



## ZONING CODE

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**ARTICLE 1  
PLANNING COMMISSION**

100 CITY PLANNING COMMISSION: CREATED: MEMBERSHIP  
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**SECTION 100 CITY PLANNING COMMISSION: CREATED; MEMBERSHIP**

The Commission shall consist of the following members: four (4) members appointed by the Mayor and confirmed by the Council; four (4) members appointed by the board of county commissioners which members shall not be residents of any incorporated city or town; and one (1) member appointed by each incorporated city or town; within the jurisdiction of the Commission. The Mayor, or a member of the governing body of the city appointed by the Mayor, and chairman of the board of county commissioners, or a member of the board of county commissioners appointed by the chairman, shall be ex officio members of the Commission. Members appointed by the Mayor shall serve for a term of four (4) years except that the respective terms of the first two appointed shall be for a term of two (2) years and the next two appointed shall be for a term of four (4) years. Members appointed by the board shall serve a term of four (4) years except that the respective terms of the first two appointed shall be a term of two (2) years and the next two (2) appointed shall be for a term of four (4) years. Members appointed by an incorporated city or town shall serve at the pleasure of the appointing city or town. All members of the Commission shall serve as such without compensation. The appointed members shall be residents for a period of three (3) years or more immediately preceding appointment and shall hold no other municipal or county office. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the official appointing the original holder of said membership.

A member of such Commission, once qualified, can thereafter be removed during his term of office only for cause and after a hearing held before the governing body by which he was appointed.

**SECTION 110 SAME; ORGANIZATION; MEETINGS; OFFICERS AND EMPLOYEES**

The Commission shall elect its chairman from its appointed members and fill such other offices as it may determine. The term of chairman shall be one (1) year. The Commission shall hold at least one (1) meeting each month and all meetings shall be open to the public. It shall adopt rules for the transaction of business and keep a complete record of its functions and activities, which record shall be a public record. The Commission may appoint such employees as it may deem necessary and may require within the limits of its appropriations and may incur necessary expenses, all subject to the approval of the appropriate governing bodies.

The Commission may, to the extent authorized by the charter or ordinances of any city or town in the county, as the planning commission for such city or town or lend planning assistance under such mutual arrangement for the sharing of expenses as may be agreed upon.

**SECTION 120 SAME: POWERS AND DUTIES**

The City Planning Commission shall have all the powers and duties subscribed for it by Oklahoma Municipal Code Title 19 of the Oklahoma Statutes, Section 866.9-866.14, and all other powers and duties now or hereafter prescribed for it by any other provision of state law.

**SECTION 130 CITY PLANNING COMMISSION TO HAVE POWER OF A ZONING COMMISSION**

The Sapulpa Metropolitan Area Planning Commission heretofore created by Article 1 of this code is hereby appointed the Zoning Commission of the City; and the Planning Commission shall have the powers of a Zoning Commission as provided by state law. Whether exercising the powers of Planning Commission or the power of a Zoning Commission.

Exercising the powers of a Zoning Commission, the Sapulpa Metropolitan Area Planning Commission shall recommend the boundaries of the various zones and appropriate zoning regulations to be enforced therein. It shall have all the powers, conferred upon a Zoning Commission by Oklahoma Municipal Code Title 19 of the Oklahoma Statutes, Section 866.16 and all powers which now or in the future may be granted by applicable state law to such authorities.

**SECTION 150 RESERVED**

**SECTION 160 RESERVED**

**SECTION 170 RESERVED**

**SECTION 180 RESERVED**

**CHAPTER 1**  
**TITLE, PURPOSES, INTERPRETATION AND JURISDICTION**

- 100 TITLE
- 110 PURPOSES, INTERPRETATION, AND JURISDICTION

**SECTION 100 TITLE**

This ordinance shall be known and may be cited as the Zoning Code of the City of Sapulpa, Oklahoma.

**SECTION 110 PURPOSES, INTERPRETATION, AND JURISDICTION**

110.1 Purposes

This code is enacted for the purposes of promoting the health, safety, peace, morals, comfort, convenience, prosperity, order and general welfare; lessening danger and congestion of public transportation and travel; securing safety from fire and other dangers; preventing overcrowding of land avoiding undue concentration of population; providing adequate light and air, police protection, transportation, water, sewerage, schools, parks, forest, recreational facilities, military and naval facilities, and other public requirements, and preventing undue encroachment thereon; conserving the value of buildings and encouraging the most appropriate use of land; encouraging the industrial, commercial and residential growth of the community; and promoting the development of the community in accordance with a comprehensive plan.

110.2 Interpretation

- A. Validity of Other Laws: Where this code imposes a lesser restriction upon the use of structures or land or upon height or bulk of structures, or requires larger open space or yards than are imposed by other ordinances, laws, or regulations, the provisions of this code shall not be construed to prevent the enforcement of other ordinances, laws, or regulations which prescribed more restrictive limitations.
- B. Severability: Should any portion of this code be adjudged invalid or unconstitutional, by a court of competent jurisdiction, the remainder of said code shall remain in full force and effect.
- C. Tense and Definition: For the purposes of this code certain terms and words are to be used and interpreted as defined in Chapter 15 of this code: words used in the present tense shall include the future tense; words used in the singular number shall include the plural and words used in the plural number shall include the singular, except where the natural construction of the writing indicated otherwise. The words “shall” and “will” are mandatory.

### 110.3 Jurisdiction

- A. Territorial Jurisdiction: This code shall be in full force and effect and shall apply to all lands within the incorporated limits of the City of Sapulpa, Oklahoma.
- B. Annexed Territory: When any territory shall be brought into the zoning jurisdiction of the City of Sapulpa, Oklahoma, by annexation or otherwise, such territory shall be deemed to be allowed to retain its former zoning status. This provision shall not operate to preclude subsequent zoning of such property by amendment in the manner set forth in Chapter 14.
- C. Property owned, leased or operated by the City of Sapulpa, Oklahoma, or any other public or governmental body or agency, shall be subject to the terms of this code.

## **CHAPTER 2 GENERAL PROVISIONS**

- 200 ZONING DISTRICTS ESTABLISHED
- 201 SUPPLEMENTAL DISTRICTS ESTABLISHED
- 202 OFFICIAL ZONING MAP ESTABLISHED
- 203 DISTRICT BOUNDARY DESCRIPTION AND INTERPRETATION
- 204 LIMITATION ON LAND USE
- 205 DIVISION OF LOTS
- 206 STREET FRONTAGE REQUIRED
- 207 ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD
- 220 HEIGHT EXCEPTIONS
- 230 LOT AREA AND WIDTH EXCEPTIONS
- 240 YARDS
- 241 EXISTING BUILDING ENCROACHMENT ON FRONT YARDS OR BUILDING SETBACKS
- 250 SCREENING WALL OR FENCE
- 260 DRIVEWAYS
- 270 PLATTING REQUIREMENT
- 280 MAJOR STREET PLAN
- 290 CODE OF ETHICS

### **SECTION 200 ZONING DISTRICTS ESTABLISHED**

The Zoning Districts set forth below are hereby established and shall be identified by the symbol to the left thereof.

- AG - Agriculture District
- RE - Residential 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
- RD - Residential Duplex District
- RM-1 - Residential Multi-Family Low Density District
- RM-2 - Residential Multi-Family Medium Density District
- RMH - Residential Mobile Home Park District
- RMT - Residential Multi-Family Townhouse District
- OL - Office Low Intensity District
- OM - Office Medium Intensity District
- CS - Commercial Shopping Center District
- CG - Commercial General District
- CBD - Central Business District
- IR - Industrial Research District
- IL - Industrial Light Manufacturing District
- IM - Industrial Moderate District
- IH - Industrial Heavy District

## **SECTION 201 SUPPLEMENTAL DISTRICTS ESTABLISHED**

The supplemental district set forth below is hereby established and shall be identified by the symbol to the left thereof.

HP - Historic Preservation

PUD - Planned Unit Development

## **SECTION 202 OFFICIAL ZONING**

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 Sapulpa, Oklahoma. The official zoning map shall bear the endorsement of and be maintained by the city planner 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 203 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 abutting streets, alleys, or railroad rights-of-way, as the same appear of record at the time of adoption. 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 204 LIMITATION OF LAND USE**

No land or building shall be used and no building, structure, or improvement shall be made, erected constructed, moved, altered, enlarged, or rebuilt 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 11, Nonconformities. In order to avoid undue hardship:

- A. 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 was 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 11, Nonconformities.
- B. For one (1) year after the effective date of this code a building permit or 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 prior to the effective date of this code.

### **SECTION 205 DIVISION OF LOTS**

A lot shall not hereafter be divided into two or more lots, unless each lot resulting therefrom conforms to all the applicable regulations of the zoning district in which located and each comply with Article IV, Section 3, the Minor Subdivisions, procedures and standards, standards and regulations for the subdivision of land within the jurisdiction of the Sapulpa Metropolitan Area Planning Commission.

### **SECTION 206 STREET FRONTAGE REQUIRED**

No lot shall contain any building used in whole or in part for residential purposes unless such lot has a minimum of 35 feet of frontage on a public street or dedicated right of way, except a substandard lot of record, a lot within an approved Planned Unit Development, or a lot within an approved Townhouse Development.

### **SECTION 207 ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD**

Not more than one residential structure may be located on a lot in an RE, RS or RD district except in the case of a lot which is within an approved Planned Unit Development.

### **SECTION 220 HEIGHT EXCEPTIONS**

The following structures shall not be subject to the height limitations of the district in which they are located:

- A. Farm building and structures.
- B. Belfries, chimneys, cupolas, domes, elevators, flagpoles, monitors, smokestacks, spires, cooling towers and ventilators, provided they are not intended for human occupancy.
- C. Ground and structure-supported accessory antennas and aerials, including elevating structures (poles and towers), which do not exceed a total aggregate height of sixty (60) feet above the natural land grade and which meet the following requirements:
  - 1. No portion of the antenna, aerial, elevating structure or any anchor or guy line may encroach upon the land area or airspace of any adjoining or abutting property;
  - 2. In a residential district no portion of the antenna, aerial, elevating structure, or any anchor or guy line, may extend beyond the front yard building setback line or extend into any established front yard or into any side yard; Provided that:

- a. Height and location restrictions shall not be applicable to radio communication facilities owned, operated and maintained by any city, county, state or federal governmental entities;
- b. Non-guyed, Omni-directional, single element vertical antennas not exceeding one hundred twelve (112) inches in height, and not exceeding one and three-fourths (1-3/4) inches outside diameter shall be permitted in addition to the sixty (60) foot aggregate height limitation;
- c. The restrictions established by this section may be modified by the Board of Adjustment Special Exception approval, subject to the minimum requirements for Special Exception approval and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

## **SECTION 230 LOT AREA AND WIDTH EXCEPTIONS**

Except for fire protection and ambulance service, the lot area and width requirement of the Zoning Districts shall not apply to the uses included within Use Unit 4, Public Protection and Utility facilities.

## **SECTION 240 YARDS**

240.1 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 within the provisions of this 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.

240.2 Permitted Yard Obstructions: Obstructions are permitted in required yards as follows:

- A. Cornices, canopies, eaves and similar architectural features may project not more than two (2) feet into a required yard.
- B. Fire escapes may project not more than four and one-half (4 ½) feet into a required yard.
- C. Fences, hedges, plant materials and walls may be located in any yard provided that corner traffic visibility is maintained in accordance with the City of Sapulpa Ordinances.
- D. Signs which are permitted as accessory uses in residential districts may be located within any yard which is bounded by a public street.
- E. In the RE and RS Residential districts, a detached accessory building or buildings may be located in a required rear yard provided (1) the building or buildings do not

cover more than 20 percent of the area of the minimum required rear yard and, (2) the total gross floor area for any accessory building or buildings located in the rear yard, required rear yard, and or both, does not exceed 600 square feet.

- F. Swimming pools, tennis court, 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 yard or rear lot lines.
- G. Mobile home hitches.
- H. Carports (located in any yard) by Special Exception requiring Board of Adjustment approval.
- I. Customary accessory structures, such as clothes lines, barbecue pits, and playground equipment.
- J. Antennas and antenna support structures and guy lines may be located in the required rear yard.

#### 240.3 Use of Yards in R Districts

No inoperative or unlicensed motor vehicles or vehicle bodies or vehicle parts shall be parked or stored within the yard in an R district. No vehicle shall be parked except on a hard surfaced area constructed of a dust free all-weather material. Within the RM-1 and RM-2 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 241 EXISTING BUILDING ENCROACHMENT IN 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 setback of the two 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 5 feet plus  $\frac{1}{2}$  of the right of way width designated on the Major Street Plan for the abutting street or 5 feet plus  $\frac{1}{2}$  of the dedicated street right of way whichever is greater, or 5 feet plus 25 feet if the street is not designated on the Major Street Plan.

## **SECTION 242 ANTENNAS AND ANTENNA SUPPORT STRUCTURES**

- A. Antennas and antenna support structures, which are principle uses in Agricultural and Industrial Districts, are regulated by Chapter 9, Section 904.1-6 of this Code.
- B. Antennas and antenna support structures which are accessory uses are regulated by Sections 320.1 and 320.2, 420.1 and 420.2, 520.2, 620.2, and 720.1 and 720.2.
- C. Antennas and antenna support structures which are accessory to principle uses permitted in the Agricultural, Office, Commercial or Industrial zoning districts shall be setback from Residential District boundary line one hundred and ten percent (110%) of the height of the antenna and antenna support structure as measured at the average ground elevation at the base of the structure. The setback distance shall be measured from the nearest point of the residential zoning district boundary line, excluding freeways zoned residential.

## **SECTION 250 SCREENING WALL OR FENCE**

250.1 Specifications: 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.

- A. Shall be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation;
- B. Shall not be less than six (6) feet in height;
- C. Shall be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance;
- D. Shall be erected prior to the occupancy of the building or initiation of the use required to screen; and,

E. Shall be of live shrubbery or standard, conventional fencing material.

250.2 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 building inspector shall constitute an offense hereunder.

### 250.3 Modification of the Screening Wall or Fence Requirements

The Board of Adjustment, as a variance may:

- A. Modify or remove the screening requirement where existing physical features provide visual separation of uses;
- B. Modify the screening requirement where an alternative screening will provide visual separation of uses;
- C. Grant an extension of time to erect a screen where properties which are to be benefited by the screen are undeveloped; and,
- D. Remove the screening requirement where the purpose of the screening requirement cannot be achieved.

## **SECTION 260 DRIVEWAYS**

All driveways used for ingress and egress shall have a maximum width of 25' measured at the property line. Driveways in R districts shall have 5' radius curb returns. Driveways in O, C or I districts shall have a maximum curb return radius of 15'.

## **SECTION 270 PLATTING REQUIREMENT**

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces 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 any land which has been granted a Special Exception by the Board of Adjustment as enumerated within Use Units 2, 4, 5, 8 and 20, no building permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or re-plat, as the case may be, submitted to the Planning Commission for their review and recommendation, approved by the city commission, and filed in the office of the County Clerk of the county in which the property is situated. Provided that the Planning Commission 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 re-plat.

## **SECTION 280 MAJOR STREET PLAN**

The City of Sapulpa Street and Highway Plan, hereafter referred to as The Major Street Plan, as adopted by the City Commission of the City of Sapulpa, is hereby made a part thereof.

## **SECTION 290 CODE OF ETHICS**

The Mayor or any member of the City Commission, Planning Commission, or Board of Adjustment to whom some private benefit, direct or indirect, financial or otherwise, may come as a result of a public action concerning this code, shall not be a participant in that action. The possibility, not the actuality, of a conflict shall govern. The individual experiencing a conflict of interest shall declare his interest, abstain from voting on the matter, and refrain from any deliberations on the matter. The individual shall not discuss the matter with a fellow official for the purpose of influencing a decision thereon.

**CHAPTER 3  
AGRICULTURE DISTRICT PROVISIONS**

- 300 PURPOSES
- 310 PRINCIPAL USES
- 320 ACCESSORY USES
- 330 BULK AND AREA REQUIREMENTS
- 340 SPECIAL EXCEPTION USES AND REQUIREMENTS

**300 PURPOSES OF AGRICULTURE DISTRICT**

The Agriculture District is designed to:

- A. Protect agricultural land.
- B. Discourage wasteful scattering of development in rural areas.
- C. Obtain economy of public fund expenditures for improvements and services.

**330 PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT**

The principal uses permitted in the Agriculture Districts are designated by use units. The 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 9. The use units permitted in the Agriculture District are set forth in Table 1.

**Table 1  
Use Units Permitted in the Agriculture District**

<u>UU #</u>	<u>Name of Use Unit (see Chapter 9)</u>	<u>Permitted</u>
1.	Area wide Uses by Right	X
2.	Area wide Special Exceptions Uses	E
3.	Agriculture	X
4.	Public Protection, Utility and Public Parks	X***
5.	Community Services and Similar Uses	E
6.	Single-Family Dwelling	X
8.	Multi-Family Dwelling and Similar Uses	E**
9.	Manufactured Dwelling	E
20.	Commercial Recreation: Intensive	E
21.	Business Sign and Outdoor Advertising	X
23.	Land Intensive Industrial Uses	E

X - Use by Right  
E - Special Exception

\*\* Nursing home, community group home, convent, monastery novitiate are the only uses within Use Unit 8 permitted by Special Exception.

\*\*\* Antennas and antenna support structures are permitted in the Agriculture District only upon approval of a Special Exception by the Board of Adjustment as provided by Section 904 of this code.

## **320 ACCESSORY USES IN THE AGRICULTURE DISTRICT**

### 320.1 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**

<u>No.</u>	<u>Uses</u>
1.	Bulletin Boards
2.	Identification Signs
3.	Real Estate Signs
4.	Wind Energy Conversion Systems*
5.	Home Occupation*
6.	Antennas and antenna support structures

\* See conditions set forth in Section 320.2(B), which are also applicable in an AG District

### 320.2 Accessory Use Conditions.

#### A. General Conditions

1. 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.
2. Accessory buildings shall meet the minimum yard or building setback requirements.

#### B. Wind Energy Conversion Systems (WECS)

1. All WECS tower structures shall comply with the design and construction techniques in the BOCA Basic Building Code. Compliance shall be certified in writing by the manufacturer's engineering staff or by a registered structural engineer.



2. Towers shall have either tower-climbing apparatus located not closer than 2 feet from the ground or shall have a locked anti-climb device installed on the tower.
3. Safety wires shall be installed on the turnbuckles of the guy wires for all guyed WECS towers.
4. A WECS shall be equipped with both manual and automatic controls to limit the rotational speed of the blade below the design limits of the rotor. The conformance of rotor and over speed control design with good engineering practices shall be certified by the manufacturer's engineering staff or by a registered mechanical engineer. The compatibility of the tower and the rotor shall also be certified by the manufacturer or by a registered mechanical engineer.
5. If a WECS is within 300' of a structure or a tree, the lowest moving part shall be a minimum of 30 feet above the highest structure or potential tree height, whichever is higher.
6. No part of a WECS shall be located within or over drainage, utility, or other established easements. No part of a WECS shall be located within or over any required minimum front, side, or rear yard setbacks.

C. Antennas and antenna support structures

1. Antennas and antenna support 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 does not exceed sixty-five (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 support structure and that the horizontal 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 principle use antennas which are accessory to uses requiring Board of Adjustment approval.
2. Structures other than a permitted principal structure or customary accessory building, which are used to support accessory antennas (including guy lines) shall:
  - a. be located in the rear yard only and limited to one such structure;
  - b. not exceed sixty-five (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 support structure;
  - c. not encroach upon the land or airspace of any abutting property; and

- d. not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

**330 BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT**

**Table 3  
Bulk and Area Requirements in the Agriculture District**

	<u>Requirement</u>
<u>Lot Width</u> (min. ft.)	150
<u>Lot Area</u> (min. acres)	1
<u>Land Area</u> (min. acres per dwelling unit)	1
<u>Front Yard and Any Yard Abutting a Public Street</u> <i>One-half (½) of right of way if designated on the Major Streets and Highway Plan (MSHP)</i>	---
<i>Not on MSHP</i>	---
Major (min. ft.)	35
Not a Major (min. ft.)	25
<u>Side Yard</u>	
One side yard (min. ft.)	10
Other side yard (min. ft.)	10
<u>Rear Yard</u> (min. ft.)	40
<u>Building Height</u> (max. ft.)	36

**340 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 the Board of Adjustment may impose such additional safeguards and conditions as.

- A. The accessory use provisions of the Agriculture District pertaining to signs are applicable to accessory signs for uses permitted by Special Exception.
- B. Special Exception uses, except as provided in (A) 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.
- C. A nursing home, community group home, monastery, and novitiate shall meet the use conditions as set forth in Section 908.3.

