coffee Shop
27	Coke Manufacturing
25	Cold Storage Plants
5	College or University
SUP	College or University Hospital
19	Commercial Recreation, Enclosed
20, SUP	Commercial Recreation, Intensive
SUP	Commercial Resort Facilities when located on a 40-acre or larger tract.
13	Commercial, Convenience
13	Commercial Shopping
SUP	Commercial Theme Parks
25	Communication Equipment, Including Radio Television Receiving Sets - Manufacturing
5	Community Center
5	Community Group Home
2, SUP	Community Treatment Correctional Center
27	Compost Yard
15	Computer Repair
14	Computer Sales
11	Computing Service
25	Concrete Construction Service
27	Concrete Brick and Block Manufacturing
26	Concrete Ready-Mix Plant
26	Confectionery and Related Products - Manufacturing
13	Confectionery Store
2	Construction Facilities, Off-site
25	Construction, Heavy

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

5, SUP	Convalescent Home
13	Convenience Goods and Services
5	Convent
2, SUP	Convict Pre-release Center
26	Cooperage Works
11	Copying Service
2, SUP	Correctional Community Treatment Center
2, SUP	Correctional Facility
26	Corrugated Metal Manufacturing
25	Costume Jewelry, Costume Novelties, Buttons and Miscellaneous Notions (except precious materials) - Manufacturing
26	Cotton Baling, Compressing and Ginning
26	Cotton Storage, Open
26	Cottonseed Oil Milling
14	Cosmetic Shop
14	Costume Rental Service
13	Courier
2, SUP	Crematory
27	Creosote Manufacturing, or Treatment
1	Cultivation
5	Cultural and Recreation Facility
5	Cultural Facility, NEC
26	Cultured Marble Manufacturing
26	Cutlery, Hand Tools, General Hardware - Manufacturing

**(D)**

26	Dairy Products Manufacturing
13	Dairy Store
19	Dance Hall
11	Dance School
15	Data Processing Machine Repair
11	Data Processing Service
5	Day Camp
5	Day Care Home (See "Family Day Care Homes" 5.03.B)
15	Decorating, Interior
12	Delicatessen
11	Dental Clinic, Laboratory
11	Dentist Office
14	Department Store
2, SUP	Detention Facility, Adult or Juvenile
26	Die Casting Manufacturing
26	Diesel Engine Repairs
27	Disinfectant or Insecticide Manufacturing

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

27	Distillation of Bones, Coal, Tar or Wood
11	Doctor's Office
11	Drafting Service
20, SUP	Drag Strip
11	Drama School
15	Drapery Service
14	Drapery, Curtain, Upholstery Store
14	Dressmaking Shop
18	Drive-In Restaurant
20, SUP	Drive-In Theater
20, SUP	Driving Range, Golf
25	Drug - Manufacturing
13	Drug Store
14	Dry Cleaning Laundry Establishment, 3000 SF maximum
15	Dry Cleaning/Laundry Establishment, 7000 SF maximum
25	Dry Cleaning/Laundry - Industrial
13	Dry Cleaning Pick-Up
25	Dry-cleaning, Industrial
14	Dry Goods Store
3	Dude Ranch
7	Duplex Dwelling
9	Dwelling, Manufactured
26	Dyestuff Manufacturing

**(E)**

12	Eating Establishment Other Than Drive-In
2, SUP	Electric Generation Plant
4, SUP	Electric Regulating Substation, Excluding Storage or Service Garages or Yards
15	Electrical Contractor
15	Electrical Repair Service
26	Electrical Lighting and Wiring Equipment - Manufacturing
26	Electrical Machinery, Equipment and Supplies - Manufacturing
14	Electrical Supply Store
26	Electronic Components and Accessories - Manufacturing
26	Electroplating
5	Elderly/Retirement Housing
5, SUP	Emergency and Protective Shelter
27	Emery Cloth and Sandpaper Manufacturing
11	Employment Agency
27	Explosive Manufacturing or Storage
5	Extended Care Facility
15	Exterminating Service
24, SUP	Extraction Operations, Mining and Mineral Processing

**(F)**

26	Fabricated Metal Products, NEC - Manufacturing
20, SUP	Fairground
	Family Day Care Home (See 5.02.5)
3	Farming
27	Fat Rendering
26	Feed Grinding and Processing
14	Feed Store
15	Fence
27	Fertilizer Manufacturing
26	Fiberglass Products Manufacturing
11	Financial Institution, Other than a Pawn Shop
11	Fine Arts School
1	Fire Alarm
4	Fire Station
27	Fireworks Manufacturing or Storage
3	Fishery
26	Flat Glass - Manufacturing
26	Flavor Extracts and Flavoring Syrups Manufacturing, NEC
1	Flood Management Project
14	Floor Coverings Store
13	Florist
26	Flour Mills
26	Food Products, Manufacturing
13	Food, Specialty
26	Forage Works
1	Forestry
6	Foster Home
27	Foundry, Ferrous Metals
26	Foundry, Nonferrous Metals
8	Fraternity House
25	Freight Terminals
20, SUP	Frisbee Golf Course
15	Frozen Food Locker
2	Fruit and Vegetable Sales from Tents or Vehicles
15	Fuel Oil Sales
11	Funeral Home
26	Fur Goods – Manufacturing
14	Fur Storage
15	Furnace Cleaning
26	Furniture and Fixtures - Manufacturing
25	Furniture Packing and Crating
15	Furniture Repair
14	Furniture Store