## **CHAPTER 4 RESIDENTIAL DISTRICT PROVISIONS**

400	Purpose of Residential District.
400.2	Purpose of the RE Residential District.
400.2(A)	Purpose of the RE Estate Performance Standards.
410	Principal Uses.
420	Accessory Uses.
430	Bulk and Area Requirements.
440	Site Plan Review –Mobile Home Parks.
450	Special Exception Uses, Requirements.

### **400 PURPOSES OF RESIDENTIAL DISTRICTS**

#### 400.1 General Purposes

The residential districts are designed to:

- A. Achieve the residential objectives of the comprehensive plan.
- B. Protect the character of residential areas by excluding non-harmonious commercial and/or industrial activities.
- C. Achieve a suitable environment for family by permitting in residential areas appropriate neighborhood facilities, such as churches, schools, and certain cultural and recreational facilities.
- D. Preserve openness of living areas and avoid overcrowding by requiring minimum yards, open spaces, lot areas, and by limiting the bulk of structures.
- E. Permit a variety of dwelling types and densities to meet the varying needs of families.
- F. Control the density of residential development to facilitate the planning for an economical provision of streets, utilities, and other public facilities.

#### 400.2 Purposes of the RE Residential Estate District.

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 population density. It is the intent of this district to prohibit any other use, which would substantially interfere with the stated purposes of this district, and discourage any use that generate traffic and create congestion on neighborhood streets other than the normal traffic serving the residents on those streets.

#### 400.2(A) Purpose of RE Estate Performance Standards

The intent of the RE District is to provide the opportunity for development and conservation for single-family detached dwellings on larger parcels of land and with lower population densities in areas suitable for family life. The addition of these “performance” based standards helps to expand the development opportunity by allowing for adaptive alternatives for quality residential design that will meet or exceed the present standards of the RE District in areas that have unique topographical challenges and/or constraints, without compromising or waiving the City of Sapulpa Asphalt Pavement Standard Details for Residential and Commercial Streets.

- A. RE Estate Performance Standards - The City Council shall determine if unique topographical challenges and/or constraints are contained in a project development site and warrant application of these, and may determine whether portion(s) or the entirety of the development project will comply. The following constraints must, at a minimum, exist on the proposed development to warrant application:
1. A slope analysis of the proposed development site documents that a minimum of 65% of the project consists of slopes that are equal to or greater than 10%.
  2. A determination has been made that the City of Sapulpa wastewater facilities will not be able to be expanded to support the development proposal or that one or more lift station would be required to be constructed in order to utilize the City of Sapulpa facilities.
- B. The City Council shall have the ability to approve alternative design solutions that are determined by the City Council to be equivalent to or exceed the present City of Sapulpa Engineering Design Criteria and Standards Specifications, provided that the following performance standards are followed and apply in their entirety:
1. The project will establish and maintain a Home Owners' Association and will be governed according to by-laws approved by the residents of the project for the purpose of maintaining restrictive covenants and the maintenance up-keep of the project.
  2. The project shall be designed to integrate with and otherwise preserve the character of the existing topography, including but not limited to such things as steepness of slopes, existing drainage features, river and stream terraces, ridgelines, rock outcroppings, and other scenic topographic features. These unique features will, to the reasonable extent feasible, be preserved in separate open-space development tracts, to be jointly owned and maintained by the Home Owners' Association.
  3. The project shall be designed so that the proposed development will minimize the degradation of these unique characteristics in the development terms of the

following:

- a. Use
  - b. Density
  - c. Traffic generation
  - d. Quality of runoff water
4. Recognizing the issues that can be associated with the unique topography mentioned above in 500.2(A) and 500.2(A) 1, the installation of underground stormwater conveyance structures may not be feasible. If this occurs, the project may be allowed to design and construct aboveground conveyance systems that may include the use of borrow ditches. In such situations, the design and construction of said aboveground conveyance system shall be in accordance with the City of Sapulpa Engineering Design Criteria and Standard Specifications as well as the City of Sapulpa Asphalt Pavement Standard Details for Residential and Commercial Streets.
  5. The project shall, to the reasonable extent feasible, preserve significant existing native vegetation as well as existing trees.
  6. The project will construct and the Home Owners' Association will maintain in perpetuity, a public trail or public pedestrian walkway system, to provide for public access throughout the development project, and provide links to adjacent existing and/or proposed pedestrian systems. If it is determined by the City Council that the construction of the above mentioned system is not feasible for the development, the project may substitute the construction and maintenance of a neighborhood park, clubhouse, or other recreation amenity.
  7. The project shall provide a Development Agreement with the City of Sapulpa outlaying the construction and maintenance responsibilities of the developer and future property owners. The City of Sapulpa will not assume or accept dedication or maintenance responsibilities for common areas, wastewater collection systems that do not connect to City of Sapulpa facilities, stormwater conveyance systems and detention facilities, and public trail and/or public pedestrian walkway systems.

#### 400.3 Purposes of the RS Residential Single-Family Districts.

The RS-1, RS-2, and RS-3 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.

#### 400.4 Purpose 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 neighborhood, which because of size, topography or adjacent land use are not ideally suited for single-family use.

#### 400.5 Purposes of RM Residential Multi-Family Districts.

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

#### 400.6 Purposes of the RMH Residential Mobile Home Park District.

The RMH District is designed to recognize mobile home living as a residential use necessitating location in residential areas yet requiring regulation to insure a suitable living environment.

#### 400.7 Purposes of the RMT Residential Multi-Family Townhouse District.

The RMT 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.

### **410 PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS.**

The Use Unit designates the principal uses permitted in the Residential Districts. 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 9. The use units permitted in residential districts are set forth in Table 1.

**Table 1  
Use Units Permitted in Residential Districts \***

Number	Name of Use Unit (see Chapter 9)	Districts					
		RE	RS	RD	RM	RMH	RMT
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 and Public Parks	E#	E#	E#	E#	E#	E#
5.	Community Services, and Similar Uses	E	E	E	E	E	E
6.	Single-Family Dwelling	X	X	X	X	E	E
7.	Duplex Dwelling		E***	X	X		
8.	Multi-Family Dwelling and Similar Uses		E##	E##	X		X**
9.	Manufactured Housing		E###				X

X - Use by right

E - Special Exception

# - Antennas and antenna support structures are not permitted by Special Exception in any R District

\*\* Multi-family dwellings, other than townhouses, are not permitted in the RM-T District.

\*\*\* Duplexes are permitted only in the RS-3 District upon approval of a Special Exception from the Board of Adjustment

## Nursing Homes, community group homes, convents, monasteries and novitiates are the only uses in Use Unit 8 that are permitted by Special Exception in RS-3 and RD Districts. ###

Mobile Home Dwellings are not permitted in the RS Districts.

**Table 2**  
**Accessory Uses Permitted in Residential Districts**

Uses	Districts
1. Home Occupations	All R Districts *
2. Roomers and Boarders:	
Two Persons	All R Districts
More than two people	All R Districts *
3. Shelters	All R Districts
4. Signs:	All R Districts
Bulletin Board *	
Identification Sign	
Real Estate	
Construction Sign	
5. Swimming Pool	All R Districts
6. Management and Office and Private Recreation, Laundry, and Storage Facilities	RM-1, RM-2, RMH, RM-T
7. Wind Energy Conversion Systems	RE, RS-1***
8. Antennas and antenna support structures	All R Districts**
9. Family Day Care Home	All R Districts
10. Marijuana Cultivation	All R Districts

\* by Special Exception requiring Board of Adjustment approval

\*\* in rear yards only

\*\*\*Wind Energy Conservation Systems are permitted only in the RE and RS-1 Districts upon approval of a Special Exception from the Board of Adjustment

420.2 Accessory Use Conditions.

General Conditions

1. 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. A detached accessory building shall not be located in the front or side yard or encroach upon a minimum building setback line, but this limitation shall not apply to carports, provided the minimum required front yard or side yard or setback line is observed.
3. Within the rear yard, a detached accessory building shall be located at least five feet from any interior lot line.
4. One unoccupied recreational vehicle, a length of 35 feet or less, may be parked



upon a lot as an accessory use, in the rear yard on hard surface only.

#### A. Home Occupations

An occupation, profession, or trade customarily carried on by occupants of a dwelling unit as a secondary use, which is clearly incidental to the principal use of the dwelling unit for residential purposes, is allowed as an accessory use in residential districts, subject to the following provisions.

1. Location: Home occupation shall be conducted only within principal structure.
2. Area: The maximum floor area utilized for home occupation purposes shall not exceed twenty-five percent (25%) of the total floor is of the principal structure.
3. Employees: Only the family or person occupying the dwelling as a private residence shall engage in the home occupation. No person shall be employed in the home occupation other than a member of the immediate family residing on the premises.
4. Visibility of Merchandise: No merchandise shall be displayed in such a manner as to be visible from off the premises.
5. Outdoor Storage: No outdoor storage shall be allowed in connection with any home occupation.
6. Maintenance of Residential Character: No alteration of the residential character of the premises may be made.
7. Signs: 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 sand shall not exceed six square feet in surface area. No illumination of any type shall be permitted.
8. Disturbances: No mechanical or electrical equipment or other activities shall be allowed which create a noise, dust, odor, or electrical disturbance.
9. Traffic and parking: No home occupation shall generate more than fifteen (15) additional trips per day to and from the premises and all parking needs generated shall be accommodated by off-street parking which does not alter the residential character of the premises.

#### B. Roomers and Boarders

In a dwelling unit occupied as a private residence, one or more rooms may be rented or table board furnished, to not more than (a) two persons who are non-members of the family occupying said premises as a permitted accessory use; or,

(b) more than two persons by Special Exception requiring Board of Adjustment approval. However, in case, no window displays or sign board shall be used to advertise such use.

C. Antennas and antenna support structures

1. Antennas and antenna support structures which are accessory to a residential use are permitted to be mounted on a residential dwelling 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 residential dwelling to the highest horizontal point of the antenna and antenna support 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.
2. Structures other than a dwelling or customary accessory building which are used to support accessory antennas (including guy lines) shall:
  - a. be located in the rear yard only, and be limited to one such structure;
  - b. not exceed sixty-five (65) feet in height, measured from the average ground elevation at the residential dwelling to the highest point of the antenna and antenna support structure;
  - c. not encroach upon the land or airspace of any abutting property; and
  - d. not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

D. Marijuana Cultivation

**430 BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS**

430.1 Bulk and Area requirements in the RE, RS, RD, and RM districts are shown in Table 3.

**Table 3  
BULK AND ARE REQUIREMENTS IN THE RE, RS, RD AND RM DISTRICTS**

	RE	RS-1	RS-2	RS-3	RD	RM-T	RM-1	RM-2
<b>LOT WIDTH (min. ft.)</b>								
One Family	150*	100	75	60	60		60	60
Two Family					80	70	60	60
Multi-Family (other than RM-T)							100	100
<b>LOT AREA (min. sq. ft.)</b>								
One Family	24,000	13,500	9,000	6,900	6,000		6,000	6,000
Two Family					8,000		7,450	6,900
Multi-Family (Other than RM-T)							9,800	8,300
<b>LAND AREA PER D.U. (min. sq. ft.)</b>								
One Family	28,375	16,000	10,875	8,400	7,500		7,500	7,500
Two Family					5,000		4,600	4,200
Multi-Family (other than RM-T)								
	RE	RS-1	RS-2	RS-3	RD	RM-T	RM-1	RM-2
<b>For each of the First two (2)</b>								
D.U.'s on the Lot							4,600	4,200
<b>For each additional D.U.</b>								
Less than two bedrooms							3,100	2,400
Two or more bedrooms							4,356	3,100
<b>TOWNHOUSE DEVELOPMENT**</b>								
Development Width (min. ft.)					100	100	100	

	RE	RS-1	RS-2	RS-3	RD	RM-T	RM-1	RM-2
Lot Width (min. ft.)						20	20	20
Lot Area (min. sq. ft.)						1,600	1,600	1,600
Land Area (of Development) per D.U. (min. sq. ft.)						4,500	4,500	3,100
Structure Height (max. ft.)	26	26	26	26	26	26	26***	26
Livability space Per D.U. (min sq. ft.)	12,000	7,000	5,000	4,000	2,000	1,800	1,500	1,000

Front Yard Abutting a Public Street

Measured from centerline of abutting street; add ½ of right of way designated on the Major Street Plan or 25 feet If not designated on Major Street Plan (min. ft.)

Major	35	35	35	35	35	35	35	35
Not a Major	35	35	30	25	25	25	25	10

All Other Yards Abutting a Public Street:

Measured from centerline of abutting street; add ½ of right of way designated on Major Street Plan or 25 feet if not designated on Major Street Plan (min. ft.)

Major	20	20	20	20	20	20	15	15
Not a Major	15	15	15	15	15	15	15	15
Rear Yards (min. ft.)	25	25	25	20	20	20	20	10
Side Yards (min. ft.) ****								
One side yard	15	10	10	5	5	5	10	10
Other side yard	15	10	5	5	5	--	5	10

\* 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 one hundred twenty-five (125) linear feet.

\*\* A minimum of three (3) townhouse lots.

\*\*\* In the RM-1 district, a one-story limitation shall apply to structures containing more than three (3) dwelling units which are within 50' of an adjoining RE or RS district.

\*\*\*\* Does not apply to interior lot line of townhouse developments.

430.2 Bulk and Area Requirements in the RMH District

A. The Mobile Home Park Development:	5 acres
Tract Area (min.)	300 feet
Tract Width (min.)	5445 sq. ft.
Land Area per Dwelling Unit (min.)	300 sq. ft.

Livability Space shall be provided in common areas of not less than 7,500 square feet, located so as to be conveniently accessible to the mobile homes it is intended to serve.

Front Yards and any Yard Abutting a Public Street:

Measured from centerline of abutting street; add ½ of right of way designated on Major Street Plan

Or 25 feet if not designated on Major Street Plan (min. ft.)

Abutting a Major	35 ft.
------------------	--------

Not Abutting a Major	25 ft.
----------------------	--------

Side Yard (min.)	10 ft.
------------------	--------

Rear Yard (min.)	10 ft.
------------------	--------

Height (max.)	One story
---------------	-----------

Internal Requirements:

Mobile Home Space (min.) exclusive of streets, Required off-street parking, and required Livability space	3000 sq. ft.
---	--------------

Separation between mobile homes (min.)	20 ft.
--	--------

Mobile Home Setback from Centerline of a Private

Internal Street (min.)	22 ft.
------------------------	--------

Private streets will be allowed, but they must meet the standards for public streets

B. Mobile Home Subdivisions:

A mobile home park development containing a tract area of not less than 5 acres may be subdivided to permit individual ownership of mobile home spaces, provided the resulting lots shall comply with the Bulk and Area requirements set out below and a subdivision plat incorporating the bulk and area requirements is submitted to and approved by the Planning Commission and filed of record in the Office of the County Clerk where the property is located.

Land Area per Dwelling Unit (min.)	5000 sq. ft.
Lot Size (min.)	4000 sq. ft.
Lot Width (min.)	35 ft.
Livability Space per Dwelling Unit (min.)	1000 sq. ft.
Height (max.)	One story

Front Yard and any yard abutting a public street:

Measured from centerline; add to the distance designated in the column below 1/2 of the right-of-way width designated on the Major Street Plan

Or 25 feet if not designated on Major Street Plan (min.)

Private streets will not be allowed.

Abutting a Major	35 ft.
Not Abutting a Major	25 ft.
One Side Yard (min.)	10 ft.
Other Side Yard (min.)	10 ft.
Rear Yard (min.)	10 ft.

430.2 (A) Definitions and Terms

- A. Residential Manufactured home subdivision means an exclusive family residential housing subdivision for manufactured homes and modular housing units in which the home or housing unit owner owns the property upon which the home is situated;

- B. Residential Manufactured home means transportable, factory built, detached single-family residential dwelling built in accordance with the Federal Manufactured Home Construction and Safety Standard of 1995.

430.2(B) Use Conditions:

All units in a Residential Manufactured Home Subdivision shall meet with no Variance of the following conditions:

- A. All residential manufactures housing subdivisions shall be platted according to the adopted subdivision regulations meeting all requirements therein with no Variances from the SMAPC or council. A building permit is required prior to installation or construction on any lot. Application for a building permit requires a site plan, footing and foundation plan and show a front and side view of the manufactured house as it will appear after installation, demonstrating architectural compliance with the ordinance. No RMH shall be located next to RS-1 or RS-2 zoned property.
- B. The unit must bear a seal certifying compliance with the Federal Manufactured Construction and Safety Standards as revised on April 1, 1995. In addition, the structure must comply with the wind safety standards provisions for Wind Zone 1, as set forth in said standards.
- C. The unit is dual or triple sectional with a minimum front width of 24 feet and a minimum floor area of 1200 square feet.
- D. Every manufactured home must have a site plan, and footing plan. Footing and foundation/stemwall installation shall be inspected by the building inspector prior to installation of a manufactured home to insure conformance with the regulations of this chapter. The unit must be attached to a continuous concrete or concrete block foundation that complies with the Building Code. The foundation must be an excavated and back filled foundation that complies with the Building Code. The foundation must be excavated and back filled foundation, enclosed at the perimeter with the finished floor being a maximum of 24 inches above the exterior grade of the lot. Due to differences in construction between manufactured and modular homes the attachment to the foundation will differ, Manufactured housing, shall use methods described in attachment A, Modular housing may use methods described by Attachment A or B. If the dwelling is multi-leveled, the lowest finished floor above exterior shall meet this requirement. The manufactured unit shall have a brick or rock wainscot to the bottom of the windows. No metal will be allowed. Transport axels and towing tongue must be removed.
- E. The roof must be gable or hip type construction with at least Class C fire resistant shingle roofing material. No dwelling shall have a roof covered with continuous rolled metal. The roof slope must have a minimum vertical rise of 3 inches for every 12 inches of horizontal run with a minimum cave projection and roof overhang of

12 inches, which may include guttering.

- F. Front and rear porches and site built steps must be constructed with exterior materials matching the structure. All units must have an attached 2 car garage. The exterior covering material used on the garage shall be the same as exterior covering material used on a substantial portion of the dwelling and compatible with the surrounding neighborhood. The same roofing material shall be used on the garage and dwelling.
- G. The exterior finish must be comparable to and compatible with site-built houses on the block face. No bare metal siding or roofing is allowed.
- H. No residential manufactured home can be site adjacent to any structure designated as a historic landmark or within a locally designated historic district.
- I. Items A-I of this ordinance as listed above may not waived, modified, or otherwise altered by the Board of Adjustment or City Council except by amendment of this ordinance.

#### 430.4 Residential Manufactured Home Subdivision RMH

##### **(1) General Description**

- A. This zoning district is intended to provide for an alternative living style land dwelling and dwelling type to conventional single-family housing. The purpose of this district is to provide a grouping of home sites within the setting of a residential subdivision for manufactured and modular housing. This district provides for individual lots which allow the manufactures home owner to own the property in which the home is situated. A minimum subdivision size is established to assure that a desirable residential environment is created, and to provide separation from neighboring conventional housing areas. Residential manufactured homes can provide a major source of acceptable housing for persons of moderate income at a time when the cost of conventional housing is increasing.
- B. The RMH zone will allow the maximum amount of freedom possible in the design of the homes in the areas, and will provide for related recreational, commercial and other service facilities for the planned residential developments. The requirements established in this district are intended to afford adequate design planning and utilization of the land, provide for open and pedestrian space, to encourage site and development plans which will maximize compatibility between manufactured home developments and developments on adjoining land, and to protect and enhance the manufactured home site and its environs.



## **(2) USES PERMITTED**

Property in the residential manufactured home subdivision district shall be used exclusively for the following purposes:

- A. Single-family detached dwellings, modular homes, and residential-design manufactured homes;
- B. Public facilities such as parks, playgrounds, community centers, churches, schools, libraries, and noncommercial facilities such as golf courses, shuffleboard courts, swimming pools and tennis courts; and
- C. Accessory buildings and uses customary and incidental to any of the above uses when located on the same lot.

## **(3) SPECIAL EXCEPTIONS**

Since the manufactured home subdivision district is an exclusive district, only municipal uses, public buildings and public utilities which hold the right of eminent domain may be permitted by the Board of Adjustment as Special Exceptions.

## **(4) AREA REQUIREMENTS**

In order to ensure adequate light, air, fire safety, convenience and amenities for the residents in the manufactured home subdivision development, the following area requirements shall apply:

- A. The manufactured home subdivision district shall not be allowed on tracts of land less than five (5) contiguous acres;
- B. Front yard set-back: All manufactured homes shall be set back from the front property line a minimum of twenty-five (25) feet. When a lot has double frontage, the front yard setback shall be provided on both streets.
- C. Side yard setback: all manufactured homes shall be set back from the side yard property line a minimum distance of ten (10) feet. Unattached buildings of accessory use shall be set back from the side yard property line and other buildings a minimum distance of five (5) feet. On any corner lot, dwellings, manufactured homes and accessory buildings shall be set back from the side property line a distance of fifteen (15) feet when a lot is back to back with another corner lot, and a distance of twenty (20) feet in all other instances;
- D. Rear yard setback: All manufactured homes shall be set back from the rear property line a minimum distance of twenty (20) feet. Unattached buildings of accessory use may be located in the rear of the yard, but shall be set back at least five (5) feet from the alley line or rear property line and clear of utility easements.

## **(5) INTENSITY OF USE**

- A. For each manufactured home site, there shall be a minimum lot area of not less than nine thousand (9,000) square feet. Each lot will have a minimum of eighty (80) feet of front lot width.
- B. Individual manufactured home site lots on cul-de-sacs and exterior curve radiuses shall abut on a street for a distance of not less than forty (40) feet.
- C. Where a lot has less area than herein required and all the boundary lines of that lot touch land under other ownership on the effective date of these regulations, that lot may be used for any of the uses, except churches, permitted by these regulations.
- D. For churches and main accessory buildings, other than dwellings and buildings accessory to the dwelling, the lot area shall be adequate to provide the yard areas required by this section and the off-street parking areas required in Chapter 10 et seq. of this code.
- E. There shall be no more than one dwelling unit and one use per lot in the RMH Manufactured Home Subdivision District.

## **(6) COVERAGE**

- A. Maximum density in any manufactured home subdivision development shall not exceed four point eight (4.8) units per gross acre for all single-family dwellings. For purposes of these regulations, gross acreage is to be computed as all usable land area within the exterior boundaries of the property, including streets, common open space, lands occupied by recreation facilities, community buildings, manufactured homes and utility easements. No manufactured housing shall be allowed in a designated floodplain.
- B. Manufactured home dwelling units and their accessory uses shall not occupy more than thirty percent (30%) of the total usable lot area on interior lots, and thirty-five percent (35%) of the lot area on a corner.

## **(7) HEIGHT**

No building shall exceed two (2) stories or thirty-five (35) feet in height. In no instance shall the height be increased on the manufactured or modular home nor shall the manufactured or modular home be structurally altered, modified, enlarged or added to in any way which will increase the height of the dwelling or structurally alter the roof of the dwellings; however, accessory use structures may be modified, enlarged, altered or added to upon review. It shall be permissible to enhance the outward appearance of the manufactured home dwelling so long as its structural integrity is not compromised.

## **SECTION 440 SITE PLAN REVIEW – MOBILE HOME PARKS AND MULTI-FAMILY COMPLEXES OVER 8 UNITS**

440.1 Purpose: By reason of potential adverse effects on public services or to neighboring land uses, site plan review and approval by the planning commission is required for all Mobile Home Park Developments and Multi-family complexes over eight units for the purposes of assuring proper accessibility, circulation, functional relationships of uses, and compatibility with adjoining and nearby development. No building permit shall be issued nor use commenced on a site approved for these uses except in accordance with a site plan submitted and approved.

440.2 Application for site plan review: The application shall be in such a format and content as the planning commission may by resolution establish, with twenty (20) copies of the site plan submitted. The planning commission staff shall review and approve or deny site plans on developments of eight units or less. Appeals from denial by staff are made to the planning commission.

All other site plans shall be reviewed and approved or denied by the planning commission. A site plan shall consist of maps containing:

- A. Proposed location of uses, including off-street parking, open spaces, public uses, and placement of mobile homes;
- B. Location, height, and size of buildings and other structures;
- C. Proposed location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences;
- D. Public and private vehicular and pedestrian circulation;
- E. Hydrology report as per Article VI, Section 6-45 to 6-52 of the Sapulpa City Code;
- F. Proposed location and development of buffer areas, screening and landscaping;
- G. The location of all residential uses expressed in number of dwelling units;
- H. A computation of lot area, building floor area, and building coverage;
- I. Proposed location, height, and size of any ground sign;
- J. Sufficient surrounding area to demonstrate the relationship of the development to adjoining uses, both existing and proposed;
- K. Existing and topographic character of the land including identification of floodplain areas, treed areas and slope analysis;

- L. An explanation of the character of the development.

## **SECTION 450 SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS**

Requirements: 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. In the RE and RS Districts, children's nurseries shall comply with the lot width, lot area, height, and yard requirements for single-family use and, in addition, a maximum floor area ratio of .5 shall apply.
- C. Except as provided in b, above, and Section 230, 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 .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 within an R District.

Provided that if the use unit requirements are greater, the use requirements shall control.

- D. Wind Energy Conversion Systems (WECS) – All WECS in RE and RS-1 zones shall comply with the restrictions and requirements of Section 320.2.B

## **CHAPTER 5 OFFICE DISTRICT PROVISIONS**

500 Purposes  
510 Principal Uses  
520 Accessory Uses  
530 Bulk and Area Requirements  
540 Special Exception Uses, Requirements  
550 Site Plan Review

### **SECTION 500 PURPOSES OF OFFICE DISTRICTS**

#### 500.1 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:

- A. Establishing bulk and area controls
- B. Requiring off-street parking and loading facilities.
- C. Establishing the several districts necessary to meet the need for a variety of office types.
- D. Controlling the number, area, location, and types of signs

#### 500.2 Purposes of the OL Office Low Intensity District

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

#### 500.3 Purposes of the OM Office Medium Intensity District

The OM District is designed to provide area 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.

### **SECTION 510 PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS**

The principal uses permitted in the Office Districts are designated by use units. 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 9. The use units permitted in Office Districts are set forth in Table 1.

**Table 1  
Use Units Permitted in Office Districts\***

No.	Use Units	Districts	
		OL	OM
1.	Areawide Uses	X	X
2.	Areawide Special Exception	E	E
4.	Public Protection, Utility & Parks	E***	E***
5.	Community Services, Cultural & Recreational Uses	E	X**
8.	Multi-family Dwellings & Similar Uses	E	E
10.	Off-Street Parking Areas	X	X
11.	Offices and Studios	X	X

X - Use by Right

E - Use by Special Exception

\*\* Emergency and protective shelter permitted by Special Exception only.

\*\*\* Antennas and antenna support structures are not permitted by Special Exception in any O District.

**SECTION 520 ACCESSORY USES PERMITTED IN OFFICE DISTRICTS**

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

**Table 2**  
**Accessory Uses Permitted in Office Districts**

Uses	Districts
Barber & Beauty Shop	OL*, OM
Business Signs	OL, OM
Convenience Goods and Services	OL*, OM
Eating Places, other than Drive-ins	OL*, OM
Construction Sign	OL, OM
Real Estate Sign	OL, OM
Private Clubs	OL*, OM
Shopping Goods and Services	OL*, OM
Antennas and Antenna Support Structures	OL, OM

\*By Special Exception requiring Board of Adjustment approval subject to the requirements set forth in Section 540.

520.2 Accessory Use Conditions

A. General 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

B. Convenience Goods and Services and Shopping Goods and Services

1. Limited to the uses included in Use Unit 13 (Chapter 9)
2. Shall be located entirely within the principal building.
3. Shall not occupy more than 15 percent of the gross floor of the building in which located.

C. Eating places other than drive-ins

1. Limited to the uses included in Chapter 9, Use Unit 12 designed and located for the convenience of the occupants of the principal building.
2. Shall be located entirely within the principal building.
3. Shall not occupy more than 5 percent of the gross floor area of the building in which located.
4. Exterior signs identifying the eating place are prohibited.

D. Private Clubs – With the OM District the private club shall be located entirely within the principal building and shall not occupy more than 5 percent of the gross floor area of the building in which located.

E. Within the OM District, the principal office structure may include an eating place (5% maximum), private club (5% maximum), and accessory goods and services (15% maximum), or a total of 25% maximum of the total gross floor area devoted to the uses. Provided, the eating place, private club, and accessory convenience goods and services do not exceed the maximum allowable for each individual use.

F. Special Housing facilities in Use Unit 5 (Community Services), Use Unit 6 (Single Family), and Use Unit 8 (Multi-Family) shall meet applicable Use Conditions and Off-street Parking and Loading requirements as provided in Chapter 10.

G. Antennas and antenna support structures.

1. Antennas and antenna support structures which are accessory to an office use are permitted to be mounted on an office building or customary accessory building; provide that it does not exceed sixty-five (65) feet in height measured from the average ground elevation at the office building to the highest horizontal point of the antenna and antenna support structure and that 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.
2. Structures other than an office building or a customary accessory building which are used to support accessory antennas (or guy lines) shall:
  - a. be located in the rear yard only and be limited to one such structure;
  - b. not exceed sixty-five (65) feet in height, measured from the average ground elevation at the office building to the highest point of the antenna and antenna support structure;



- c. not encroach upon the land or airspace of any abutting property; and
- d. not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

**SECTION 530 BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS**

**Table 3  
Bulk and Area Requirements in the Office District**

	Districts	
	OL	OM
Frontage (min. ft.)		
Major and Freeway Service Road	75	100
Not a Major	50	50
Floor Area Ratio (maximum)	.25	.50
Setback from centerline of abutting street (min. ft.):		
Measured from centerline of abutting street; add ½		
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:		
Major	50	50
Not a Major	25	25
Setback from abutting R District boundary lines (min. ft.)	10	10*
Building Height (max. ft.)	18	N/A

\*Plus 1 foot of setback for each 1 foot of building height exceeding 18 feet, from an abutting, RE, RS, or RD District

**SECTION 540 SPECIAL EXCEPTION USES IN OFFICE DISTRICTS, REQUIREMENTS**

The Special Exception Uses, permitted in the Office Districts as designated in Tables 1 and 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 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 office building; permitted accessory convenience goods and services shall be secondary.

- B. Multi-family use in the OL and OM District shall comply with the bulk and area requirements of the RM-1 District.
- C. Convenience Goods and Services in the OL District shall comply with the following requirements:
  - 1. No accessory convenience goods and services shall be permitted unless the principal building contains a minimum of 50,000 square feet of floor space.
  - 2. The permitted accessory goods and services listed below shall be located entirely within the principal building and shall have its own pedestrian entrance and exit through the principal building.
  - 3. Permitted accessory convenience goods and services in the OL District are limited to the following uses and groupings:
    - a. Barber Shop
    - b. Beauty Shop
    - c. Book Store
    - d. Florist
    - e. Gift, Novelty, Souvenir Shop
    - f. Liquor Store
    - g. Newsstand
    - h. Medical, Dental, Optical, and Orthopedic Supplies (prescription service only)
    - i. Stationary and Office Supplies
    - j. Tobacco, Candy, and Nut Store
  - i. The permitted accessory convenience goods and services listed above shall not occupy more than 10% of the gross floor area of the building in which located; provided that if a club is requested that the total gross floor area for all accessory uses, including a private club, shall not exceed 12.5%.

- ii. Each accessory use shall be limited to a maximum of 2,000 square feet of floor area per specific use grouping (1-10) listed above.
- D. Private clubs or eating places, other than drive-ins in the OL District shall comply with the following requirements:
- 1. The private club or eating place shall be located within the principal building.
  - 2. The private club or eating place shall not occupy more than 5% of the gross floor area of the building in which located.
  - 3. The private club or eating place shall be listed on the building directory only.
- E. Except as provided in Section 230 for public protection and utility facilities, a minimum frontage of 100 feet are the requirements of the Special Exception uses unless the use unit requirements are more restrictive, in which case the more restrictive shall apply.

#### **SECTION 550 SITE PLAN REVIEW**

By reason of potential adverse effects on public services or to neighboring land uses, site plan review and approval by the planning commission is required for all office developments for the purpose of assuring proper accessibility, circulation, functional relationships of uses and compatibility with the adjoining and nearby development. No building permit shall be issued nor use commenced within this development except in accordance with an approved site plan. See Section 660.2 and 660.3 which also apply to the Office site plan review process.

## **CHAPTER 6 COMMERCIAL DISTRICT PROVISIONS**

600	Purposes
610	Principal Uses
620	Accessory Uses
630	Bulk and Area Requirements
640	Special Exception Uses, Requirements
650	Location of Sexually Oriented Businesses
660	Site Plan Review

### **SECTION 600 PURPOSES OF COMMERCIAL DISTRICTS**

#### 600.1 General Purposes

The Commercial Districts are designed to:

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

#### 600.2 Purposes of the CS Shopping Center District

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

### 600.3 Purpose of the CG General Commercial District

The CG District is designed to:

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

### 600.4 Purpose of the CBD Central Business District

- A. Accommodate and encourage the most desirable, productive, and intense use of land, without regard to the regulations of building height, floor area, or parking space requirements, within the central core area of the city designated by the Comprehensive Plan.
- B. Encourage a diversity of high intensity customer intense uses which mutually benefit from close proximity to each other and from the available service of the uptown corridor district.
- C. Preserve and promote the public and private investment of the existing central core area.

## **SECTION 610 PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS**

The principal uses permitted in the Commercial Districts are designated by use units. 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 9. The use units permitted in Commercial Districts are set forth below in Table 1.

**Table 1  
Use Units Permitted in Commercial Districts\***

No.	Name of Use Unit (see Chapter 9)	Districts		
		CS	CG	CBD
1.	Area wide Uses	X	X	X
2.	Area wide Special Exception	E	E	E
4.	Public Protection, Utility and Public Parks	X***	X***	X***
5.	Community Services, and Similar Uses	X	X	X
8.	Multi-Family Dwellings and Similar Uses	E**	E**	E**

10.	Off-Street Parking Areas	X	X	X
11.	Offices and Studios	X	X	X
12.	Eating Places Other than Drive-Ins	X	X	X
13.	Convenience Goods and Services	X	X	X
14.	Shopping Goods and Services	X	X	X
15.	Other Trades and Services		X	
16.	Gasoline Service Stations	X	X	X
17.	Automotive and Allied Activities	E	X	E
18.	Drive-In Restaurants			X
19.	Hotel, Motel, and Recreation Facilities	X	X	X
20.	Commercial Recreation, Intensive		E	E
21.	Business Signs and Outdoor Advertising	X	X	X
22.	Warehousing and Wholesaling		E	
24.	Light Manufacturing and Industry		E	
27.	Research and Development			E

X - Use by Right.  
E - Special Exception

\*\* Nursing home, community group home, convent, monastery, and novitiate are permitted as a matter of right; all other uses within use Unit 8 are permitted by Special Exception.

\*\*\*Antennas and antenna support structures are permitted only upon approval by the Board of Adjustment as a Special Exception in all C Districts as provided in Chapter 9, Section 904 of this code

#### 610.1 OUTSIDE STORAGE AND DISPLAY IN CS DISTRICT

Outside storage and/or display is allowed in a CS district in and under the following conditions:

- A. "Outside storage and/or display" means the placement of non-perishable items for retail sale in an open area on a lot upon which a commercial structure of 15,000 or more square feet is located and which structure is open to the public for retail sales of the items placed in the outside storage and/or display area;
- B. The outside storage and/or display area cannot exceed 160 square feet and must:
  - 1. Maintain a setback of at least 30 feet from any public street right-of-way.
  - 2. Be located within 35 feet of a public entrance to the commercial structure located on the lot
  - 3. Be adequately separated from the lot parking area so as to preclude the passage or movement of vehicular traffic through the open area
  - 4. Not negatively impact by more than 4% of the required lot parking spaces mandated by the code
  - 5. Maintain an open air status (no tents or canopies allowed)
- C. The outside storage and/or display area cannot be used for commercial signage display except for normal pricing and item description advertising similar in size to that located within the commercial structure upon the lot.

## **SECTION 620 ACCESSORY USES PERMITTED IN COMMERCIAL DISTRICTS**

### 620.1 Accessory Uses Permitted

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

### 620.2 Accessory Use 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.
- C. Signs in the Commercial Districts, whether accessory or principal uses, are subject to the use conditions of the use unit 21 of Chapter 9.
- D. Antennas and antenna support structures

1. Antennas and antenna support structures which are accessory to a commercial use are permitted to be mounted on a commercial office building or customary accessory building; provided, that it does not exceed sixty-five (65) feet in height measured from the average ground elevation at the commercial building to the highest horizontal point of the antenna and antenna support 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.
2. Structures other than an office building or customary accessory building which are used to support accessory antennas (including any guy lines) shall:
  - a. be located in the rear yard only, and be limited to one such structure;
  - b. not exceed sixty-five feet in height, measured from the average ground elevation at the commercial building to the highest point of the antenna and antenna support structure;
  - c. not encroach upon the land or airspace of any abutting property; and
  - d. not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

**SECTION 630 BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS**

**Table 2  
Bulk and Area Requirements in the Commercial District**

	CS	CG	CBD
Frontage (min. ft.)			
Major and Freeway Service Road	150	100	25
Not a Major	50	50	50
Floor Area Ratio (maximum)	.35	.50	.85

Setback from centerline of abutting street (min. ft.):

Measured from centerline of abutting street; add ½ 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:



Major	50	50	50
Not a Major	25	25	0
Setback from abutting R District boundary lines (min. ft.)	10*	10*	10*
Building Height (max. ft.)	N/A	N/A	N/A

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

**SECTION 640 SPECIAL EXCEPTION USES IN COMMERCIAL DISTRICT REQUIREMENTS**

- A. Multi-Family use, where permitted by special exception, shall comply with the bulk and area requirements of the RM-2 district.
- B. Except as provided above, all special exception uses shall comply with the bulk and area requirements of the use district in which located.
- C. Special housing facilities in Use Unit 8 (Multi-Family) shall meet applicable use conditions and off-street parking and loading requirements as provided in Chapter 10.

**SECTION 650 LOCATION OF SEXUALLY ORIENTED BUSINESSES**

Definitions: 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, sodomy;
- B. Masturbation; and,
- C. Excretory functions as part of or in connection with any of the activities as set forth in (A) through (B) above.
- D. 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.
- E. For purposes of this Ordinance, sexually-oriented businesses are defined as follows:
1. 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.
  2. Adult Bookstore: An establishment having as a significant portion of its stock in trade books, film, magazines and other periodicals which are distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.
  3. Adult Mini Motion Picture Theater: An enclosed building with a capacity of less than 50 persons used for presenting material distinguishing or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.
  4. Adult Motel: A motel wherein material is presented, as part of the motel services, via closed circuit T.V. or otherwise, which is distinguished or characterized by an emphasis on depicting or describing Sexual Conduct or Specified Anatomical Areas.
  5. 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 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.
  6. 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 Specified Anatomical Areas.
  7. Massage Parlor: Any place where for any form of consideration or gratuity, 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.

8. Model Studio: Any place other than 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.
9. 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.

#### 650.1 Prohibition

No person shall cause or permit the establishment of any of the sexually oriented businesses as defined in Section 650.1, in an area zoned other than "CG". In addition, no person shall cause or permit the establishment of any of the sexually-oriented businesses, as defined in Section 650.1 within one thousand (1,000) feet of any other sexually-oriented business, or within five hundred (500) feet of the nearest property line of a lot containing a church, school, (type which offers a compulsory education curriculum), public or private park, or within three hundred (300) feet of nearest property line of a lot zoned residential or within three hundred (300) feet of a non-major street which provides direct access to a residentially zoned area.

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 of any of the uses described in Section 650.1.

Nothing in this Ordinance is intended to make legal any business or activity that is expressly declared illegal under the provision of this Code or under any state or federal laws.

### **SECTION 660 SITE PLAN REVIEW**

#### 660.1 Purposes

By reason of potential adverse effects on public services or to neighboring land uses, site plan review and approval by the planning commission is required for all commercial developments for the purposes of assuring proper accessibility, circulation, functional

relationships of uses, and compatibility with adjoining and nearby development, except as noted in Section 660.2. No building permit shall be issued nor use commenced within this development except in accordance with an approved site plan.

#### 660.2 Application for Site Plan Review

An application for site plan review shall be filled with the Planning Commission Staff at the time of the sketch plat application. The application shall be in such format and content as the planning commission may by resolution establish, with twenty (20) copies of the site plan submitted. The plan must show information showing compliance with applicable sections of this code and all other applicable city codes and ordinances. The planning commission staff shall review and approve or deny site plans on tracts less than 18,000 square feet or structural amendment of less than 2,000 sq. ft. or 10% (whichever is greater). All other site plans shall be reviewed and approved or denied by the planning commission. Appeals from denial by staff to be made to the planning commission.