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

14                      Furrier and Fur Shop

**(G)**

26                      Galvanizing  
27, SUP                Garbage Dump  
27, SUP                Garbage, Offal, or Dead Animal Reduction or Dumping  
14                      Garden Supply Store  
25                      Garment Manufacturing  
26                      Gas (heating or illuminating) manufacturing or Storage, except  
                            where such gas is to be entirely consumed on the same  
                            premises  
26                      Gas Manufacturing or Storage  
14                      Gasoline Service Station  
11                      General Business Office, Excluding on premises Sale of  
                            Merchandise  
15                      General Merchandising  
13                      Gift Shop  
26                      Glass and Glassware (pressed and blown) manufacturing  
15                      Glass Fabrication, Installation, Repair  
27                      Glue, Gelatin or Size Manufacturing  
20, SUP                Go-Kart Track  
5, SUP                 Golf Course  
20, SUP                Golf Driving Range  
2                        Governmental Services, NEC  
26                      Grain Elevators  
26                      Grain Mill Products - Manufacturing  
24, SUP                Gravel Operation  
1                        Grazing  
15                      Greenhouse, Retail sales  
13                      Grocery Store  
3                        Guest Ranch  
27                      Guided Missile Manufacturing  
27                      Gum and Wood Chemicals – Manufacturing  
2, SUP                 Gun Club  
27                      Guns, Howitzers, Mortars, and Related Equipment -  
                            Manufacturing  
14                      Gun Smith  
19                      Gymnasium

**(H)**

5, SUP	Halfway House
14	Hardware Store
19	Health and Fitness Center
13	Health Food Store
26	Heat Exchangers, Fabrication
25	Heating, Contracting Construction Service
15	Heating Equipment, Fabrication, Installation, Repair
25	Heavy Construction, Equipment Storage/Parking
2, SUP	Heliport
1	Historical Marker
14	Hobby Shop
14	Home Furnishing Store
	Home Occupation (see Section 5.03.B)
5, SUP	Homeless Center
3	Horticultural Nursery
5	Hospital
26	Household Appliances - Manufacturing
19	Hotel
14	Household Appliance Repair

**(I)**

26	Ice Cream Manufacturing
13	Ice Cream Store
25	Ice Manufacturing
15	Ice Plant
19	Ice Skating Rink, Enclosed
27, SUP	Incineration, Reduction of Dead Animals, Garbage or Refuse, Offal
26	Indoor Recycling Center for Metal, paper, Glass and Plastic Products
26	Industrial Spray Painting and Other Solvent Use
SUP	Industrial Uses – Use Units 25, 26, and 27 when located on a 40-acre or larger tract
27	Industry, Heavy
25	Industry, Light
26	Industry, Medium
27	Insecticide Manufacturing
25	Insulation Contractor
14	Interior Decorating
11	Interior Design Consultant
27	Iron or Steel Foundry

**(J)**

2, SUP	Jail
15	Janitorial Service
26	Jewelry, Silverware and Plated Ware - Manufacturing
14	Jewelry Store and Repair
28, SUP	Junk Yard
2, SUP	Juvenile Delinquency Center

**(K)**

15, SUP	Kennel
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**(L)**

11	Laboratory, Medical or Dental
26	Lamp Black Manufacturing
26	Lamp Shades – Manufacturing
15	Landscape Contractor
11	Language School
14	Laundry, Not Self-Service
14	Laundromat, Self-Service
25	Laundry, Industrial
13	Laundry Service and Pickup
25	Laundry Service (Non-personal goods)
25	Laundry, Industrial
13	Laundry and Pick-Up
26	Leather and Leather Products - Manufacturing
14	Leather Goods Store
5	Library
5	Life Care Retirement Center
25	Light Manufacturing, NEC
27	Lime, Cement, Plaster of Paris Manufacturing
15	Limousine Service
15	Linen Supply
27	Linoleum Manufacturing
13	Liquor Store
26	Liquified Petroleum Gas Sales and Service, Wholesale
26	Livestock Auction Sales
14	Locksmith
27	Lubricating Oils and Grease Manufacturing
14	Luggage Store
26	Lumber and Wood Products Manufacturing, NEC
15	Lumber Yard

**(M)**

26	Machinery Manufacturing
25	Machine Shop
9	Manufactured Home
17	Manufactured Home Sales
27	Manufacturing, Heavy
25	Manufacturing, Light
26	Manufacturing, Moderate
5	Marina
25	Masonry
24, SUP	Masonry Contracting Service
27	Match Manufacturing
25	Mattress and Bedding Renovator
15	Mattress and Pillow Repair
25	Mattress Manufacturing
2	Mausoleum
13	Meat Market
26	Meat Products - Manufacturing
11	Medical Clinic, Laboratory
14	Medical, Dental Supply
27	Metal Foundry, Ferrous
26	Metal Foundry, Non-Ferrous
26	Milling, Custom
24, SUP	Mineral Products Processing
16, SUP	Mini-Storage
20, SUP	Miniature Auto Track
24, SUP	Mining and Quarrying
15	Model Home, Display only
11	Modeling School
26	Moderate Manufacturing, NEC
5	Monastery
26	Monument Manufacture
14	Monument Sales and Engraving, excluding Shaping
26	Mortician Goods - Manufacturing
19	Motel
19	Motion Picture, Theater, Enclosed
25	Motion Picture Production
25	Motor Freight Depot/Terminal
17	Motorcycle Sales
23	Moving & Storage Facility
8	Multifamily Dwelling
5, SUP	Museum
11	Music School
14	Musical Instrument Sales and Supply Store
25	Musical Instruments and Parts - Manufacturing

**(N)**

15	Newspaper Publishing
13	Newsstand
12a, SUP	Night Club
26	Noodle Manufacturing
13	Novelty
5	Novitiate
3	Nursery, Horticultural
5, SUP	Nursing Home
13	Nut Store

**(O)**

10	Off-Street Parking Areas
11, SUP	Offices – Use Unit 11 when located on a 40-acre or larger tract
11	Office & Studio
11	Office Building
25	Office, Computing and Accounting Machines – Manufacturing
14	Office Furnishing Establishment
14	Office Machine Sales
14	Office Supplies
10	Off-Street Parking
14	Oil and Lube Service, 3-bay Maximum
26	Oil Cloth Manufacturing
26	Oil Compounding and Barreling
27	Oil Reclamation Plants
27	Oil Refinery
25	Oil Well Drilling and Cleaning Contracting Service
26	Oil Well Equipment Storage
2	Open air activities
11	Optician or Optical Lab
14	Orthopedic Appliances Store
26	Other Fabricated Metals Products - Manufacturing
15	Other Trades and Services
20, SUP	Outdoor Recreation, NEC
20, SUP	Overnight Campground for Recreational Vehicles

**(P)**

15	Packing & Crating of Goods
25	Paint and Other Solvent Use
20, SUP	Paintball

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

14	Paint Store
25	Paint and Other Solvent Use
27	Paint, Oil, Varnish, Turpentine Manufacturing
15	Painting Contractor
15	Paper Hanging
26	Paper Products Manufacturing, Not Using Sulphide Processes
27	Paper or Pulp Manufacturing by Sulphide Process
10	Parking
10	Parking Garage
27	Paving Plants
14	Pawn Shop
25	Pens, Pencils, and Other Office and Artist Materials - Manufacturing
14	Pet Shop
27	Petroleum Refining, Bulk Storage for Wholesale
25	Pharmaceutical Manufacturing
11	Pharmacy, Prescription
14	Phonograph and Record Shop
14	Photo Finishing
11	Photocopying
11	Photography Studio
14	Photography Supply Store
26	Pickle, Sausage, Sauerkraut, Vinegar Manufacturing
26	Pickling, Fruits and Vegetables; Salad Dressings - Manufacturing
14	Picture Framing
5	Planetarium
26	Planing Mill
2	Plant Sales, from Tents or Vehicles
1	Planting
15	Plastering Service
16	Plastic Materials Sales
26	Plastics, Blow Molding and Injection Molding
27	Plastics/Rubber Manufacturing
15	Plumbing Construction Service
14	Plumbing Fixture Sales
15	Plumbing Shop
1	Political Campaign Signs
12a, SUP	Pool Hall
15	Portable Storage Buildings, Sales
2	Post Office
24	Pottery and Figurines or Other Similar Ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas
26	Pottery and Related Products - Manufacturing
3	Poultry Raising
26	Prefabricated House Manufacturing

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

4	Pressure Control Station
26	Prestressed and Pretensioned Concrete Products
27	Primary Metal Industries, NEC
15	Printing and Publishing
26	Printing Ink Manufacturing
14	Printing and Publishing Services
25	Printing, Publishing and Allied Industries
2, SUP	Prison
12a, SUP	Private Club
5, SUP	Private Schools with a Compulsory Education Curriculum
24, SUP	Processing of Mineral Products
25	Professional, Scientific and Controlling Instruments, Photographic and Optical Goods, Watches and Clocks - Manufacturing
25	Produce Markets Wholesale
SUP	Public or Private Attractions
4	Public Protection and Services
5	Public Park
5	Public Tennis Court
4	Public Utility Facilities