#### 660.3 The Site Plan Shall Contain:

- A. Proposed location of uses, including off-street parking design and layout (see Chapter 10 for minimum required dimensions and design standards) open spaces and public uses;
- B. Location, height, and size of buildings and other structures;
- C. Proposed location of all existing or proposed site improvements including curb lines, curb cuts and their radii, neighboring curb cuts, drains, culverts, retaining walls and fences;
- D. Hydrology report as per Article VI, Section 6-45 through 6-52 of the Sapulpa City Code.
- E. Internal public and private vehicular and pedestrian circulation;
- F. Proposed location and development of buffer areas, screening and landscaping;
- G. The location of all uses expressed in floor area, allocation to each identifiable segment of the development;
- H. A computation of lot area, building floor are, and building coverage for each type proposed use;
- I. Proposed location, height, and size of any ground signs;
- J. Sufficient surrounding area to demonstrate the relationship of the development to adjoining uses, both existing and proposed;

- K. Existing topographic character of the land including identification of floodplain areas, treed areas, slope analysis and soil analysis;
- L. An explanation of the character of the development.



## **CHAPTER 7 INDUSTRIAL DISTRICT PROVISIONS**

700	Purposes
710	Principal Uses
720	Accessory Uses
730	Bulk and Area Requirements
740	Special Exception Uses, Requirements
750	Site Plan Review

### **SECTION 700 PURPOSES OF INDUSTRIAL DISTRICTS**

#### 700.1 General Purposes

The Industrial Districts are designed to:

- A. Achieve the industrial objectives of the Comprehensive Plan.
- B. Meet the needs for industrial services and goods of the City of Sapulpa trade area.
- C. Preserve and promote the development of efficient industrial areas and to minimize the adverse effects of industrial uses on other land uses and thoroughfares by:
  1. Differentiating the types and purposes of industrial or industrial activities.
  2. Establishing bulk and area controls.
  3. Requiring off-street loading and parking facilities.
  4. Protecting the character of industrial districts and their peculiar suitability for industrial uses.

#### 700.2 Purposes of the IR Industrial Research District

The IR district is designed to provide an environment conducive to the development of modern industrial and scientific research facilities, conducted entirely within enclosed buildings and having no objectionable environmental influences.

#### 700.3 Purposes of the IL Industrial Light Manufacturing District.

The IL District is designed to provide areas suitable for manufacturing, wholesaling, warehousing, and other industrial activities which have no objectionable environmental influences.

#### 700.4 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.

#### 700.5 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 objectionable environmental influences or hazards.

### **SECTION 710 PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS**

The principal uses permitted in the Industrial Districts are designated by use units. 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 9. The use units permitted in the Industrial Districts are set forth below in Table 1.

**Table 1  
Use Units Permitted in Industrial Districts**

No.	Name of Use Units	IR	Districts		
			IL	IM	IH
1.	Area wide Uses	X	X	X	X
2.	Area wide Special Exception Uses	E	E	E	E
3.	Agriculture	X	X	X	X
4.	Public Protection, Utility and Public Parks	X**	X**	X**	X**
10.	Off-Street Parking Areas	X	X	X	X
11.	Offices and Studios	X	X	X	X
12.	Eating Places other than Drive-Ins	E	E	E	E
13.	Convenience Goods and Services	X	E	E	E
14.	Shopping Goods and Services	X	E	E	E
15.	Other Trades and Services		X	X	X
16.	Gasoline Service Stations	X	X	X	X



17.	Automotive and Allied Activities	X	X	X	
20.	Commercial Recreation; Intensive	E	E	X	X
21.	Business Signs, Outdoor Advertising	X	X	X	
22.	Warehousing and Wholesaling	X	X	X	
23.	Land Intensive Industrial Uses		E	E	
24.	Light Manufacturing and Industry	E	X	X	X
25.	Moderate Manufacturing and Industry	E	X	X	
26.	Heavy Manufacturing and Industry			E	X
27.	Research and Development	X	X	X	X

X - Use by Right  
E - Special Exception

\*\*Antennas and antenna support structures are permitted only upon approval by the Board of Adjustment as a Special Exception in all I Districts as provided in Chapter 9, Section 904 of this Code.

**SECTION 720 ACCESSORY USES PERMITTED IN INDUSTRIAL DISTRICTS**

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

720.2 Accessory Use 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 structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.
- C. Accessory storage of materials, equipment or products within 200' 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.
- D. Accessory signs in the IL, IM, and IH Districts are subject to the use conditions in Use Unit 21.

E. Antennas and antenna support structures

1. Antennas and antenna support 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 support 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.
2. Structures other than an industrial building or customary accessory building which are used to support accessory antennas (including guy lines) shall:
  - a. be located in the rear yard only, and be limited to one such structure;
  - b. 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 support structure
  - c. not encroach upon the land or airspace of any abutting property; and
  - d. not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

**SECTION 730 BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS (except as provided in Table 3 for scientific research facilities and institutions).**

**Table 2  
Bulk and Area Requirements in the Industrial Districts**

	Districts			
	IR	IL	IM	IH
Frontage (min. ft.)				
Major	200	150	200	200
Not a Major	200	50	50	50
Floor Area Ratio (max.)	.50	N/A	N/A	N/A

Setback from Centerline of Abutting Street (min. ft.):

Measured from centerline of abutting street, add to the

distance designated in the column to the right, ½ 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

Major	50	50	50	50
Not a Major	50	25	25	25
Setback from Abutting AG, R, or O District				
Boundary lines (min. ft.)*	50	75	75	75
Building Height (max. ft.)	N/A	N/A	N/A	N/A

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

**SECTION 740 SPECIAL EXCEPTION USES, REQUIREMENTS**

Special Exception Uses shall conform to the bulk and area requirements of the use district in which located.

**SECTION 750 SITE PLAN REVIEW**

By reason of potential adverse effects on public services or to neighboring land uses, site plan review and approval is required for all industrial developments for the purpose of assuring proper accessibility, circulations, functional relationships of uses and compatibility with adjoining and nearby development. No building permit shall be issued nor use commenced within this development except in accordance with an approved site plan. See Section 660.2 and 660.3 which also apply to the industrial site plan review process.



## **CHAPTER 8 HISTORIC PRESERVATION**

800 PURPOSE

810 DEFINITIONS

820 SAPULPA PRESERVATION COMMISSION

830 HISTORIC PRESERVATION DISTRICT PROVISIONS

840 HISTORIC PRESERVATION DISTRICT-ZONING MAP AMENDMENTS

850 CERTIFICATE OF APPROPRIATENESS

### **SECTION 800 PURPOSE**

The purposes of this chapter are to:

- A. 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 Sapulpa.
- B. Safeguard the cultural, social, political and architectural heritage of the City by conserving, preserving and regulation historic preservation districts.
- C. Conserve, preserve and enhance the environmental quality and economic value of Historic Preservation districts.
- D. Strengthen the City's economic base by promotion of conservation and reuse of the City's historic resources.
- E. Promote the development of the community in accordance with the Comprehensive and Historic Preservation plans.

### **SECTION 810 DEFINITIONS**

The following terms shall, for the purpose of this chapter, have the meanings indicated in this section:

Arts Council – the Arts Council of the City of Sapulpa.

Certificate of Appropriateness – the official document issued by the Preservation Commission authorizing work within a Historic Preservation District.

Design Guidelines – the criteria which shall be used to guide the Preservation Commission in review of an application for a Certificate of Appropriateness.

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.

Historic Resource – A building, structure, or site, or an area containing a concentration, linkage, or continuity of buildings, structures, or sites which are generally fifty (50) years or older and which contain one or more of the following attributes:

1. Has significant character, interest, or value as part of the historical development, history or cultural heritage of the city, state or nation;
2. Has significance as the site of a historic even in the past of the city, state, or nation;
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;
4. The embodiment of distinguishing characteristic, design detail, materials or craftsmanship which represent a historically significant architectural or engineering innovation, type, style or specimen;
5. It portrays the environment in an era of history characterized by a distinctive architectural, engineering, or construction style;
6. It represents a significant and distinguishable entity of historical importance whose components may lack individual distinction;
7. Has yielded, and is likely to yield, important information in prehistory or history;
8. Meets the criteria for listing on National Register of Historic Places.

Planning Commission – the Sapulpa Metropolitan Area Planning Commission.

Preservation – the adaptive use, conservation, protection, reconstruction, rehabilitation, restoration or stabilization of a historic resource.

1. Adaptive Use – the restrained alteration of 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 noticeable 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 of time by means of the removal of later work and the replacement of mission 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 noticeable changing the exterior appearance of the historic resource.

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 – aspects 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.

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 820 SAPULPA PRESERVATION COMMISSION**

### **820.1 Creation**

There is hereby created a Sapulpa Preservation Commission, hereinafter referred to as “Preservation Commission”.

### **820.2 Appointments**

The Preservation Committee shall be appointed in one of the following ways:

- A. The City Commission may confer the supplemental designation of the Preservation Commission upon an existing civic organization, this supplemental designation may be removed from said civic group by the mayor, subject to approval by the City Commission.
- B. In lieu thereof, the mayor may appoint members of the Preservation Commission, subject to approval by the City Commission, selected from a list of nominees solicited from the appropriate organizations related to the position being filled, such as; architectural, landscape architectural, planning, building and real estate



organizations, neighborhood associations, Uptown Sapulpa Action, Sapulpa Arts Council and the Sapulpa Historical Society.

### 820.3 Terms

If an existing civic group is designated as Preservation Commission by the board of commissioners, they shall set their own terms. If the Preservation Commission is appointed by the mayor and City Commission, the terms shall be for three years, except that initial terms shall be staggered as follows: one-third (1/3) of the appointments, one (1) year term; one-third (1/3) for two (2) year terms, and the remaining one-third (1/3) shall be for three (3) year terms. All members shall serve until their successor takes office.

### 820.4 Vacancies

If an existing civic group is designated as Preservation Commission by the Board of Commissioners, they shall set their own replacements. If the Preservation Commission is appointed by the Mayor and City Commission, 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.

### 820.5 Compensation

Members of the Preservation Commission shall serve without compensation.

### 820.6 Chairman, Vice-Chairman and Secretary

If the Preservation Commission is appointed by the Mayor and City Commission, the Preservation Commission shall annually elect from its appointed members a chairman, vice-chairman and secretary, Vacancies shall be filled in similar manner as regular election.

### 820.7 Rules of Procedure

The Preservation Commission shall make and adopt regulations for the conduct of its business.

### 820.8 Meetings

The Preservation Commission shall meet at least once a month for the purpose of transacting its business and duties as set forth in the chapter; provided however, in fulfilling its duties related to Certificate of Appropriateness applications, the Preservation Commission may hold at least one (1) addition meeting a month, as necessary. All meetings, deliberation and voting of the Preservation Commission shall keep minutes of

its proceedings, showing the vote of each member upon all actions, or if failing to vote, indication 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 Planner and shall be a matter of public record.

#### 820.9 MINIMUM VOTE

Issues shall be decided by a simple majority of votes by those members present.

#### 820.10 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 actuality, of a conflict should govern. The individual experiencing a conflict of interest shall declare his interest, and abstain from the voting in the matter. The individual should not discuss the matter with fellow member or member of the City Commissioner, Planning Commission of the purpose of influencing a decision thereof.

#### 820.11 STAFF

The Department of Technical Services shall provide staff to the Preservation Commission to assist in the performance of its duties.

#### 820.12 POWERS AND DUTIES

Unless otherwise specified in this chapter, the duties of the Preservation Commission shall be:

- A. Prepare, or cause to be prepared, a comprehensive inventory of historical resources within the City of Sapulpa and update said inventory as deemed necessary.
- B. Prepare, or cause to be prepared, proposed Historic Preservation Zoning Map amendments or other amendments to the Sapulpa 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 Sapulpa.
- C. Prepare findings relating to, and make recommendations on, zoning map amendments as set forth in Section 840 of this chapter.
- D. Promulgate Design Guidelines as are necessary for the review and approval of applications for Certificate of Appropriateness and to inform resident property

owners, and the general public of those Guidelines, Design Guidelines shall relate to the significant characteristics 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 approval and adoption by the City Commission, upon the holding of a public hearing by the Planning Commission, and their recommendation of the Preservation Commission and Planning Commission.

- E. Act upon applications for Certificate of Appropriateness and perform other duties as set forth in Section 850 of the chapter.
- F. Make recommendations to the City Commission 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 in the City of Sapulpa. Coordinate and oversee such programs and projects as may be directed by the City Commission.
- G. Recommendations to the City Commission the need for employing staff making contracts with professional and technical experts as may be required for the furtherance of Preservation Commission work.
- H. Increase public awareness of the historic resources in the City of Sapulpa and disseminate information to the public concerning historic resources in the City of Sapulpa deemed worthy of preservations. Provide notification, as effectively as possible, 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.
- I. Place, or cause to be placed, monuments, markers or other identifying elements at locations of Historical Resources as funds are available.
- J. Coordinate, comment on and make recommendations to the appropriate body concerning actions undertaken by other city, state and federal agencies with respect to the effect of such actions upon the Historical Resources in the City of Sapulpa.
- K. Consider methods other than those provided for in this chapter for encouraging and achieving preservation of Historic Resources in the City of Sapulpa and make appropriate recommendations to the City Commission and to other bodies and agencies, both public and private.

- L. Prepare, or cause to be prepared, studies and reports and undertake other preservation related tasks as may be deemed appropriate.
- M. Prepare, or cause to be prepared, in accordance with the goals and objectives set forth for neighborhood conservation in the Comprehensive Plan of the Sapulpa Metropolitan Area, programs and plans designed to implement neighborhood stabilization, revitalization and conservation in those neighborhoods of the City of Sapulpa that are fifty (50) years old or older which may lack significance according to the criteria in Section 840, yet represents valuable resources to the City of Sapulpa.
- N. Perform any other duties and functions imposed by this chapter or which may be specified by the City Commission.

## **830 HISTORIC PRESERVATION DISTRICT PROVISIONS**

### 830.1 General Provisions

Property located within a Historic Preservation District is supplemental a zoning district having the designation HP.

### 830.2 Permitted Uses

Property located within a Historic Preservation district may be used for the purposes permitted within the general zoning district in which located.

### 830.3 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 been first issued; provided however, that work related to the following shall not require a Certificate of Appropriateness;

- A. Ordinary maintenance and repair which shall include the removal, installation, or replacement of guttering; the removal or replacement of roof covering with like material' and the application of any paint color to non-masonry surfaces.
- B. Interior of buildings and structures.
- C. Portions of parts of buildings, structures, or sites not visible from adjoining streets.
- D. 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.

- E. Installation or radio or television antennae.
- F. General landscape maintenance and planting or new organic materials
- G. Work required for temporary stabilization of building or structure due to damage.

## **840 HISTORIC PRESERVATION DISTRICT – ZONING MAP AMENDMENTS**

### 840.1 General

The City of Sapulpa 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.

### 840.2 HP Zoning Map Amendments Initiated by Application

- A. 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 1430.1.
- B. An application shall include in addition to those items contained in Section 1430.1, information descriptive of the building, structure, site or area and its relationship to the historical development, history of cultural heritage of the City of Sapulpa, 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.

### 840.4 HP Amendments Initiated by 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 Commission shall, hold a public hearing, the Planning Commission shall within fifteen (15) days transmit its report and recommendation to the City Commission.

### 840.5 Preservation Commission Action of HP Zoning Map Amendments

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. 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 oppositions to such amendment. Property owners may indicate their support or opposition at informal informational meetings, at public meetings or in writing to the Preservation Commissioner Planning Commission. The report, recommendation, map and other pertinent information shall be forwarded to the Planning Commission prior to the public hearing.

#### 840.6 Notice Required on HP Zoning Map Amendments

The Planning Commission shall give notice of public hearing on any proposed HP zoning changes as follows:

- A. 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 Sapulpa. 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.
  
- B. 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:
  - 1. The date, time, and place of the public hearing;
  - 2. Who will conduct the public hearing;
  - 3. The present zoning of the property and the supplemental HP zoning sought by the applicant;
  - 4. The proposed HP designation of the property; and
  - 5. Other information as may be necessary to provide adequate and timely public notice.
  
- C. At least twenty (20) days' notice by mailing written notice to all property owners included in the proposed change, the notice shall contain:
  - 1. A map of the area proposed for HP amendment;
  - 2. The present zoning of the property and the supplemental HP zoning sought by the applicant;

3. The date, time and place of the public hearing; and
4. A statement that “work” general requires a Certification of Appropriateness.

#### 840.7 Planning Commission Action on HP Zoning Map Amendments

After notice and public hearing, the Planning Commission shall vote to:

- A. Recommend to the City Commission that the application be approved as submitted or as amended, or be approved subject to modification; or
- B. Recommend to City Commission that the application be denied.

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 Commission within fifteen (15) days from the date of Planning Commission action. 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 Commission. The request for hearing shall be accompanied by the payment of a \$ 15 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 Commission. 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 Commission within fifteen (15) days from the date of the Planning Commission action.

#### 840.8 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 840.7.

#### 840.9 City Commission Action on HP Zoning Map Amendments

The City Commission shall hold a hearing on each application transmitted from the Planning Commission and on any proposed zoning map amendment initiated pursuant to Section 840.7. The City Commission 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 days prior to said public hearing by 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 Commission.

## 840.10 Recording of HP Zoning Ap Amendments

The City Clerk should file or cause to be filed, a cop of the HP zoning map amendment ordinance and map in the office of the County Clerk.

## **SECTION 850 CERTIFICAT OF APPROPRIATENESS (COA)**

### 850.1 General Provisions

The Preservation Commission shall review application for a Certification of Appropriateness (hereinafter designated as "COA") and may approve, approve with conditions, or deny the same in accordance with the provision on this chapter and the Design Guidelines.

The Preservation Commission shall transmit a copy of the COA along with a set of approved plans to the Technical Services Division. Technical Services shall not issue any permit in violation of the chapter or inconsistent with a COA.

### 850.2 Application and Document Required

An application for COA shall be filed with the Technical Services Division 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.

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. Such plans 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. Façade elevation (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.

### 850.3 Preservation Commission Action

The Historic 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.

In addition, the Historic Preservation Commission shall review the application and shall consider:

- A. The degree to which the proposed work is consistent with the Design Guidelines which have been approved and adopted by the City Council.
- B. The degree to which the proposed work would destroy or alter all or part of the historic resource.
- C. The degree to which the proposed work 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. The degree to which the proposed work is compatible with the significant characteristics of the historic resource.
- E. The purposes and intent of this character.

### 850.4 Applications Involving Demolition – Stay

An application for demolition, if not approved shall automatically be stayed for a period of sixty (60) days, unless the Historic Preservation Commission determines that the building or structure is:

- A. Imminently dangerous to life and property; or
- B. That the building or structure does not contribute significantly to the district; or
- C. That the building or structure cannot be preserved.

During this period the Historic 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.

Prior to the expiration of the sixty (60) days period, the Historic Preservation Commission may request the City Council to extend the stay for a period not to exceed an additional sixty (60) days. The Historic Preservation Commission shall by mail notify the property owner of such request and the date for public hearing. The City Commission shall consider whether:

- A. The Historic 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
- C. The property owner desires further time to search for or continue action on available alternatives.

After notice and public hearing, the City Council shall vote to approve, approve with conditions, or deny such request to extend the stay period for an additional sixty (60) days. Denial shall constitute approval and issuance of a COA for demolition.

During any period of the stay of demolition, the property owner may use the property in question in any legal manner except that no action shall be taken that would place the property in danger or damage or destruction.

#### 850.5 Action on COA – Time Limits

If no action has been taken, due to lack of a quorum or otherwise, on an application within sixty (60) days of application receipt, the COA shall be deemed approved, except in those cases where a continuance has been requested by the applicant.

#### 850.6 Appeal of Preservation Commission Action

Appeal from any decision of the Historic Preservation Commission concerning a COA, except in the case of demolition, may be taken to the Board of Adjustment, in accordance with the procedures and provisions of Section 12-1340.

### 850.7 COA Use – Time Limitation

A COA which has not been utilized within one (1) year from the date issued shall thereafter be void, provided that the Historic Preservation Commission has not extended the time for utilization. For the purpose of this provision, utilization shall mean that the work authorized under a COA, a building permit has been issued and work is being diligently carried to completion.

### 850.8 Additional COA Provisions

#### A. Non-conforming Work

Work initiated and being diligently carried to completion or work completed on any building, structure, site, or area prior to the designation as HP shall be deemed non-conforming and may continue or remain without the necessity of complying with this chapter.

#### B. Preliminary Design or Conceptual Plan Review

The Historic 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.

#### C. Approval of COA by Historic 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 guidelines for such work and such work will have no material effect on the building or structure, the Historic Preservation Commission staff may issue a COA, noting “no material effect” and transmit the application to Building Permit Department for issuance of a building permit.



## **CHAPTER 9 USE UNITS**

Introduction of Use Units  
Use Unit 1 Area wide Uses by Right  
Use Unit 2 Area wide Special Exception Uses  
Use Unit 3 Agriculture  
Use Unit 4 Public Protection, Utility and Public Parks  
Use Unit 5 Community Services, and Similar Uses  
Use Unit 6 Single-Family Dwelling  
Use Unit 7 Duplex Dwelling  
Use Unit 8 Multi-Family Dwelling  
Use Unit 9 Manufactured Housing  
Use Unit 10 Off-Street Parking Areas  
Use Unit 11 Offices and Studios  
Use Unit 12 Eating Places other than Drive Ins  
Use Unit 13 Convenience Goods and Services  
Use Unit 14 Shopping Goods and Services  
Use Unit 15 Other Trades and Services  
Use Unit 16 Gasoline Service Stations  
Use Unit 17 Automotive and Allied Services  
Use Unit 18 Drive-In Restaurants  
Use Unit 19 Hotel, Motel, and Recreation Facilities  
Use Unit 20 Commercial Recreation: Intensive  
Use Unit 21 Business Signs and Outdoor Advertising  
Use Unit 22 Warehousing and Wholesaling  
Use Unit 23 Land Intensive Industrial Uses  
Use Unit 24 Light Manufacturing and Industry  
Use Unit 25 Moderate Manufacturing and Industry  
Use Unit 26 heavy Manufacturing and Industry

### **SECTION 900 INTRODUCTION OF THE USE UNITS**

#### 900.1 General:

The use unit is a grouping of individual uses having similarities in 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, an alphabetical listing of the included uses, use conditions, and off-street parking and loading requirements.

### 900.2 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.

### 900.3 Applicable of Use Conditions:

A use shall be subject to the provision of the 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 of the use district, the use unit requirements shall govern.

### 900.4 Off-Street Parking and Loading Requirements:

The off-street parking and loading requirements shall not apply to uses located within the CH Commercial High Intensity District.

## **SECTION 901 USE UNIT 1 AREAWIDE USES BY RIGHT**

### 901.1 Description:

Area wide uses by right shall include 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.

### 901.2 Included Uses:

Passive agricultural uses such as: cultivation, forestry, grazing, planting; open land uses such as: arboretum, flood management project, reservoir, wildlife preserve; public uses such as: fire alarm, historical marker, street sign, thoroughfare, utility line, political campaign signs and temporary construction facilities.

### 901.3 Off-Street Parking:

None.

## **SECTION 902 USE UNIT 2 AREAWIDE SPECIAL EXCEPTION USES**

### 902.1 Description:

Uses which in some instances may be suitable for location in any use district but, because of their potential adverse influence on adjacent properties, require site review and are, therefore, permitted in all use districts as a special exception requiring Board of Adjustment approval.

### 902.3 Included Uses:

Adult detention center, airport, heliport, bus station, cemetery, correctional community treatment center, crematory, governmental services NEC, hydro-electric generation plant, jail, post office, prison, sanitary land fill, juvenile delinquency center and temporary office structures not otherwise allowed by building and zoning codes.

Temporary or pre-manufactured non-residential structures, where permitted by Special Exception shall:

- A. Be constructed to federal manufacture, home construction and safety standards and bearing a HUD label red in color identifying the home as “manufactured Home” or otherwise meet the current BOCA Code.
- B. Temporary use of the structure as an office or non-residential use shall not exceed a time limit of 2 years. At which time, the applicant would need to return to the Board of Adjustment for a rehearing.
- C. That such a temporary or pre-manufacture non-residential structure shall require a Zoning Clearance Permit before placement on the site.

902.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Airport	1 per each 500 sq. ft. Of enclosed passenger Terminal area	1 per 2,000-40,000 sq. ft. of floor area, plus 1 per 40,000-100,000 sq. ft., Plus 1 per each additional 100,000 sq. ft.
Other Uses	As may be required by the Board of Adjustment in granting the Special Exception Use.	

**SECTION 903 USE UNIT 3 AGRICULTURE**

903.1 Description:

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

903.2 Included Uses:

Animal and poultry raising, chick hatchery, dairy farming, farming, fishery, guest ranch or dude ranch, riding stable, horticultural nursery, kennel.

903.3 Use Conditions:

Horticultural nursery permits the growing of plant stocks only and permits no retail sales on site.

903.4 Off-Street Parking and Loading Requirements:

None.

**SECTION 904 USE UNIT 4 PUBLIC PROTECTION, UTILITY AND PUBLIC PARKS**

904.1 Description:

Public protection and utility facilities which may have technical location requirements necessitating specific locations in and around areas serviced and certain open air land uses which can be objectionable to certain other uses and are, therefore, permitted in certain districts only by Special Exception and in the remaining districts by right.

904.2 Included Uses:

Ambulance service, electric regulation station (excluding storage or service garages and yards), fire protection facility, pressure control station (gas or liquid, excluding storage or service garages and yards), shelter (civil defense or storm), antenna and antenna support structure, water storage facility NEC, water treatment facility NEC, public park, sewage disposal facility, temporary open air facilities such as carnival, Christmas tree sales, circus, and tent revival.

904.3 Use Conditions for Use Unit 4 Temporary Open Air Facilities Excluding Antennas and Antenna Support Structures:

These facilities may continue for a period not to exceed sixty (60) days per each application for a Special Exception approved by the Board of Adjustment.

904.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Public Parks	1 per 3 stadium seats Plus 1 per 200 sq. ft. of Community Center or Recreation building, Plus 1 per 200 sq. ft. of Pool area.	1 per 10,000-100,000 sq. ft. plus 1 per each additional 100,000 sq. ft. of floor area.



#### 904.5 Use conditions for antennas and antenna support structures.

- A. The installation of new antennas and antenna support structures on existing such facilities which predate this ordinance and have otherwise been approved as a Use by Right or Special Exception 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 Special Exception from the Board of Adjustment, such new facilities shall be subject to Section 904.6 (excluding the collocation design requirement).
- B. The installation of antennas and antenna support structures, in Agricultural and Industrial Districts shall require approval of an application to the Board of Adjustment for a Special Exception. 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 support structures within a one fourth (1/4) mile radius of the site proposed in the application.

#### 904.6 Conditions for Board of Adjustment approval

In order to obtain approval of a Special Exception for an antenna and antenna support structure, the Board of Adjustment shall require, subject to modification and additional requirements as deemed necessary by said Board as a part of the review process, that the antenna and antenna support structure satisfy the following:

- A. Written evidence shall be presented to the City by the proposer of such facility 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 support structure on which collocation space is reasonably available.
- B. The setback from an R district boundary is at least 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 tall.
- C. 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 Federal Aviation Administration, Federal Communications Commission, Electronic Industries Association and American National Standards Institute.
- D. 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.

- E. If the operation and use of such facilities ceases for a period of 180 days, unless or except said 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.
- F. 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 to the satisfaction of the Board of Adjustment 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.
- G. If the collocation is determined by the board of Adjustment to unreasonably impede or impair the operation of the proposed facility, a minimum spacing of one-fourth mile from other such facilities shall be met.
- H. The antenna support structure shall be of monopole design.
- I. Certification from a professional engineer licensed to practice in the State of Oklahoma shall be submitted with the Board of Adjustment application that the antenna and antenna support 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 support structure has, in fact, been constructed in accordance with the plans as approved by the City.
- J. Written evidence of compliance with the standards of the Federal Communications Commission and the Federal Aviation Administration.
- K. Operators of such facilities shall give the City Planner of the City of Sapulpa 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 Sections 1 through 10 above and the conditions of approval granted by the Board of Adjustment. Said notice shall include detailed information about the nature of all such changes. Further, such changes shall cause the approval of the Special Exception to be summarily revoked and become the basis for requiring submission of a new application to the City of Sapulpa if operation is to continue.
- L. Notwithstanding the preceding sections, upon obtaining approval for collocation of a specified number of users on a particular facility by a Special Exception from the Board of Adjustment, subsequent users up to the specified number may be permitted by right upon demonstrating compliance with all conditions of the original approval.

## **SECTION 905 USE UNIT 5 COMMUNITY SERVICES, AND SIMILAR USES**

### 905.1 Description:

Community services, cultural, educational recreational and religious facilities and certain residential facilities which are needed in residential areas to serve the residents or need a residential environment, but which may be objectionable to nearby residential uses. These uses are permitted by Special Exception in some districts, by right in some districts, and prohibited in other districts.

### 905.2 Included Uses:

Aquarium, art gallery (not operated for profit), children's nursery, church, college, community center, cultural facility not elsewhere classified (NEC), day camp, emergency and protective shelter, golf course, hospital, library, marina, museum, planetarium, residential treatment center, private club or lodge (the chief activity which is a service and is not operated as a business or for profit, and which hold and maintain an income tax exempt status. Includes charitable, eleemosynary, educational and recreational establishments) public tennis court, sanitation, schools, offering a compulsory education curriculum, transitional living center and university.

### 905.3 Use Conditions:

- A. Churches when located within an AG or R District:
  - 1. Minimum lot area of 1 acre and minimum lot width of 100 feet.
- B. Schools:
  - 1. High schools shall have their principal vehicular entrance and exit on a major street.
- C. College, university, convent, monastery, novitiate, hospital:
  - 1. A minimum site area of 1 acre shall apply.
  - 2. A minimum lot width of 100 feet.
  - 3. The principal vehicular access shall be on a major street.
- D. Residential treatment center, transitional living center, emergency or protective shelter:
  - 1. To avoid clustering, a residential treatment center, transitional, or emergency or protective shelter shall not be located on a lot within 1/4 mile (1,320 feet)

from any other lot containing such facilities or any lot containing a neighborhood group home, community group home, or detention/correctional facility.

905.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Aquarium, art gallery, Museum, planetarium, Cultural facility NEC	1 per 400 sq. ft. of floor area	1 per 10,000-20,000 plus 1 per each additional 200,000 sq. ft. Of floor area
Children's nursery	1 per 400 sq. ft. of Floor area	N/A
Church	1 per 40 sq. ft. of Chapel or sanctuary Floor area	1 per 10,000-200,000 sq. ft., plus 1 per each add. 200,000 Sq. ft. of floor area
College, University	1 per 400 sq. ft. of Classroom floor area Plus 1 per 4 dormitory Beds plus 1 per 3 Stadium seats	1 per 10,000-200,000 sq. ft., plus 1 per each additional 200,000 sq. ft. of floor area
Community Center	1 per 200 sq. ft. of Floor area	1 per 10,000-100,000 sq. ft., plus 1 per each additional 10,000 sq. ft. of floor area
Emergency Protective Shelter	1 per 1,000 sq. ft. of floor area	1 per 10,000-100,000 sq. ft. plus 1 per each Additional 100,000 sq Ft. of floor area
Golf Course	6 per green plus 1 per 400 sq. ft. of club house floor area	1 per 10,000-100,000 sq. ft., plus 1 per ea. Additional 100,000 sq. ft. of floor area
Hospital	1 per bed	1 per 10,000-100,000 Sq. ft., plus 1 per Each additional 100,000 sq. ft. of

		floor area
Library	1 per 300 sq. ft. of Floor area	1 per 10,000-200,000 sq. ft., plus 1 per Each additional 200,000 sq. ft. of floor area
Private Club	1 per 250 sq. ft. of Floor area	1 per 10,000-100,000 sq. ft., plus 1 per Each additional 100,000 sq. ft. of floor area
Public Park	1 per 3 stadium seats Plus 1 per 200 sq. ft. Of Community Center or Recreation building, Plus 1 per 200 se. ft. Of pool area	1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area
Residential Treatment Center and Transitional Living Center	1 per 1,000 sq. ft. of floor area	1 per 10,000-100,000 sq. ft. plus 1 per each additional 100,000 sq. ft. of floor area
Schools:		
Elementary and Junior High	1 per 800 sq. ft. of floor area	1 per 10,000-200,000 sq. ft., plus 1 per Each additional 200,000 sq. ft. of floor area.
Senior High If parking areas Are combined	1 per 600 sq. ft. of floor area plus 1 per 3 stadium seats	1 per 10,000-200,000 sq. ft., plus 1 per each additional 200,000 sq. ft. of floor area
If parking is Separate	1 per 400 sq. ft. of floor area plus 1 per 3 stadium seats	
Tennis Court	2 per court, plus 1 per 400 sq. ft. of club house	1 per 10,000-100,000 sq. ft., plus 1 per

area

each additional  
100,000 sq. ft. of  
floor area

**SECTION 906 USE UNIT 6 SINGLE-FAMILY DWELLING**

906.1 Description:

Single-family detached dwelling and similar uses.

906.2 Included Uses:

Single-family detached dwelling, Neighborhood Group Home and Foster Home.

906.3 Use Conditions:

Neighborhood Group Home:

- A. Must be licensed by the State of Oklahoma, Oklahoma State Health, Department and meet contracting standards of the State of Oklahoma, Department of Human Services for group homes for mentally retarded persons.
- B. No building may be occupied after the effective date of this amendment until a Zoning Clearance Permit is obtained. This permit will be revoked automatically upon revocation of the state license.
- C. No signs advertising the neighborhood group home shall be permitted on the lot.
- D. No exterior alterations of the dwelling or any customary accessory structure including ramps shall be made which would detract from the residential character of the structure. Fire escapes, if required, must be located on the rear of the structure if architecturally feasible or on the side of the structure and screened.
- E. To avoid clustering, a neighborhood group home shall not be located on a lot within 1/4 mile (1,320) of any other lot containing a neighborhood group home, a community group home, a residential treatment center, a transitional living center, an emergency or protective shelter, or detention/correctional facility.

906.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Single-family detached Dwelling	2 behind street right-of-way	N/A
Neighborhood group home And foster home	2 abreast behind street right-of-way	N/A

## **SECTION 907 USE UNIT 7 DUPLEX DWELLING**

### 907.1 Description:

Duplex dwelling

### 907.2 Included Uses:

Duplex dwelling

### 907.3 Use Conditions:

None.

### 907.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Load Berths
Duplex Dwelling	2 behind street Right-of-way	N/A

## **SECTION 908 USE UNIT 8 MULTI-FAMILY DWELLING AND SIMILAR USES**

### 908.1 Description:

Multi-family dwellings and similar uses

### 908.2 Included Uses:

Apartment, community group home, convent, monastery, novitiate, elderly retirement housing, fraternity or sorority houses, life care retirement center, multi-family dwelling, nursing home, rooming/boarding house, and townhouse.

### 908.3 Use Conditions:

#### A. 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 multi-family dwelling, with each 600 square feet of floor area constituting a one-bedroom dwelling unit.

#### B. Convent, monastery, novitiate, community group home, life care retirement center, and nursing home shall have a maximum floor area ratio of .5.

#### C. Convent, monastery and novitiate shall have a minimum lot size of 1 acre.

D. Townhouse:

A townhouse is subject to the submission to and approval of a subdivision plat by the City Commission after receiving prior review and recommendations of the Planning Commission, in accord with existing laws and regulations, and the subsequent filing in the office of the County Clerk where the property is located.

E. Community Group Home:

1. Must be licensed by the State of Oklahoma, Oklahoma State Department and meet contracting standards of the State of Oklahoma, Department of Human Services for group homes for mentally retarded persons.
2. No building may be occupied after the effective date of this amendment until a Zoning Clearance is obtained. This permit will be revoked automatically upon revocation of the state license.
3. No signs advertising the community group home shall be permitted on the lot.
4. No exterior alterations of the dwelling or any customary accessory structure including ramps shall be made which would detract from the residential character of the structure. Fire escapes, if required, must be located on the rear of the structure if architecturally feasible or on the side of the structure and screened.
5. To avoid clustering, a community group home shall not be located on a lot within ¼ mile (1,320) of any other lot containing a neighborhood group home, a community group home a residential treatment center, a transitional living center, an emergency or protective shelter, or detention/correctional facility.

F. Life Care Retirement Center:

The nursing facility or medical facility must be licensed by the State of Oklahoma State Health Department as an intermediate care facility or as a skilled nursing home.

G. Nursing Home:

The nursing home must be licensed by the State of Oklahoma, Oklahoma State Health Department as an Intermediate Care Facility or as a skilled nursing home.



H. Elderly/Retirement Housing:

Design requirements for elderly/retirement housing include as a minimum: (a) elevators for multi-family structures other than townhouses over one-story in height; (b) emergency alarm systems in every dwelling unit; and (c) safety “grab bars” in bathrooms.

I. Screening Requirements:

The uses included in Use Unit 8, when located on a lot abutting an RE, RS, or RD district, shall be screened from the abutting RE, RS, and RD district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with these R districts.

908.4 Screening Requirements:

The uses included in use Unit 8, when located on a lot abutting an RE, RS, or RD district, shall be screened from the abutting RE, RS, and RD district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with these R districts.

908.5 Off Street parking and Loading Requirements:

	Parking Spaces	Loading Berths
Community Group Home	1 per 900 sq. ft. of Floor area	None
Convent, Monastery And Novitiate	1 per 1,000 sq. ft. of floor area	1 per 10,000-200,000 sq. ft. plus 1 per each Additional 200,000 sq. Ft. of floor area
Elderly/Retirement Housing	.75 per dwelling unit	None
Fraternity or Sorority House	1 per 2 beds	1 per 10,000-200,000 sq. ft. plus 1 per each Additional 200,000 sq. Ft. of floor area
Life Care Retirement Center	.75 per dwelling unit and .35 per nursing Center bed	1 per 10,000-220,000 sq. ft. plus 1 per each additional 200,000 sq. Ft. of floor area

Multi-Family Dwelling	1.5 per efficiency or 1 Bedroom dwelling unit. 2 per 2 or more bedroom dwelling unit	None
Nursing Home	.35 per nursing center Bed	1 per 10,000-100,000 sq. ft. plus 1 per each Additional 100,000 sq. Ft. of floor area
Rooming/Boarding House	1 per 2 beds	1 per 10,000-200,000 Sq. ft. plus 1 per each Additional 200,000 sq. Ft. of floor area
Townhouse	1.5 per efficiency or 1 Bedroom dwelling unit. 2 per 2 or more bedroom dwelling unit	None

## **SECTION 909 USE UNIT 9 MANUFACTURED HOUSING**

### 909.1 Description:

Dwelling, Manufactured: A structure designed and intended for human occupancy on a year round or temporary or seasonal basis which has undergone at least partial prefabrication or pre-assembly under indoor factory conditions, excluding dwellings utilizing only pre-fabricated or pre-assembled sub-elements such as roof trusses, plumbing trees, or wiring harness. Included are the following sub-classes:

- A. Pre-fabricated – a manufactured dwelling involving no pre-assembly but all components have been cut and fabricated and then assembled on-site.
- B. Panelized – a manufactured dwelling partially pre-assembled into roof, wall, floor, and ceiling components (which may range from exposed wood to having all finishing completed) which are assembled on-site, and constructed to national building code standards.
- C. Sectionalized or Modular – a manufactured dwelling partially pre-assembled into two or more sections, none of which are habitable individually, permanently joined together and, utilize customary residential siding and roofing materials, built to national building code standards and are either:

1. Wood frame units designed to be transported by flatbed truck and installed on conventional permanent foundations, or,
2. 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,

D. Mobile Home or Trailer Home – a manufactured dwelling other than a recreational vehicle either:

1. Fully pre-assembled into one unit or one expandable/telescoping unit of more than 35' 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
2. A dwelling manufactured in two or more units but either fails to utilize customary, residential roofing and siding materials or retains chassis or other equipment related to being towed or is not placed on a conventional permanent foundation.

909.2 Included Uses:

Mobile Home Dwelling, Pre-fabricated Dwelling, Panelized Dwelling, Sectionized or Modular Dwelling.

909.3 Use Conditions:

All mobile home dwellings placed in any district by right or Special Exception shall be certified that they have been constructed and comply with the National Mobile Construction and Safety Standards.

The Mobile Home dwelling when located within an RMH district and located on a lot which is abutting an RE, RD, or RS district shall be screened from the abutting RE, RS, or RD district by the erection and maintenance of a screening wall or fence along the lot line in common with RE, RS, or RD district.

All mobile home dwellings placed in any district by right or Special Exception shall be anchored and tied.

909.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Manufactured Home	2 spaces per each unit Behind the street ROW	None

## **SECTION 910 USE UNIT 10 OFF-STREET PARKING AREAS**

### 910.1 Description:

Off-street parking areas which are principal uses.

### 910.2 Included Uses:

Off-street parking areas

### 910.3 Use Conditions:

Off-street parking areas shall conform to the design, lighting, and improvement requirements for off-street parking contained in Chapter 10.

### 910.4 Off-Street Parking and Loading Requirements:

Not applicable

### 910.5 Use Conditions:

In the CS district there shall be no open air display offered for sale within 300 feet of an abutting R district.

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.

### 910.6 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Grocery Store	1 per 100 sq. ft. of Floor area	1 per 2,000-10,000 sq. ft. of floor area
Retail trade and Service establishments	1 per 200 sq. ft. of floor area	1 per 5,000-10,000 sq. ft. plus 1 per each Additional 15,000 sq. Ft. of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

## SECTION 911 USE UNIT 11 OFFICES AND STUDIOS

### 911.1 Description:

Offices, studios, medical and dental laboratories, and certain other compatible or supporting services.