**(Q)**

24, SUP	Quarrying
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**(R)**

20, SUP	Race Track, Auto, Dog, Horse, Boats, BMX
19	Racquetball Club
4	Radio and Television Repair
14	Radio and Television Sales
26	Radioactive Service Company
27	Railroad Freight Terminal
25	Railroad Roundhouse or Shop
27	Railroad Yard
3	Ranching
26	Rayon or Cellophane Manufacturing
26	Ready Built House Manufacturing
15	Re-upholstering
14	Record Shop
11	Recording Studio
5	Recreation & Cultural Facility, Community
19	Recreation, Indoor Commercial
20, SUP	Recreational Vehicle (RV) Overnight Campground
17	Recreational Vehicle (RV) Sales
SUP	Recycling Center
14	Reducing Salon

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

27	Refining of Petroleum & Other Crude Materials
26	Refrigerator Manufacturing
27, SUP	Refuse Dump
27, SUP	Refuse or Trash Transfer Stations, All processing and storage within building or containers
27	Rendering Plant
14	Reproduction Sales, Services and Bindery
22	Research, Scientific
1	Reservoir
5, SUP	Residential Treatment Center
7	Residential, Duplex
9	Residential, Manufactured Home
8	Residential, Multifamily
6	Residential, Single-family
7a	Residential, Townhouse
27	Resource Recovery Facility (all storage and processing within building)
12	Restaurant
18	Restaurant, Drive-In
5	Retirement Housing
15	Reupholstering
3	Riding Stable or Academy
2, SUP	Rifle and Skeet Range
19	Rifle Range, Enclosed
25	Roasting Coffee and Coffee Products - Manufacturing
20, SUP	Rodeo Grounds
27	Rolling/Steel Mill
25	Roofing
25	Roofing Contracting Service
8	Rooming House
27	Rubber Manufacturing from Crude Materials
15	Rug Cleaners
17	Rug Repair

**(S)**

27	Salt Works
28, SUP	Salvage Yards, NEC
24, SUP	Sand Operations
26	Sandblasting (indoor)
27	Sandblasting (outdoor)
5	Sanitarium
2, SUP	Sanitary Landfill
26	Sash and Door Manufacturing
26	Sausage Manufacturing
27	Sawmill

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

11	School, Art
11	School, Ballet
15	School, Barber
15	School, Beauty
11	School, Business
11	School, Dance
11	School, Drama
11	School, Fine Arts
11	School, Language
11	School, Modeling
11	School, Music
5, SUP	School, Public or Private Offering a Compulsory Education Curriculum
15, SUP	School, Trade
22	Scientific Research, Testing, Development, Enclosed
14	Self-Service Laundromat
5	Service Organizations, Clubs or Lodges, Non-profit
2, SUP	Sewage Disposal Facility
12a, SUP	Sexually-Oriented Business
25	Sheet Metal
25	Sheet Metal Contracting Service
4	Shelter, Civil Defense or Storm
26	Shoddy Manufacturing, (Low Grade Cotton or Wool)
26	Shoe Polish Manufacturing
14	Shoe Repair
14	Shoe Store
14	Shopping Goods and Services
26	Sighting and Fire Control Equipment - Manufacturing
15	Sign Painting
26	Signs and Advertising Displays - Manufacturing
6	Single-Family Detached Dwelling
20, SUP	Skateboard Track
19	Skating Rink, Enclosed
27	Slaughtering of Animals, NEC
19	Slot Car Track
26	Small Arms Manufacturing
27	Smelting
27	Soap Manufacturing
27	Soda Ash, Caustic Soda & Washing Compound Manufacturing
8	Sorority House
13	Souvenir Shop
26	Soybean Oil Milling
26	Space Vehicle Manufacturing
14	Sporting Goods Store
25	Spray Painting
3	Stable, Riding or Academy

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

20, SUP	Stadium, NEC
26	Starch, Glucose, Dextrine Manufacturing
14	Stationery Store
27	Steel Mill
27	Steel Works or Fabrication Plant
27	Stockyard
27	Stone Cutting and Stone Products Manufacturing
25	Stonework
26	Storage of Abandoned or Inoperative Vehicles reclaimed from Highway/Streets for 60 days or less (excludes salvaged or dismantled vehicles)
28, SUP	Storage of Damaged/Dismantled Autos or any Form of Junk
23	Storage, General
26	Store Fixture Manufacturing
1	Street Sign
27	Structural Clay Products - Manufacturing
27	Structural Steel Plants
11	Studio & Office
27	Sugar Refining
19	Swimming Pool, Enclosed

**(T)**

14	Tailor Shop
27	Tallow, Grease, Lard Manufacturing or Refining
26	Tank and Tank Components – Manufacturing
27	Tank Farm, Petroleum
27	Tanning, Curing or Storing of Leather or Hide
13	Tanning Salon
27	Tar Distillation or Manufacturing
27	Tar Roofing Manufacturing
15	Tattoo Parlor
12a, SUP	Tavern
15	Taxidermist
14	Television Repair
14	Television Sales
19	Tennis Club
20, SUP	Tennis Court, Commercial
5	Tennis Court, Public
2	Tent Revival
26	Textile Mill - Manufacturing
19	Theater, Motion Picture, Enclosed
11	Therapeutic Massage, Licensed or Certified
1	Thoroughfare
11	Ticket Office
15	Tile Setting Service