### 911.2 Included Uses:

Including, but not limited to: Abstract company, advertising agency, artist's studio, broadcasting or recording studio, computing service, copying service, data processing service, drafting service, dental clinic and laboratory, employment agency, financial institution (other than pawn shop), funeral home, interior design consultant (no retail sales), medical and dental offices, clinics, and laboratories, general business offices (excluding on premise sale of merchandise), optician or optical offices laboratories, photography studio, prescription pharmacy (provided that no sundry or other merchandise is sold or offered for sale), studio or school for teaching ballet, dance, drama, fine arts, music, language, business, or modeling, transportation ticket office, travel agency, and veterinary office (excluding boarding services), commercial fitness facility.

### 911.3 Use Conditions:

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.

### 911.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Funeral Home	1 per 40 sq. ft. of Assembly floor area Plus 1 per 300 sq. ft. Of non-assembly floor Area	1 per 10,000-100,000 sq. ft., plus 1 per each additional 100,000 sq. ft. of floor area
Medical and Dental Offices, Clinics, And Laboratories	1 per 200 sq. ft. of floor area	1 per 10,000-100,000 sq. ft., plus 1 per additional 100,000 Sq. ft. of floor area
Other Uses	1 per 300 sq. ft. of Floor area	1 per 10,000-100,000 sq. ft. plus 1 per Each add'l 100,000 sq ft fl area

See Chapter 10 for Required Minimum Dimension and Design Criteria

## **SECTION 912 USE UNIT 12 EATING PLACES OTHER THAN DRIVE-INS**

### 912.1 Description:

Eating places offering on premise consumption of food and drink within the principal structure and/or providing carry-out service if no curb service is provided, and if no in car on premise 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 higher use intensity would be objectionable.

### 912.2 Included Uses:

Eating places such as: cafeteria, coffee shop, delicatessen, and restaurant

### 912.3 Use Conditions:

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.

### 912.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Eating Places	1 per 200 sq. ft. of floor area	1 per 2,000-10,000 sq. ft. plus 1 per each additional 15,000 sq. ft. of floor area

## **SECTION 913 USE UNIT 13 CONVENIENCE GOODS AND SERVICES**

### 913.1 Description:

Retail trade and service establishments which are desirable conveniences in certain residential and office 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.

### 913.2 Included Uses:

Including, but not limited to: Retail trade establishments such as drug store, florist, baker, candy and confection and/or nut store, dairy store, food specialty store, grocery, health food store, ice cream store, gift, novelty, and souvenir shop, liquor store, news stand, tobacco store; and service establishments such as dry cleaning and pickup, barber shop, beauty shop, and laundry and pickup, cleaning, taxidermist, woodworking shop; repair

services such as armature rewinding service, business machine repair, computer repair, data processing machine repair, electrical repair service, furniture, mattresses and pillows, tavern, upholstery, and rug repair; and schools such as barber, beauty and trade.

913.3 Use Conditions:

- A. In the CS district there shall be no open air display offered for sale within 300 feet of an abutting R district.
- B. 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.

913.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Grocery Store	1 per 100 sq. ft. of Floor area	1 per 2,000-10,000 sq. ft. of floor area
Retail trade and Service establishments	1 per 200 sq. ft. of floor area	1 per 5,000-10,000 sq. ft. plus 1 per each Additional 15,000 sq. Ft. of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

**SECTION 914 USE UNIT 14 SHOPPING GOODS AND SERVICES**

914.1 Description:

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

914.2 Included Uses:

Retail trade establishments such as commercial art gallery, antique shop, artist supply store, automotive parts and accessories store, bicycle shop, book store, business and office machine sales and repair establishment, camera and photographic supply store, clothing and accessories store, cosmetic shop, decorator department store, dressmaking shop, dry goods store, fur storage, furriers, garden supply store, hardware store, hobby shop, home furnishings (selling appliances, china, glassware, metal-ware, draperies, curtain, upholstery, floor coverings, and furniture), jewelry store, leather goods and luggage store, medical, dental, and orthopedic appliances and supply store, musical instrument and supply store, office furnishing establishment, office supplies store, paint store, pawn shop, pet shop, phonograph and record shop, radio and TV sales, shoe repair

shop, shoe store, sporting goods store, stationery store, tailor shop, toy shop, variety store, wall paper store, wig shop; and retail building material establishments, exclusive of fabrication or repair, such as building materials, electrical supply, and plumbing fixtures; and service establishments, such as caterer, custom rental service, dry cleaning (limited to 7,000 sq. ft. of floor area), gun smith, household appliance repair, interior decorating, self-service Laundromat, (coin operated), locksmith, photo finishing, picture framing, radio and television repair, and watch and jewelry repair.

**914.3 Use Conditions:**

- A. In the CS District there shall be no open air storage or overnight display of merchandise offered for sale within 300 feet of an abutting R district.
- B. The uses included in the 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.

**914.4 Off-Street Parking and Loading Requirements:**

	Parking Spaces	Loading Berths
Furniture Store	1 per 300 sq. ft. of Floor area	1 per 2,000-25,000 sq. ft. plus 1 per each additional 25,000 sq. ft. of floor area
All other uses	1 per 225 sq. ft. of Floor area	plus 1 per each additional 25,000 sq. ft. of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

**914.5 Use Conditions:**

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.

**914.6 Off-Street Parking and Loading Requirements:**

	Parking Spaces	Loading Berths
Trade establishments	1 per 400 sq. ft. Of floor area	1 per 5,000-25,000 sq. ft., plus 1 per each additional 25,000 sq. ft. of floor area



Service establishments	1 per 400 sq. ft. of Floor area	1 per 5,000-25,000 sq. ft. plus 1 per each additional 25,000 sq. ft. of floor area
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See Chapter 10 for Required Minimum and Dimensions and Design Criteria

**SECTION 915 USE UNIT 15 OTHER TRADES AND SERVICES**

915.1 Description:

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

915.2 Included Uses:

Trade establishments, including incidental fabricating, processing, installation, and repair; air conditioning and heating, bait shops, wholesale baker, bottled gas, carpeting, fence, fuel oil, general merchandising establishment NEC, glass greenhouse, heating equipment, ice plant, lumber yard, mini-storage, model homes, monument (excluding shaping), plastic materials, plumbing shop, portable storage building sales, printing and publishing, reproduction services, and vending machine sales and services; service establishments such as air conditioning, carpentry, decorating, electrical, furnace cleaning, landscape contractor, painting, paper hanging, plastering, plumbing, sign painting, tile setting; armored car service; and personal services such as auctioneer, bindery, cabinet maker, draper service, frozen food locker, laundry, linen supply and industrial laundry, packing and crating of household and other similar rug goods.

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.

915.3 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Trade establishments	1 per 400 sq. ft. Of floor area	1 per 5,000-25,000 sq. ft., plus 1 per each additional 25,000 sq. ft. of floor area
Service establishments	1 per 400 sq. ft. of Floor area	1 per 5,000-25,000 sq. ft. plus 1 per each additional 25,000 sq. ft. of floor area

See Chapter 10 for required Minimum and Dimensions and Design Criteria

## **SECTION 916 USE UNIT 16 GASOLINE SERVICE STATIONS**

### 916.1 Descriptions:

Establishments engaged in the retail sale of gasoline, lubricants, tires, batteries, and automobile accessories and performing minor repair, installation, and maintenance services.

### 916.2 Included Uses:

Gasoline service stations, oil and lubrication service (3 bay maximum) tune-up service (3 bay maximum)

### 916.3 Use Conditions:

- A. 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.
- B. Within the CS district there shall be an open air storage or display of merchandise offered for sale or rental within 300 feet of an adjoining R district.

### 916.4 Off-Street Parking and Loading Requirements:

Two spaces, plus two spaces per bay.

## **SECTION 917 USE UNIT 17 AUTOMOTIVE AND ALLIED ACTIVITIES**

### 917.1 Description:

Automotive and allied activities

### 917.2 Included Uses:

The following types of sales: aircraft, agriculture, implement, automobile (new and used), boat, camper, mobile home, motorcycle, and truck; and the following types of services: automobile rental, auto wash, vehicle repair and service, and mini-storage.

### 917.3 Use Conditions:

- A. 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.

B. 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.

**917.4 Off-Street Parking and Loading Requirements:**

	Parking Spaces	Loading Berths
Agriculture implements, Automotive, camper, Motorcycle, and truck sales	1 per 600 sq. ft. of floor area plus 1 per 1,000 sq. ft. of open air display storage, or service area.	1 per 5,000-10,000 sq. ft. plus 1 per each additional 15,000 sq. ft. of floor area
Auto Wash	N/A	N/A
Automobile rental	1 per 600 sq. ft. 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.	N/A
Mobile Home Sales	0 to 30,000 sq. ft. of open Air display storage or service Will require 1 vehicle parking Space per 10,000 sq. ft. of Open air display storage or Service area.	N/A
Vehicle Repair	1 per 200 sq. ft. of floor Area.	N/A

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

**USE UNIT 17A MINI-STORAGE**

**917A.1 Mini-storage defined:**

A structure(s) which contains separate, small size, self-service storage facilities leased to individuals or businesses. These facilities are designated to accommodate access only from passenger vehicles and two-axle trucks.

**917.A.2 Included Uses:**

Mini-Storage

917A.3 Use Conditions:

- A. The uses included in Use Unit 17A, when located on a lot which is abutting a Residential (hereafter R) District, shall be screened from the abutting R District by a screening wall or fence along the lot-line or lines in common with the R District.
- B. Within the CS, CG, CBD, or OL District, there shall be no open air storage of any kind that is visible at ground level from an R District or an Office (hereafter O) district or from a public street. Open air storage is defined as and storage not within a permanently affixed structure having one or more floors and a roof and which is bounded on all sides by walls so as to prevent exposure to open air.
- C. The development site shall have frontage on and access to an arterial street unless provided otherwise by the Board of Adjustment.

917A.4 Off-Street Parking and Loading Requirements

	Parking Spaces	Loading Berths
Mini storage	1 per 5,000 sq. ft. of Floor area.	N/A

917.A.5 Mini-storage facilities located in the CS, CG, CBD, and O Districts shall comply with the following requirements and require Special Exception from the Board of Adjustment:

- A. The building height is limited to 12 feet, provided however, if the facilities contain an accessory structure to be used for management and security purposes, the height of the dwelling shall not exceed 35 feet.
- B. The minimum front building setback from an abutting street shall be 50 feet, plus one-half the right-of-way for a major street designated on the Major Street Plan, or 35 feet plus one-half the right-of-way for a non-major street designated on the Major Street Plan. The minimum building setback for all other boundaries shall be 10 feet, provided however, the Board of adjustment may allow less building setback in these two 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 5 feet.
- C. Building walls on the exterior of the development shall consist of masonry construction using brick, stone, stucco or concrete tilt-up panels. Metal or standard (smooth) concrete block exterior walls are not permitted on such exterior.
- D. The floor area ration (FAR) shall not exceed .5.
- E. 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.

- F. No hazardous, toxic, or explosive materials are permitted to be stored in such facilities.
- G. Open air storage is prohibited in the OL District. Open air storage is prohibited on the perimeter of the lot in an OM 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.
- H. The development site shall have frontage on and access to an arterial street unless provided by the Board of Adjustment.
- I. Only one ground sign shall be permitted. Location, size, and height of such sign shall be approved by the Board of Adjustment, provided however, the sign shall not exceed 20 feet in height and 32 square feet of display surface area or 2/10 of a square foot of display surface area per lineal foot of street frontage (whichever is greater) and illumination of the sign, if any, shall be by constant light.
- J. A screening fence or masonry wall at least 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 as described in subsection (c) may be used with Board of Adjustment approval to comply with this screening requirement and in such case open spaces between perimeter buildings shall be screened with an 8-foot masonry wall.

## **SECTION 918 USE UNIT 18 DRIVE IN RESTAURANTS**

### 918.1 Description:

Eating establishments providing curbside service or offering food or drink for on-premise consumption of food or drink within the parked motor vehicle or outside the principal structure.

### 918.2 Included Uses:

Drive-in restaurants

### 918.3 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.

	Parking Spaces	Loading Berths
Drive-In restaurants	1 per 200 sq. ft. of floor area.	1 per 5,000-25,000 sq. ft., Of floor areas plus 1 per additional 25,000 sq. ft. of floor area.

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

**SECTION 920 USE UNIT 20 COMMERCIAL RECREATION: INTENSIVE**

920.1 Description:

Commercial recreation facilities, the principal activities of which are usually open air, located in undeveloped outlying sections of the city.

920.2 Included Uses:

Amusement activities NEC, arena, drag strip, drive-in theatre, fairgrounds, go-cart track, golf driving range, miniature auto track, outdoor recreation NEC, race tracks (auto, dog, horse), rodeo grounds, and stadiums NEC and commercial camp ground.

920.3 Use Conditions:

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.

920.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Golf driving	1 per tee	N/A
Drive-In theatre	N/A	N/A
Uses providing Spectator seating Such as stadiums, Arenas, and rodeo Grounds	1 per 3 seats	1 per 5,000-25,000 sq. ft. plus 1 per each additional 25,000 sq. ft. of floor area
Other uses	1 per 600 sq. ft., Of site area	1 per 5,000-25,000 sq. ft. plus 1 per each additional 25,000 sq. ft. of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

## **SECTION 921 USE UNIT 21 BUSINESS SIGNS AND OUTDOOR ADVERTISING**

### 921.1 Description:

Business Signs, outdoor advertising signs

### 921.2 General Location Requirements:

- A. Street setback – No sign or portion thereof shall be permitted in the right of way of any street or are designated in the Sapulpa Master Street Plan as a future street under any circumstances except authorized traffic signals, signs or devices. (See Sapulpa Comprehensive Plan for copy of Master Street Plan).
- B. Intersection Setback – no sign shall be located less than thirty-five (35) feet from the intersection of the pavement of two (2) streets or from the intersection of street pavement and a railroad track. The point of intersection shall be measured from the edge of the paving.
- C. Traffic Signal Clearance – no sign shall be located in such a manner as to obstruct or obscure or in any manner interfere with any traffic signal light or public warning sign.
- D. Obstruction of View – Signs when located in such a manner so as to prevent any motorists from obtaining a clear view of approaching vehicles for a distance of five hundred (500) feet along a public right of way are prohibited.
- E. No business or outdoor advertising sign shall be located within 50 feet of an R district if visible from such district.
- F. Illumination, if any shall be by constant light.
- G. Any on-premises ground sign shall maintain a minimum separation of 50 feet from any other ground sign on the same frontage.
- H. Any off-premises ground sign shall maintain a minimum separation of 500 feet from any other off-premises ground sign and also from any on-premises ground sign on the same frontage, providing that the on-premises ground sign was located first.

### 921.3 General Use Conditions:

- A. For the purpose of display surface area calculation, where a lot abuts more than one public street, that street frontage which is the larger shall be used.

- B. Only one side of a double-faced sign shall be included in the computation of display surface area.
- C. The following signs shall not be included in the computation of display surface area:
  - 1. Nameplates, attached to the face of the wall and not exceeding two (2) square feet in surface area.
  - 2. Temporary real estate and construction signs.
  - 3. Signs which are not visible from a public street.
  - 4. Signs painted on glass surfaces of windows or doors and pertaining to the business conducted therein which are in place for 60 days or less. After 60 days, such signs shall be restricted to the display surface area limitations for this district in which located.
  - 5. Tablets built into the wall of a building or other structure and used for inscriptions or as memorial tablets or for similar purposes.
  - 6. Signs of warning, directive, or instructional nature erected by a public agency, franchised transportation company, or governmental agency.
  - 7. Legal notices and street numbers.
  - 8. Election campaign signs, if erected not more than 45 days prior to an election and removed within 7 days following an election.
  - 9. Signs located within buildings.
  - 10. Signs not exceeding 3 square feet of display surface area of a warning, directive, or instructional nature, including entrance, exit, and restroom signs.
  - 11. Signs which are attached labels of a commodity offered for sale.

921.4 AG District Use Conditions:

- A. Signs as Principal Use are subject to the following conditions:
  - 1. Business signs and outdoor advertising on a lot abutting designated state and federal highways must conform to all state and federal regulations.



2. The minimum display surface area of ground signs and outdoor advertising shall be limited to an aggregate of one (1) square foot of display area per each lineal foot of street frontage, provided that no single sign shall exceed 300 square feet.
3. 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 821.3(A), 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.

B. Signs as Accessory Use are subject to the following conditions:

1. 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 12 square feet in area nor 15 feet in height, and illumination, if any, shall be by constant light.
2. 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 15 feet in height, and illumination, if any, shall be by constant light.
3. During the period of construction, a temporary sign advertising the construction of improvements on the premises may be erected on each perimeter street frontage of the development. The sign shall not exceed 64 square feet in surface area, nor 15 feet in height, and illumination, if any, shall be by constant light. All such signs must be removed upon completion of construction or revocation of the building permit except; if the temporary sign is for a subdivision under construction, then the sign must be removed prior to building permits being issued on more than 75% of the lots in the subdivision.
4. 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 8 square feet in surface area, nor 15 feet in height, and illumination, if any, shall be by constant light in an RM or RD district. In an RS or RE district the sign shall not exceed 4 square feet in surface area, or more than 6 feet in height and shall not be illuminated in any way.

921.5 Office District Use Conditions:

A. Signs as Principal Uses are not allowed in Office Districts

B. Signs as Accessory Uses are subject to the following conditions:

1. In the OL and OM Districts, one business sign not exceeding 32 square feet in surface area may be erected on each street frontage of a lot. Ground signs shall not exceed the height of the building in which the principal use is located within 20 feet, whichever is lower. No business signs shall be located within 50 feet of an R district if visible from such district. Illumination, if any, shall be by constant light.
2. During the period of construction, a temporary sign advertising the construction of improvements on the premises may be located on each major street frontage of the development. The sign shall not exceed 160 square feet in surface area nor 15 feet in height, and illumination, if any, shall be by constant light.
3. 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 surface area nor 15 feet in height, and illumination, if any, shall be by constant light.

921.6 Signs in the Central Business District Zoning Category:

CBD Zoning Category – Use Conditions

A. Location Requirements:

1. Portable ground signs will be permitted in the existing or proposed ROW, but no sign shall be located closer than 10' from the curb, and 35' from the intersection of the pavement of two (2) streets or from the intersection of street pavement and a railroad track.
2. Projecting roof and canopy signs will be permitted to overhang the existing or proposed ROW, provided that said sign shall maintain a clear height of ten (10) feet above the sidewalk and all such signs shall not extent closer than eighteen 18 inches behind the curb line.

B. Height Requirements:

1. A ground sign shall not exceed 30' 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 921.3A, the sign is setback one foot for each foot of height exceeding 30'. No sign shall exceed 50 feet in height regardless of setback.
2. A roof sign shall not extent more than 12' above the mean roof level of the structure to which it is affixed.

3. A projecting sign shall not extent more than 9' above the mean roof level of the structure to which it is affixed.

C. Display Surface area Requirements:

1. The maximum display surface area of ground signs in a commercial or industrial district shall be limited to an aggregate of one (1) square foot of display are per each lineal foot of street frontage, provided that no single sign shall exceed 100 square feet.
2. Wall and canopy signs shall not exceed an aggregate display surface area of three square feet per each lineal foot of the building wall to which the sign or signs are affixed.

921.7 Commercial and Industrial District Use Conditions

A. Height Requirements:

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 921.3(A), the sign is setback one foot for each foot of height exceeding 30 feet. No sign shall exceed 50 feet in height regardless of setback.
2. A roof sign shall not extend more than 12 feet above the mean roof level of the structure to which it is affixed.
3. A projecting sign shall not extend more than 9 feet above the mean roof level of the structure to which it is affixed.

B. Display Surface Area Requirements:

1. The maximum display surface are of ground signs in a commercial or industrial district shall be limited to an aggregate of one (1) square foot of display area per each lineal foot of street frontage, provided that no single sign shall exceed 300 square feet.

921.8 Use Conditions – Political Campaign Signs:

Political campaign signs are allowed in any zoning district. No political campaign sign shall be erected more than forty five (45) days prior to any election, nor shall any sign be permitted to remain on any property more than seven (7) days following an election; no political campaign signs shall be permitted on public property and they shall be permitted on private property only with the consent of the property owner; the display surface area of each political campaign sign located in R or O zoning districts shall not exceed sixteen

(16) square feet in surface area; only one side of a double faced sign shall be computed in the computation of display area.