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

26	Tire Recapping
26	Tobacco – Manufacturing
13	Tobacco Shop
7a	Townhouse Dwelling
26	Toy, Amusement, Sporting and Athletic Goods - Manufacturing
14	Toy Shop
15, SUP	Trade Schools
27	Trades Emitting Objectionable Odor, Heat, Smoke, Noise
5, SUP	Transitional Living Center
5, SUP	Transmitting Tower, Excluding Amateur Radio Tower
SUP	Transportation Equipment Manufacturing
11	Transportation Ticket Office
27, SUP	Trash Transfer Station – All Processing and Storage within Building or Containers
11	Travel Agency
25	Truck Freight Terminal, Repair and Storage of Commercial Contract Carriers)
23	Truck Rentals
17	Truck Sales
23	Trucking Establishment
14	Tune-up Service, 3-bay maximum
27	Turpentine Manufacturing

**(U)**

25	Umbrellas, Parasols and Canes - Manufacturing
5	University
15	Upholstery Repair
1	Utility Line

**(V)**

14	Variety Store
27	Varnish Manufacturing
26	Vegetable Oil Milling
17	Vehicle Repair and Service
15	Vending Machine Sales, Service
14	Veterinary Clinic, Small Animals and Excluding Outside Animal Runs
15	Veterinary Hospital, Livestock
3	Veterinary Hospital, Large Animals
19	Video Games
26	Vinegar Manufacturing

Chapter 13

Use Unit                      Alphabetic Listing of Use Units by Land Use

Number/SUP

**(W)**

14	Wall Paper Store
23	Warehouses, NEC
27	Washing Compound Manufacturing
26	Waste Paper Salvage and Reclamation
14	Watch Repair
20, SUP	Water Slide
4, SUP	Water Storage Facility, NEC
2, SUP	Water Treatment Facility
25	Water Well Drilling and Cleaning Service
14	Wedding Chapel
25	Welding Shop
25	Welding Equipment and Supply Manufacturing
23	Wholesale Establishments, NEC
14	Wig Shop
1	Wildlife Preserve
15	Window Cleaning
27	Wood Preserving
15	Woodworking Shop
26	Wool Scouring, Hair Manufacturing
27	Wrecker Service, see "Storage of Abandoned or Inoperative Vehicles...." Above

**(Y)**

26	Yeast Manufacturing
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Chapter 13  
Use Unit  
Number/SUP

Alphabetic Listing of Use Units by Land Use

**END OF ALPHABETIC LISTING OF USE UNITS BY LAND USE**

## **APPENDIX C**

### **SAND SPRINGS MAJOR STREET PLAN**

The Sand Springs Major Street Plan heretofore adopted, and amended from time to time is adopted as part of the Zoning Code of the City of Sand Springs, Oklahoma, and attached hereto as Appendix C. Included with this Appendix is the Major Street and Highway Plan Map on the page that follows.

## APPENDIX D

### ZONING MATRIX: ILLUSTRATING DISTRICT PLAN MAP CATEGORIES RELATIONSHIP TO ZONING DISTRICTS

#### A. Conformance with the Comprehensive Plan

The "Zoning Matrix" of the Comprehensive Plan provides guidance for evaluating the relationship of requested changes in zoning to the adopted policies in the Comprehensive Plan. Therefore, other plans, codes, ordinances and regulations should be adopted in accordance with policies expressed in the Plan.

The primary purpose of the Zoning Code in particular is the promotion of the development of the community in accordance with the intent of the Comprehensive Plan. Evaluation of rezoning requests shall be based on a finding that such requests are in accordance with, may be found in accordance with or are not in accordance with the Plan. A rezoning is in accordance with the Plan if the type and intensity of land use permitted by the ordinance is consistent with the goals, objectives, principles and policies specified in the Plan. Further, provisions of the ordinance should not be in contradiction with the intent of the Plan and should not preclude implementation of the Plan.

The Comprehensive Plan shall be considered in making zoning or rezoning decisions. The Plan establishes appropriate locations for different intensities of land use with regard to compatibility, topography, environmental considerations, traffic generation and other factors. The zoning decision-making process requires specific consideration of the compatibility of land use and environmental characteristics of a proposed use with surrounding areas referred to as the "physical facts." Thus, zoning decisions include consideration of the policies in the Comprehensive Plan, and the individual examination of such existing physical conditions as they relate to an individual parcel of land for which rezoning is requested.

#### B. District Plan Map Categories

The District Plan Map expresses graphically policies which guide the intensity of land use decisions and development. The relationship between the intensity of land use categories shown on the Plan Map and zoning districts is demonstrated in the Matrix at the end of this Appendix. This Matrix lists all of the basic zoning districts and indicates to what degree each district may be considered as being in accordance with each of the Plan Map's designated land use categories. Three (3) degrees of relationship have been established:

- Zoning District and Plan Map category are in accordance.
- Zoning District and Plan Map category may be found in accordance.
- Zoning District and Plan Map category are not in accordance.