921.9 Use Conditions – Temporary Signs:

A. Temporary signs are subject to the following conditions:

1. Temporary signs shall conform to all requirements for business signs and outdoor advertising signs. The stipulations in this section shall not be construed to require temporary signs to have connections to surfaces, tie downs or foundations when provisions are made by temporary means of configuration of the structure to provide stability for the expected duration of the installation and approved by the building inspector.
2. Permits for a temporary sign shall be good for a period of 60 days, not to exceed one (1) permit in a 6-month period on a given site.
3. Temporary signs shall be located only on privately owned property advertising products or services on the property where the sign is located.
4. That the height maximum on temporary signs, including any trailers is 6' and the maximum sign face area shall not be greater than 32 square feet.
5. That the temporary sign designation does not apply to business identification signs on company vehicles used in daily operation of the business. Vehicles with signs cannot be parked and used as advertisements.
6. Temporary signs which require electrical service shall adhere to the national electric code.

921.10 Off-Street Parking and Loading Requirements:

Not applicable.

**SECTION 922 USE UNIT 22 WAREHOUSING AND WHOLESALING**

922.1 Description:

Warehousing, wholesaling, and trucking often located adjacent to the central business district, in industrial parks served by rail and highway transportation, and part areas.

922.2 Included Uses:

Warehouses NEC, wholesale establishments NEC, storage NEC, trucking establishments, and truck rentals.

922.3 Use Conditions:

The uses included in Use Unit 22, 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 line or lines in common with the R district.

922.4 Off-Street Parking and Loading Requirements:

Parking Spaces	Loading Berths	
All Uses	1 per 5,000 sq. ft. Of floor area	1 per 5,000-25,000 sq. ft. plus 1 per each additional 25,000 sq. ft. of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

**SECTION 923 USE UNIT 23 LAND INTENSIVE INDUSTRIAL USES**

923.1 Description:

Uses which is very land intensive and because of their potential adverse influence on adjacent properties, require site review and therefore, require BOA approval in all cases.

923.2 Included Uses:

Mining, quarrying, or extraction of coal, ores, stone, sand, or gravel; oil and gas drilling; processing of mineral products such as 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; salvage yards for automobiles, building materials, scrap metal, junk, paper or for other kinds of salvage; storage of dismantled autos in any form; paper or pulp manufacturing by sulphide process; sanitary landfill; hazardous waste disposal.

923.3 Use Conditions:

The Board of Adjustment, in granting a Use Unit 23 by special exception, 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 effect on appropriate land uses.

923.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
All Uses	1.5 per on-site Employee	N/A

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

## **SECTION 924 USE UNIT 24 LIGHT MANUFACTURING AND INDUSTRY**

### 924.1 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.

### 924.2 Included Uses:

Bottling plant, building contract construction service and storage cesspool cleaning, concrete construction service, grain elevators, heavy construction contracting service, heating construction contracting service, masonry, oil well drilling and cleaning, roofing, sand operations, sheet metal, stone work, water well drilling and cleaning, and welding shop.

### 924.3 Use Conditions:

Uses include in Use Unit 24, which are located within 300 feet of an R district, shall be conducted within enclosed buildings.

The uses included use Unit 24, 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.

### 924.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
Research and dev. Facilities	1 per 500 sq. ft. of floor area	1 per 5,000-40,000 sq. ft. plus 1 per 40,000-100,000 Sq. ft. plus 1 per each Additional 100,000 sq. ft. Of floor area
All other uses	1 per 800 sq. ft. Of floor area	1 per 2,000-40,000 sq. ft. plus 1 per 40,000-100,000 Sq. ft., plus 1 per each Additional 100,000 sq. ft. Of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

## **SECTION 925 USE UNIT 25 MODERATE MANUFACTURING AND INDUSTRY**

### 925.1 Description:

Manufacturing and industrial uses having moderately objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration.

### 925.2 Included Uses:

Aluminum works or foundry, asphalt and tile manufacturing, bleaching powder manufacturing, boiler works, brick and tile manufacturing, cellophane manufacturing, celluloid manufacturing, coke manufacturing, concrete ready mix, dyestuff manufacturing, linoleum manufacturing, oil cloth manufacturing, pickle, sausage and sauerkraut manufacturing, rayon manufacturing, rolling mills, sugar refining, shoddy manufacturing, starch glucose and dextrin manufacturing, tar roofing manufacturing, vinegar manufacturing, wool scouring and hair manufacturing.

### 925.3 Use Conditions:

The uses included in Use Unit 25, which are located within 300 feet of an R district, shall be conducted within enclosed buildings.

The uses included in Use Unit 25, when located on a lot which is abutting an R district, shall be screened from the adjacent 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.

### 925.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
All Uses	1 per 800 sq. ft. Of floor area	1 per 2,000-40,000 sq. ft. plus 1 per 40,000-100,000 Sq. ft. plus 1 per each Additional 100,000 sq. ft. Of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

## **SECTION 926 USE UNIT 26 HEAVY MANUFACTURING AND INDUSTRY**

### 926.1 Description:

Manufacturing and industrial uses having substantial objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration. Refining, petroleum and other crude materials.

926.2 Included Uses:

Manufacturing or industrial uses not elsewhere classified, but which are allowed by state and local law.

926.3 Use Conditions:

None.

926.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
All Uses	1 per 800 sq. ft. Of floor area	1 per 2,000-40,000 sq. ft. plus 1 per 40,000-100,000 Sq. ft., plus 1 per each Additional 100,000 sq. ft. Of floor area

See Chapter 10 for Required Minimum and Dimensions and Design Criteria

**SECTION 927 USE UNIT 27 RESEARCH AND DEVELOPMENT**

927.1 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.

927.2 Included Uses:

Enclosed scientific research, testing and development.

927.3 Use Conditions:

The uses included in Use Unit 27, when located in an IR District shall be conducted within enclosed buildings.

The uses included in Use Unit 27, 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.



927.4 Off-Street Parking and Loading Requirements:

	Parking Spaces	Loading Berths
All Uses	1 per 800 sq. ft. of floor Area	1 per 5,000-40,000 sq. ft of floor area, plus 1 per 40,000 to 100,000 sq. ft, plus 1 per each additional 100,000 sq. ft. of floor area



**CHAPTER 10**  
**OFF-STREET PARKING AND OFF-STREET LOADING**

1000 PURPOSE

1010 APPLICABILITY OF REQUIREMENTS

1020 GENERAL REQUIREMENTS

1030 SETBACKS – OFF-STREET PARKING AND LOADING REQUIREMENTS

1040 DESIGN STANDARDS FOR OFF-STREET PARKING AREAS

1050 DESIGN STANDARDS FOR OFF-STREET LOADING AREAS

1060 SITE PLAN REVIEW

**SECTION 1000 PURPOSE**

It is the intent of this section to assure that adequate off-street parking is provided with the construction, alteration, remodeling, or change of use of any building or change in the use of land.

**SECTION 1010 APPLICABILITY OF REQUIREMENTS**

The off-street parking and off-street loading facilities, whether they are principal uses, accessory uses, or a minimum requirement for the initiation, enlargement, or change of use, shall meet the requirements of this chapter as follows:

- 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/or loading facilities shall be provided as required for such new use. However, if the building or structure was erected prior to the effective date of this code, additional parking and/or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this code.
- 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.

- E. Any existing building or use that is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by more than fifty percent (50%) as it existed at the effective date of this ordinance shall be accompanied by off-street parking for the entire building or use in accordance with the off-street parking regulations set forth in this section. When enlargement, structural alteration, or remodeling is to the extent that the use is not increased or changed by more than fifty percent (50%), additional off-street parking shall only be required for the increased or changed floor area or use.

## **SECTION 1020 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 of any off-street loading facilities.
- B. Within the front and exterior side yards in the RM Districts, except RM-T, not more than one vehicle shall be parked for each six hundred (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, sales, dismantling, or servicing of any vehicle, equipment, materials, or supplies.
- D. Required off-street parking spaces shall be located on the same lot, tract, parcel, or premises as the use being served or on other property of the same or less restrictive zoning classification that the owner of the premises being serviced has a continuing right to use for parking. When the required off-street parking spaces are not located on the same lot, tract, parcel, or premises being served, the distance from the parking lot to an entrance to the building or use shall not exceed five hundred (500) feet in distance, measured along the shortest available pedestrian route with public access.
- 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 required dimensions (see Tables 2 and 3) located thereon in such a manner that each space can be entered without passing through another space.
- G. Required off-street parking in commercial, office, industrial and multi-family developments other than townhouses, zones shall be so arranged that no maneuvering incidental to parking movements takes place on the public street.
- H. The number of off-street parking spaces required for each building or use shall be determined by reference to the appropriate Use Unit (1-27) within which the proposed use is classified. Where several different property uses will share a joint parking area, the parking requirements shall be computed based upon the overall development. For any use not listed, or where the listed regulations are not applicable in the judgment of the staff, the parking requirements shall be determined by staff. Computations of required parking spaces by staff shall be final.
- I. Lighting used to illuminate an off-street parking area, if an, shall be by constant light and 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.
- J. Off-street parking areas, including driveways used for ingress and egress, shall be surfaced with a dust free all-weather material. Surfacing shall be completed prior to the initiation of the use.
- K. Driveways for ingress and egress to off-street parking and loading areas shall have a maximum width of twenty-five (25) feet measured at the property line, Driveways in R Districts shall have five (5) foot radius curb returns, driveways in O, C or I Districts shall have a maximum curb return radius of fifteen (15) feet.

#### **SECTION 1030 SETBACKS AND SCREENING REQUIREMENTS FOR OFF-STREET PARKING AND LOADING AREAS**

- A. Off-street loading areas shall not be located within fifty (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 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 on the lot line or lines in common with an RE or RS District provided that if the parking area is

located more than fifty (50) feet from the RE or RS lot line or lines the screening requirements shall not apply.

- C. Unenclosed off-street parking and loading areas shall be setback from abutting streets as set forth in Table1.

**TABLE 1  
OFF-STREET PARKING AND LOADING AREA SETBACKS  
FROM CENTERLINE OF ABUTTING STREETS\***

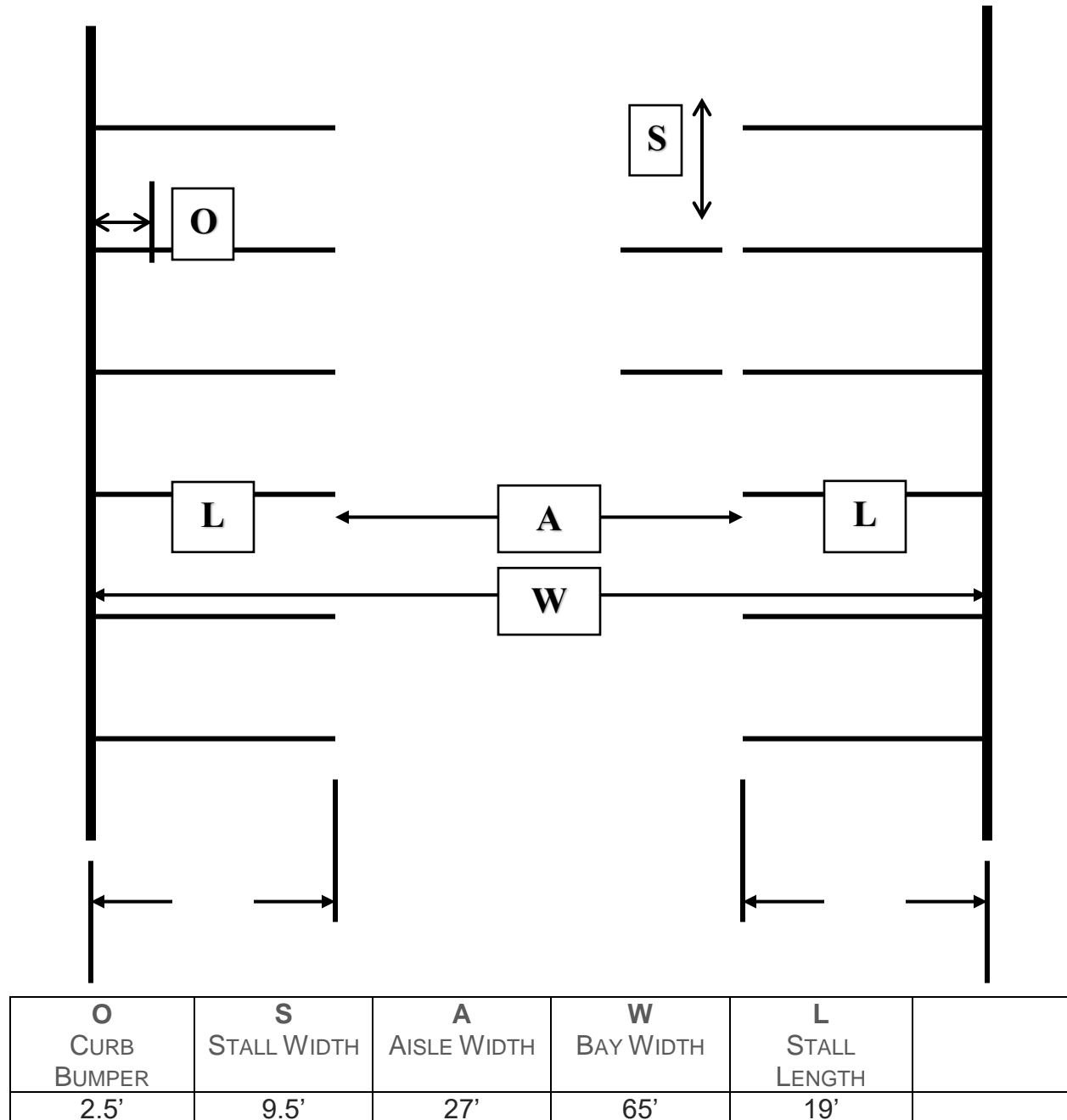
	Parking Area 1-5 Spaces	Parking Area 6+ Spaces	Loading Area
In a R District			
Accessory to a Dwelling	28 FT.	35 FT.	N/A
Accessory to another Use	40 FT.	50 FT.	50 FT.
Not in an R District, but adjacent to an area designated as R in the Sapulpa Comprehensive Plan	40 FT.	50 FT.	50 FT.

\*IF THE RIGHT-OF-WAY WIDTH DESIGNATED ON THE MAJOR STREET PLAN EXCEEDS FIFTY (50) FEET, ADD ½ OF THE AMOUNT BY WHICH THE DESIGNATED RIGHT-OF-WAY EXCEEDS FIFTY (50) FEET.

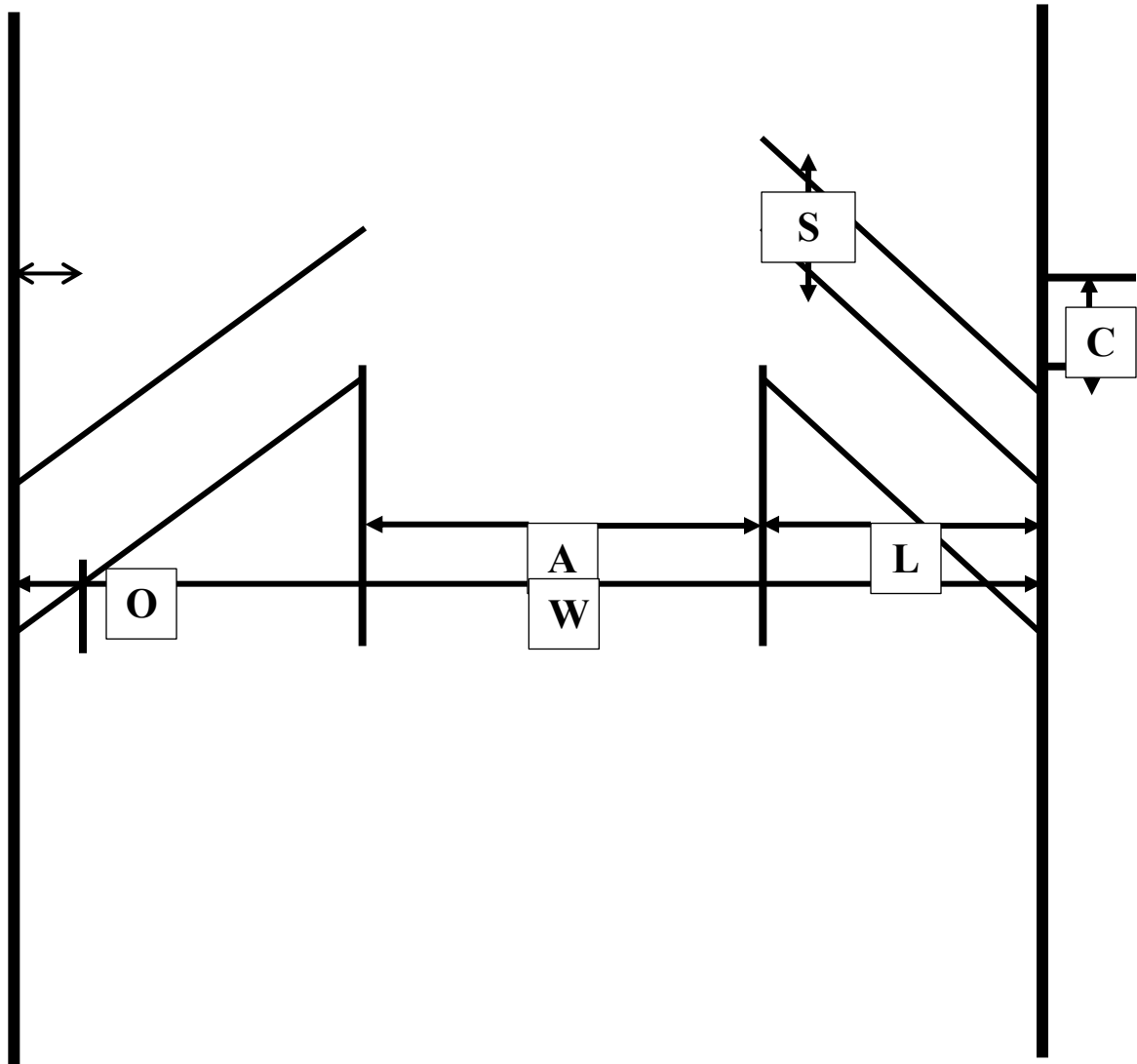
## SECTION 1040 DESIGN STANDARDS FOR OFF-STREET PARKING AREAS

The design and dimensions of off-street parking areas shall be in accordance with the provisions of the following tables of minimum dimensions.

**FIGURE 1**  
**MINIMUM REQUIRED DIMENSIONS FOR 90° PARKING**



**FIGURE 2**  
**MINIMUM REQUIRED DIMENSIONS FOR ANGLE PARKING\***



**\* DIMENSIONS FOR OTHER ANGLES MAY BE APPROVED BY PLANNING COMMISSION**

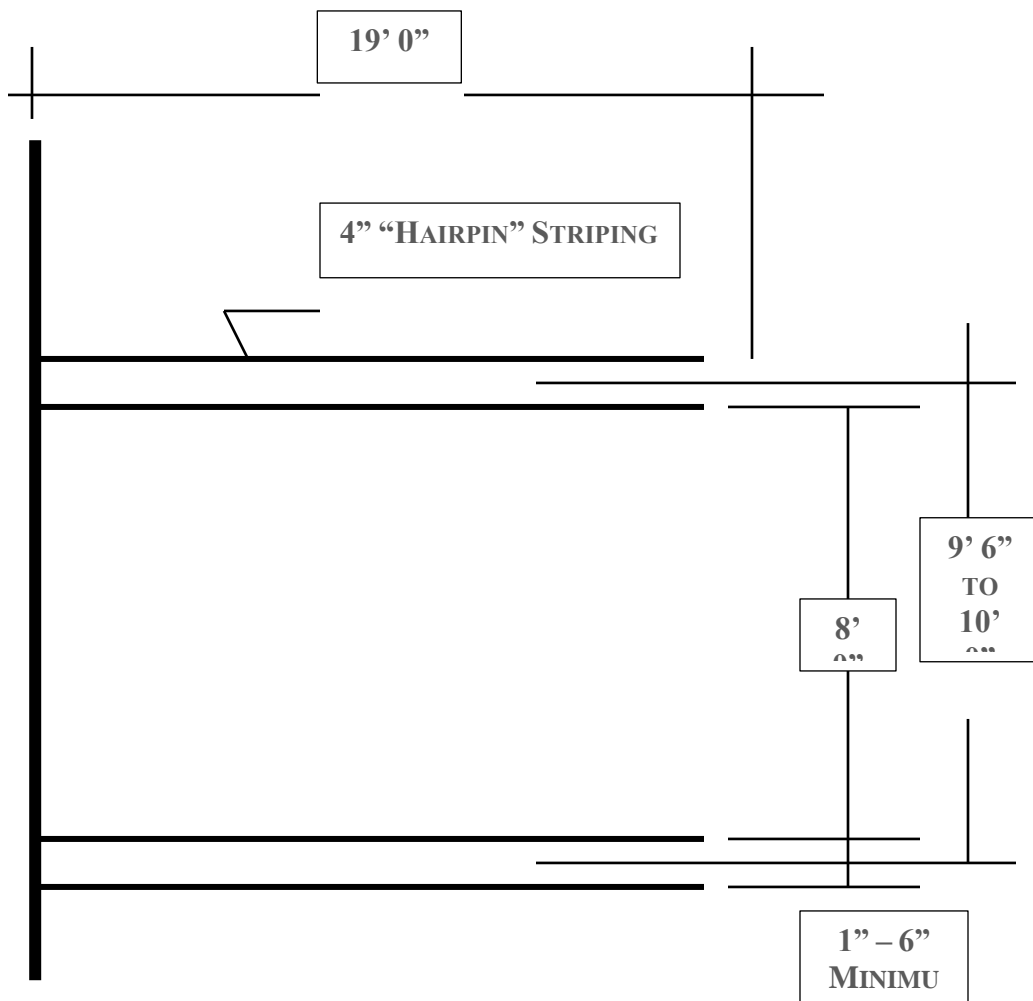
APPLICATION	S STALL WIDTH	C CURB LENGTH	L STALL LENGTH	O CURB BUMPER	A AISLE WIDTH	W BAY WIDTH
60°	9.5'	11.0'	16.5'	2.3'	22'	55'
45°	9.5'	13.4'	13.5'	2.0'	19'	46'



Off-street parking spaces shall be clearly marked according to the standard stall layout as shown in figures 1 or 2 below. Parking spaces abutting an adjoining property line or street right-of-way shall be provided with wheel guards or bumper guards so beyond the property line, when wheel guards are used, they shall be centered at least (2.5) feet from the property line for ninety (90) degree parking, and (2.3) feet for sixty (60) degree parking, and (2.0) feet for forty-five (45) degree parking.