The following examples illustrate these relationships:

1. An existing zoning district or a rezoning request would be in accordance with the Plan that, if implemented, would directly contribute to achieving the objective established for the area by the Comprehensive Plan. For example, if the Plan category for an area is Low Intensity-Residential, a proposal to rezone the area to an RS-3 Single-Family district would be in accordance with the Comprehensive Plan.
2. An existing zoning district or a rezoning request may be found in accordance with the Plan if it neither contributes to nor prevents the achievement of the planned use. In this case, it must be determined whether the proposed land use, if implemented, would be compatible with the development of the surrounding area in the manner contemplated by the Comprehensive Plan. For example, if the Plan Map category for an area is Low Intensity-Residential, a proposal to rezone a portion for duplex use would be in accordance with the Plan if the use contemplated was of a density and type that would be compatible with surrounding uses. The RD Duplex District used as a transition between a low intensity area and adjacent higher intensity areas would be an example of a district that may be found in accordance with the Low Intensity Plan category. The same zoning district contemplated for a large area in the center of a low density residential neighborhood would not be in accordance with the Low Intensity Plan Map category.
3. An existing zoning district or a rezoning request would not be in accordance with the Plan that, if implemented, would prevent the achievement of the objectives shown for the area by the Comprehensive Plan. For example, if the Plan Map category for an area is Low Intensity, a proposal to rezone the area to an IM Moderate Industrial District, which is high intensity, would not be in accordance with the Comprehensive Plan.

The Matrix shows the intent of the Plan's policies, but is not the only basis for making decisions on rezoning applications and land use. The intensity of land use categories shown on the District Plan Map should not be interpreted as a zoning map. Existing zoning will continue to operate, and rezoning cannot be claimed within various categories by Right based solely on the Matrix. It should also be recognized that the Official Zoning Map can properly vary from the District Plan Map in that the Official Zoning Map recognizes short-range conditions, and is more detailed and precise than the Comprehensive Plan Map. Furthermore, at the time of adoption of the Plan, certain zoned parcels that are not in accord with the Plan may be of such size, nature or location that their existence should be recognized by zoning that is also not in accord with the Plan Map categories.

## **C. Amendment of the Comprehensive Plan**

### **1. Conflicts with the Comprehensive Plan:**

The effectiveness of the Comprehensive Plan will depend on maintaining a positive relationship between the Plan and implementation tools and techniques. In cases where proposed development plans, codes, ordinances or regulations are not in accordance with the Comprehensive Plan, the conflicts should be eliminated through a change in the rezoning proposals or through amendments to the Plan. It is also recognized that there will be times when it may be desirable to take action not in accordance with the Comprehensive Plan. A decision of the appropriate body, board, or officials which is not in accordance with the Plan shall be considered as an action necessitating consideration of an amendment to the Comprehensive Plan.

### **2. Keeping the Comprehensive Plan Current:**

The Comprehensive Plan needs constant analysis, evaluation and amendment in order to ensure that policies expressly prepared at one time will be evaluated and changed as needed as social and economic conditions also change. Therefore, the Planning Commission should annually review the policies expressed in the Comprehensive Plan to ensure that they are consistent with the social, economic and physical conditions of the metropolitan area and the goals and aspirations of the citizens. Further, the Comprehensive Plan should maintain a horizon year 15-20 years in the future as well as providing a basis for decisions in the short and mid term.

## **D. Policy on Zoning Map Amendments**

It is the official policy that in consideration of proposed amendments to the Zoning Code that amendments will be adopted to recognize changes in the Comprehensive Plan, to correct error, or to recognize changed or changing conditions in a particular area or in the jurisdictional area generally.

# ZONING MATRIX: ILLUSTRATING COMPREHENSIVE PLAN MAP CATEGORIES

## RELATIONSHIP TO ZONING DISTRICTS – See Note 1

PLAN CATEGORIES	ZONING DISTRICTS																						
	A	R	R	R	R	R	R	R	R	R	R	R	P	O	O	O	C	C	C	S	I	I	I
	G	E	S	S	S	S	D	T	M	M	M	M	K	L	M	H	S	G	B	R	L	M	H
		1	2	3	4					O	1	2	H					D					
<b>LOW INTENSITY</b>																							
LOW -- RESIDENTIAL	X	X	X	X	X	X	0	0	0	-	-	0	-	-	-	-	-	-	-	-	-	-	-
LOW -- COMMERCIAL	X	-	-	-	-	-	-	-	-	-	-	-	X	X	0	-	-	-	-	0	-	-	-
LOW -- INDUSTRIAL	X	-	-	-	-	-	-	-	-	-	-	-	X	-	-	-	-	-	-	0	0	-	-
<b>MEDIUM INTENSITY</b>																							
MEDIUM -- RESIDENTIAL	X	X	X	X	X	X	X	X	X	X	X	0	-	-	-	-	-	-	-	-	-	-	-
MEDIUM -- COMMERCIAL	X	-	-	-	-	-	-	-	-	-	-	-	X	X	X	-	X	X	0	0	-	-	-
MEDIUM -- INDUSTRIAL	X	-	-	-	-	-	-	-	-	-	-	-	X	-	-	0	-	-	-	0	X	0	-
<b>HIGH INTENSITY</b>																							
HIGH -- RESIDENTIAL	X	X	X	X	X	X	X	X	X	X	X	0	0	-	-	-	-	-	-	-	-	-	-
HIGH -- COMMERCIAL	X	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	X	X	0	-	-	-	-
HIGH -- INDUSTRIAL	X	-	-	-	-	-	-	-	-	-	-	-	X	-	-	-	-	0	0	X	X	X	0
<b>OTHER INTENSITIES</b>																							
MIXED USE AREA 1	X	-	-	-	-	-	-	-	-	X	X	-	0	X	X	X	X	X	-	X	X	0	-
MIXED USE AREA 2*	X	-	-	-	-	-	-	-	-	-	-	0	0	X	X	0	X	X	X	X	X	0	-
CENTRAL BUSINESS DISTRICT	-	-	-	-	-	-	-	-	-	-	-	-	0	X	X	0	X	X	X	-	-	-	-
CORRIDORS	X	-	-	-	-	-	-	-	-	-	-	-	0	X	X	0	X	0	0	0	0	0	-
COMMERCIAL NODE	X	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	X	X	0	0	0	0	-
DEVELOPMENT SENSITIVE AREA	X	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	0	-	-	0	0	-	-
<b>PUBLIC</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

X = ZONING DISTRICT & PLAN CATEGORY ARE IN ACCORDANCE  
 0 = ZONING DISTRICT & PLAN CATEGORY MAY BE FOUND IN ACCORDANCE  
 -- = ZONING DISTRICT & PLAN CATEGORY ARE NOT IN ACCORDANCE  
 \* = SPECIAL BUFFER POLICY

**NOTES: 1. MATRIX HAS BEEN REVISED SUBJECT TO ADDING RM-0, RM-3, OMH, OH, PK, CBD (REPLACES CH), AND SR AND IS SUBJECT TO FINAL APPROVAL AS AN AMENDMENT TO THE COMPREHENSIVE PLAN.**

THE MATRIX SHOWS THE GENERAL RELATIONSHIP BETWEEN PLAN MAP INTENSITIES AND ZONING DISTRICTS IN THE CITY OF SAND SPRINGS IS AS FOLLOWS. EACH ZONING DISTRICT MAY BE IN CONFORMANCE WITH (X); MAY BE FOUND TO BE IN CONFORMANCE WITH "O"; OR IS NOT IN ACCORDANCE WITH (-) WITH A SPECIFIC PLAN CATEGORY.

AN RS-1 RESIDENTIAL ZONING DISTRICT, FOR EXAMPLE, WOULD GENERALLY BE FOUND TO BE IN CONFORMANCE WITH A LOW INTENSITY PLAN CATEGORY. THE RS-1 ZONING WOULD NOT BE IN CONFORMANCE WITH A SPECIFIC LAND USE CATEGORY IN THAT INTENSITY OTHER THAN LOW RESIDENTIAL. THE RS-1 DISTRICT ALSO WOULD NOT BE IN CONFORMANCE WITH HIGH INTENSITY PLAN CATEGORY.

IF AN AREA IS COLORED ON THE PLAN MAP TO DESIGNATE A CERTAIN INTENSITY WITH NO SPECIFIC LAND USE SHOWN, THEN GENERALLY ALL THE ZONING DISTRICTS SHOWN AS IN CONFORMANCE (X) ON THE MATRIX ARE ACCEPTABLE ZONES FOR THE AREAS.

IF AN AREA ON THE PLAN MAP SHOWS A PATTERN DESIGNATING A SPECIFIC LAND USE THEN ALL ZONES IN CONFORMANCE WITH A CATEGORY, FOR EXAMPLE LOW INDUSTRIAL, WOULD BE GENERALLY ACCEPTABLE ZONES.

THE MATRIX SHOWS THE GENERAL INTENT OF THE PLAN POLICIES. IT IS A TOOL TO HELP THE PLANNING COMMISSION AND CITY COUNCIL MAKE ZONING DECISIONS WHICH PROMOTE COMPATIBLE LAND USE PATTERNS WITHIN THE CITY OF SAND SPRINGS.

## APPENDIX E

### LIST OF APPROVED TREES FOR THE LANDSCAPE ORDINANCE SAND SPRINGS ZONING CODE, CHAPTER 11

#### LIST OF TREE SPECIES WHICH ARE APPROPRIATE FOR USE IN MEETING THE REQUIREMENTS OF THE LANDSCAPE CHAPTER OF THE CITY OF SAND SPRINGS ZONING CODE

##### DEFINITIONS AND LOCATION REQUIREMENTS:

**Large trees** - trees that will attain a mature height of over 60 feet and at least 35 feet wide. These trees should be spaced at least 35 feet apart.

**Medium trees** - trees that will attain a mature height of 30 - 60 feet and at least 25 feet wide. These trees should be spaced at least 25 feet apart.

**Small trees** - trees that will attain a mature height of less than 30 feet and at least 15 feet wide. These trees should be spaced at least 15 feet apart. Only small trees may be planted under or within 10 feet of an overhead utility.

##### LARGE TREES:

(Shall not be used under or within 10' of an overhead utility)

<b>Botanical name</b>	<b>Common name</b>
Celtis occidentalis	Hackberry
Fraxinus americans	+ White ash*
Fraxinus pennsylvanica	+ Green ash*
Ginkgo biloba	+ Ginkgo'*
Liriodendron tulipifera	Tulip tree
Pinus echinata	# Shorleaf pine
Pinus taeda	# Loblolly pine
Plantanus x acerifolia	London planetree
Platanus occidentalis	Sycamore
Quercus alba	White Oak
Quercus bicolor	Swamp white oak
Quercus coccinea	Scarlet oak
Quercus nigra	Water oak
Quercus palustris	Pin oak
Quercus phellos	Willow oak
Quercus rubra	Northern red oak
Quercus shumardi	+ Shumard oak
Taxodium disticum	+ Bald cypress

**MEDIUM TREE:**

**(Shall not be used under or within 10' of an overhead utility)**

<b>Botanical name</b>	<b>Common name</b>
Acer platanoides	Norway maple*
Acer rubrum	Red maple*
Acer saccharum	Sugar maple*
Betula nigra	River birch
Bumelia nigra	Chittimwood
Carpinus betulus	European hornbeam
Celtis occidentalis	Sugar hackberry
Gleditsia triacanthos	+ Thornless honeylocust*
Gymnocladus dioica	** Kentucky coffee tree
Ilex opaca	# American holly
Juniperus scopulorum	# Rocky mountain juniper
Koeberlinia paniculata	+ Goldenrain tree
Magnolia virginiana	Sweetbay magnolia
Morus alba	White mulberry*
Ostrya virginiana	Eastern hophornbeam
Pinus nigra	# Austrian pine
Pinus thunbergiana	# Japanese black pine
Pinus sylvestris	# Scotch pine
Pistacia chinensis	+ Chinese pistache
Pyrus calleryana	+ Callery pear (Bradford pear)
Quercus acutissima	+ Sawtooth oak
Quercus muehlenbergii	+ Chinquapin oak
Quercus robur	+ English oak
Quercus stellata	Post oak
Quercus virginiana	# Live oak
Sapindus drummondii	Western soapberry
Sophora japonica	Japanese pagoda tree
Tilia americana	American linden
Tilia cordata	+ Littleleaf linden
Ulmus parvifolia	+ Lacebark elm
Zelkova carpinifolia	Japanese zelkova

**SMALL TREES:**

**(Shall be used if under or within 10' of an overhead utility)**

**Botanical name**

Acer ginnala  
Amelanchier arborea  
Carpinus caroliniana  
Cercis canadensis  
Cercis reniformis  
Continus coggygia  
Crataegus spp.  
Elaeagnus angustifolia  
Magnolia soulangiana  
Malus spp.  
Philadelphus coronarius  
Prunus cerasifera  
Prunus serrulata  
Prunus virginiana  
Syringa reticulata

**Common name**

+ Amur maple  
Downy serviceberry  
American hombeam  
+ Eastern redbud  
+ Oklahoma redbud\*  
+ Smoketree  
\* Hawthorn  
+ Russian olive  
Saucer magnolia  
+ Flowering crabapple\*  
Sweet Mockorange  
\* Purpleleaf plum  
Japanese cherry  
Chokecherry  
Japanese tree lilac

\* Only use improved grafted trees

\*\* Male trees only

+ Best trees recommended for parking lot application

# Evergreens

**APPENDIX F: LIST OF FEES**

The schedule of fees for rezoning, board of adjustment, planning and related fees has been adopted by the City Council of Sand Springs by resolution and ordinance.

**Residential Plats:**

Sketch Plat	\$ 75.00 / \$ 75.00 for PUD
Preliminary Plat	\$200.00 / \$250.00 for PUD
Final Plat	\$250.00 / \$200.00 for PUD

**Commercial Plats:**

Sketch Plat	\$ 75.00 / \$ 75.00 for PUD
Preliminary Plat	\$200.00 / \$250.00 for PUD
Final Plat	\$250.00 / \$200.00 for PUD

**Lot Splits/Lot Combinations:** \$ 75.00/\$100.00

**Board of Adjustment:**

Special Exception	\$ 100.00
Variance	\$ 100.00
Appeal	\$ 75.00

**Rezoning or Overlay:**

Low Intensity	\$100.00
Medium Intensity	\$150.00
High Intensity	\$200.00
PUD:	
Application	\$200.00
Abandon	\$200.00
Historic Preservation	
Application	\$100.00
Abandon	\$100.00

**Specific Use Permit:**

Application	\$200.00
Abandon	\$100.00

**Right-of-Way Encroachment – Permit:**

\$10.00
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