Pedestrian access to buildings shall be provided from right-of-way and parking areas by means of a pathway leading to at least one public entrance. Such pathway shall be clear of any and all obstructions and any parking spaces shall be designed so as not to permit any portion of a vehicle to obstruct the sidewalk. Where curbs exist along such pathways, as between a parking lot surface and sidewalks surface, inclined curb approaches or curb cuts having a gradient of not more than one (1) foot in twelve (12) feet and width of not less than four (4) feet shall be provided to access by wheelchair.

**Figure 3 standard Stall Layout and Striping**



A parking lot servicing each entrance pathway shall have a number of level parking spaces, as set forth in the following table, identified by above-grade signs as being reserved for the physically handicapped persons; provided that a maximum of two (2) handicapped spaces shall be required for industrial uses in industrial districts. Each parking space so reserved shall not be less than twelve (12) feet in width.

**TABLE 2  
PARKING SPACES FOR THE HANDICAPPED**

Total Spaces in Lot	Required No. of Reserved Spaces
0 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	10
OVER 1000	10 plus 1 for each 100 over 1000

Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways and entrances. Parking spaces for the physically handicapped shall be located so that such persons are not compelled to wheel or to walk behind parked cars to reach entrances, ramps walkways and elevators.

**SECTION 1050 DESIGN STANDARDS FOR OFF-STREET LOADING AREAS**

A. Off-Street Loading Regulations

The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.

1. The owner and the occupier of any property upon which a business is located shall provide loading and unloading as determined by reference to the appropriate Use Unit (1-27) within which the proposed use is classified.
  
2. Any person desiring a building permit for the construction, alteration, or change of use of the land or any business building or structure shall submit a site plan to the building official designating the number, dimensions and locations of all loading areas and all proposed avenues of ingress and egress to the property from adjacent public thoroughfares. The building official shall not issue such

permit if it is determined that the proposed loading and unloading facilities will present a direct or indirect hazard to vehicular or pedestrian traffic.

#### B. Minimum Required Design Criteria for Off-Street Loading Spaces

1. 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 fourteen (14) feet.
2. Required off-street loading berths shall be provided access to and from a public street or alley by an access drive of at least fifteen (15) feet in width designed to permit convenient access to the berth by semi-trailer trucks.
3. Off-street loading areas, including driveways used for ingress and egress, shall be surfaced with a dust free all-weather material.
4. Lighting used to illuminate an off-street loading area, if any, shall be by constant light and shall be so arranged as to direct the light way from properties within an R District which do not contain uses for which the loading area is being provided.

### **SECTION 1060 SITE PLAN REVIEW**

Any person establishing an off-street parking facility or applying for a building permit for construction, reconstruction, or alteration of the use of any building, other than a single family residence shall submit to the planning staff a site plan for review as per Section 660.2 and 660.3 which are also applicable here.



## **CHAPTER 11 NONCONFORMITIES**

- 1100 GENERAL
- 1110 NONCONFORMING USES OF UNIMPROVED LAND
- 1120 NONCONFORMING USES OF BUILDINGS
- 1130 NONCONFORMING SIGNS
- 1140 NONCONFORMING LOTS
- 1150 STRUCTURAL NONCONFORMITIES
- 1160 REPAIRS

### **SECTION 1100 GENERAL**

Within the districts established by the code or amendments that may later be adopted there exist uses, structures, and lots which were lawful before this code was adopted or amended by which would be prohibited under the terms of this code of 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, accessory sign, or enclosure requirement or requirements, but which is otherwise unlawful, shall not constitute a nonconforming use within the meaning of Sections 1110 and 1120.

### **SECTION 1110 NONCONFORMING USES OF UNIMPROVED LAND**

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 amendment thereto, and the only structures employed in connection with such use are all accessory or incidental to such use and in the aggregate do not cover more than ten percent (10%) of the lot area devoted to the nonconforming use of unimproved land and shall terminate as follows:

- A. If the replacement costs of the accessory structures (other than fences) is less than \$1,000, 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.
- B. If the replacement cost of the accessory structures (other than fences) is \$1,000 or more, the nonconforming use shall be terminated on the basis of amortization of the replacement cost of the accessory structures at the rate of \$200 per year from the effective date of this code or from the date the use became nonconforming, whichever is later.

Pending termination, the nonconforming use of land may be continued provided:

- A. No such nonconforming use shall be changed to another nonconforming use or enlarged or increased to occupy a greater area of land than was occupied at the effective date of this code or amendment thereof.
- B. 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.
- C. No additional structure (other than fences) shall be erected in connection with such nonconforming use of land.
- D. In any such nonconforming use of land ceases for any reason for a period of more than ninety (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 located.

#### **SECTION 1120 NONCONFORMING USE 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 ten percent (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.
- 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 twelve (12) consecutive months or for twelve (12) months during any eighteen (18) month period (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 the use of the building within the meaning of (D) above 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 finding that the proposed use will not result in any increase of incompatibility with the present and future use of proximate properties. The change of a use to another use contained within the same use unit shall not constitute a "change of use" within the meaning of this section.
- G. Should the structure containing a nonconforming use be damaged or partially destroyed to the extent of more than fifty percent (50%) but less than seventy-five percent (75%) of its current replacement cost at the time of damage, the restoration of the structure shall be subject to the Board of Adjustment's findings, 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 and future use of proximate properties, should the structure containing a nonconforming use be damaged or destroyed to the extent of more than seventy-five percent (75%) of its replacement cost at the time of damage, the nonconforming use shall not thereafter continue or be resumed.

## **SECTION 1130 NONCONFORMING SIGNS**

- A. Signs lawfully existing on the effective date of this ordinance but which would be prohibited by its terms, shall be removed, or made to conform if possible, on or before January 1, 1995. In addition, said sign shall be subject to the following regulations:
  - 1. The sign shall be maintained in good repair and visual appearance.
  - 2. Should the sign be damaged or partially destroyed to the extent of more than fifty percent (50%) of its current replacement cost at the time of damage, the sign shall be removed, or made to conform if possible.
  - 3. If the sign is not used for advertising purposes for a period of one hundred eighty (180) consecutive days, the sign shall be deemed abandoned and shall be removed.

- B. Sign legally erected within an AG District after the effective date of this code and becomes nonconforming upon a rezoning to an R or O District and is not accessory to an on-site principal use, the sign shall be removed within six (6) months from the effective date of the rezoning; other nonconforming signs if located in an R District and not accessory to an on-site principal use, shall be removed within six (6) months from the date the sign became nonconforming.

## **SECTION 1140 NONCONFORMING LOTS**

- A. Single Lots: in any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of the ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of the ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.
- B. Adjoining Lots: if two (2) or more adjoining lots with continuous frontage are in a single ownership at any time after the adoption or amendment of this ordinance and such lots individually are too small to meet the yard, width or area requirements of the district in which they are located, such groups of lots shall be considered as a single lot or several lots of minimum permitted size and the lot or lots in one (1) ownership shall be subject to the requirements of this ordinance.
- C. In districts other than Residential 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 the other requirements of the use district are complied with.

## **SECTION 1150 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 restrictions 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 any "increase in nonconformity".

- B. Should such structure be damaged or partially destroyed by any means to the extent to more than fifty percent (50%) of its current preplacement cost at the time of damage, the restoration as a nonconforming structure shall be subject to the Board of Adjustment's findings, after adherence to the procedural requirements for a Special Exception, that its restoration to a conforming structure cannot reasonable be make in view of the nature and extent of the nonconformity and the nature and extent of damages.
- C. Should such structure be moved for any distance whatever, it shall thereafter conform to the provisions of the district in which located.

### **SECTION 1160 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 physical condition, it shall not thereafter be used, restored, or repaired, or rebuilt except in conformity with the provisions of the district in which located.



## **CHAPTER 12 ENFORCEMENT**

1200 DUTY OF BUILDING INSPECTOR AND OTHER OFFICIALS

1210 ZONING CLEARANCE

1220 PENALTIES FOR VIOLATION

1230 CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS,  
AND PERMITS

### **SECTION 1200 DUTY OF BUILDING INSPECTOR AND OTHER OFFICIALS**

It shall be the duty of the Building Inspector to enforce this code. If the Building Inspector shall find that any of the provisions of this code are being violated, he 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.

All departments, officials, and employees of the City of Sapulpa, Oklahoma, vested with the duty or authority to issue permits or licenses shall comply with the provisions of the code and shall issue no permits or licenses for any use, purpose excavation, construction, structure, building, or sign in conflict with the provisions of this code.

### **SECTION 1210 ZONING CLEARANCE PERMIT**

#### 1210.1 Zoning Clearance Permit Required

It shall be unlawful for any person to erect, move add to, or structurally alter any building or structure, or 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 Building Inspector.

#### 1210.2 Application for Zoning Clearance Permit

An application for a Zoning Clearance Permit shall be accompanied by 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; the location, size and height of any existing building or structure and the location, size and height of any buildings or structures to be erected or altered; the existing and intended use of each building or structure and portion of the lot; the number of dwellings the building is intended to accommodate if any; and such other information with regards to lot and neighboring lots as may be necessary to determine and provide for the enforcement of the code.

#### 1210.3 Building Inspector to Act Within Three (3) Days

The building inspector shall act upon each application for a Zoning Clearance Permit within three (3) business days after it is filed in compliance with the provisions herein. He

shall return one (1) copy of the plans and issue a Zoning Clearance Permit or notify the applicant, in writing, of his refusal to issue a permit setting forth the reasons therefore.

#### 1210.4 Fees for Zoning Clearance Permits

No Zoning Clearance Permit shall be issued until a fee of \$2.00 shall have been paid provided that upon the payment of \$10.00 a group zoning Clearance Permit may be issued covering five (5) or more residential lots in the same subdivision.

#### **SECTION 1220 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 or special exceptions, shall be deemed guilty of an offense and, upon conviction thereof, and each day's violation thereof shall constitute a separate offense. Nothing herein contained shall prevent the City of Sapulpa, Oklahoma or its authorized officials from taking other action, authorized by law, to remedy violations, it shall be punished as provided by Section 1-8 of the city code of the City of Sapulpa.

#### **SECTION 1230 CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, AND PERMITS**

Zoning Permits, Variances, Special Exceptions uses issued on the basis of approved plans and applications authorized 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 the ordinance, and punishable as provided by Section 1220.

## **CHAPTER 13 BOARD OF ADJUSTMENT**

- 1300 Establishment of the Board
- 1310 Powers of the Board
- 1320 Proceedings of the Board
- 1330 Notice of Public Hearing
- 1340 Appeals from the Building Inspector, Sapulpa Preservation Commission  
or Code Enforcement supervisor
- 1350 Interpretation
- 1360 Variances
- 1370 Special Exceptions
- 1380 Appeals to District Court

### **SECTION 1300 ESTABLISHMENT OF THE BOARD OF ADJUSTMENT**

There is hereby established a Board of Adjustment of the City of Sapulpa, Oklahoma, with the power and duties hereinafter set forth, the Board of Adjustment shall consist of five members who shall be residents of the City of Sapulpa, Oklahoma, each appointed by the mayor and confirmed by the City Commission of Sapulpa, Oklahoma. At least two of these members shall be appointed from the membership of the Planning Commission. Each member shall serve without pay for a term of three years and vacancies shall be filled for an unexpired term of any member in the manner set forth for appointments to a full term.

A board member upon witted charges and after public hearing may be removed by the appointing council for any one of the following causes:

- A. Failure to attend three consecutive regular or special meetings, or failure to attend two-thirds of the regular or special meetings held during a six-month period;
- B. Actions and conduct unbecoming to a public official of the City of Sapulpa, Oklahoma, and
- C. Repeated acts and conduct detrimental to the peace, health, safety, and welfare of the citizens of Sapulpa.

The Board shall organize, elect its chairman, vice-chairman, and secretary, and adopt rules necessary to conduct of its affairs.

### **SECTION 1310 POWERS OF THE BOARD**

The Board shall have the power to hear appeals from the determinations made by an administrative official in enforcing the code, to grant special exceptions, to grant variances, and to make interpretations of the zoning map and text, in accordance with the

substantive and procedural standards hereinafter set forth except as otherwise provided herein.

## **SECTION 1320 PROCEEDINGS OF THE BOARD**

Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence, the vice-chairman, or acting chairman 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, vote, indication 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 Board of Adjustment and shall be a public record. In all matters, the Board shall decide within ninety (90) days after the filing of any application for relief. The quorum, notice, filing and substantive requirements of the Board shall be as set forth in the following sections concerning the Board's exercise of particular power.

## **SECTION 1330 NOTICE OF PUBLIC HEARING**

The Board of Adjustment shall give notice and conduct a public hearing before acting on any appeal from a determination of the building inspector, Sapulpa preservation commission or code enforcement supervisor or before granting any Special Exception, or Variance or Exception.

Ten (10) days' notice of public hearing shall be given as follows:

- A. For Special Exception, Variance or Appeal from a determination of an administrative official.
  - 1. By publication in a newspaper of general circulation; and,
  - 2. By mailing written notice to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property.
- B. For Minor Variance or Exception by mailing written notice to all owners of abutting property of the subject property. Nothing herein shall preclude the Board of Adjustment from requiring the giving of public notice of hearings to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property for consideration of a Minor Variance or Exception.

The notice shall contain:

- A. The legal description of the property and the street address or approximate location of the property.
- B. The present zoning classification of the property and the nature of the relief sought.

C. The date, time and place of the hearing

The applicant shall furnish a certified list, prepared by an abstract company with the names and addresses of all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property, of in the case of a Minor Variance or Exception, the owners of abutting property of the subject property.

**SECTION 1340 APPEALS FROM THE BUILDING INSPECTOR, CITY PLANNER, SAPULPA PRESERVATION COMMISSION, AND CODE ENFORCEMENT SUPERVISOR**

1340.1 General

An appeal to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureaus of the City affected, where it is alleged there is error in any order, requirement, decision or determination of the building inspector, Sapulpa preservation commission or code enforcement supervisor in the enforcement of the code.

1340.2 Notice of Appeal

An appeal shall be taken within ten (10) days from the determination complained of by filing with the building inspector, city planner, code enforcement supervisor or Sapulpa preservation commission and with the Secretary of the Board a notice of appeal, specifying the grounds thereof. The building inspector, code enforcement supervisor or Sapulpa preservation commission upon receipt of notice, shall transmit to the Secretary of the Board and the City Clerk certified copies of all the papers constitution the record of said matter. Upon receipt of the record, the Secretary shall cause an investigation to be make upon the appeal and shall set the matter for public hearing.

1340.3 Board of Adjustment Action

The Board shall hold the public hearing. The Board may reverse or affirm, or wholly or in part, or may modify the order, requirement, decision, or determination appealed from and ma make such order, requirement, decision, or determination as ought to be make, and to that end shall have all the powers of the officer from whom the appeal is taken The Board shall make its decision within thirty (30) days after the final hearing, and the decision shall be in writing and filed of record in the office of the City Clerk.

The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the building inspector, city planner, Sapulpa preservation commission and code enforcement supervisor. A decision of the Board shall not become final until the expiration of fifteen (15) days from the date such decision is make, unless the Board shall find the immediate taking of said decision is necessary for the preservation of property or personal rights and shall so certify on the record.

#### 1340.4 Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless that building inspector from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his 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 the Court of proper jurisdiction on due and sufficient cause shown.

### **SECTION 1350 INTERPRETATION**

The Board shall interpret the text of the code or the Official Zoning Map upon an appeal from a determination of the building inspector after compliance with the procedural standards of Section 1340.

Where a question arises as to the zoning district classification of a particular use, the Board of Adjustment, upon written request of the 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 1360 VARIANCES**

#### 1360.1 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 the 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 permit by variance a principal use not otherwise permitted in the applicable district, it being the expressed spirit and intent of the code that a change of the permitted principal uses shall be made by ordinance amendment of the Zoning Code or Official Zoning Map.

#### 1360.2 Application

A request for a variance shall be initiated by the filing of an application with the City Clerk and shall be set for public hearing by the Secretary in accordance with the rules established by the Board.

#### 1360.3 Board of Adjustment Action

The Board shall hold the public hearing and, upon the concurring vote of three (3) members, may grant a variance after finding:



That by reasons 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 hardship.

That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district.

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.

Provided that the Board is 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.

#### 1360.4 Time Limitation on Variances

A variance which has not been utilized within one (1) year from the date of the order granting the variance shall thereafter be void. For the purpose of this provision, utilization shall mean actual use of the issuance of a building permit, when applicable, provided construction is diligently carried to completion.

### **SECTION 1370 SPECIAL EXCEPTIONS**

#### 1370.1 General

The Board of Adjustment, upon application, and after notice (when notice is required) and public hearing, subject to the procedural and substantive standards hereinafter set forth, may grant the following special exceptions:

- A. Special Exception uses are designated and regulated within the permitted use provisions of the zoning districts.
- B. The change of a nonconforming use as provided in Section 1120 (F), Chapter 11, Nonconformities.
- C. The restoration of a partially destroyed structure containing a nonconforming use as provided in Section 1120 (G), Chapter 11, Nonconformities.
- D. The restoration of a partially destroyed nonconforming structure as provided in Section 1150, Chapter 11, Nonconformities.
- E. The modification of a screening requirement, as provided in Section 250, Chapter 2, District Provisions: General.
- F. Off-street parking use of property located within a residential district, when the property is abutting an office, commercial or industrial district.

### 1370.2 Application

A request for a Special Exception shall be initiated by the filing of an application with the City Clerk and shall be set for public hearing by the Secretary in accordance with the rules established by the Board.

### 1370.3 Board of Adjustment Action

The Board of Adjustment shall hold the public 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. Provided that the Board in granting the Special Exception shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bonds as it may deem necessary to enforce compliance with the conditions attached.

### 1370.4 Time Limitation on Special Exceptions

A Special Exception which has not been utilized within one (1) year from the date of the order granting same shall thereafter be void, For the purpose of this provision, utilization shall mean actual use of the issuance of a building permit, when applicable, provided construction is diligently carried to completion.

## **SECTION 1380 APPEALS TO THE DISTRICT COURT**

### 1380.1 Procedure

An appeal from any action, ruling, decision, judgement, or order of the Board of Adjustment may be taken by any person or persons aggrieved, or any taxpayer or officer, department, board, or bureau of 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 notice of appeal, which notice shall specify the grounds of such appeal. No bond or deposit for cost shall be required for such appeal. Upon filing of the notice of appeal, the City Clerk shall transmit to the Court Clerk of the County the original or certified copies of all the paper constituting, the record in the case, together with the order decision, or ruling of the Board. Said case shall be heard and tried de novo in the District Court of Creek County, Oklahoma. An appeal shall lie from the action of the District Court as in all other civil actions. All issues in any proceedings under this section shall have preference over all other civil actions and proceedings. Neither costs nor attorney fees shall be allowed against the Board unless it shall appear to the Court that it acted with gross negligence or in bad faith, or with malice in making the decision being appealed.

### 1380.2 Stay of Proceedings

An appeal to the District Court stays all proceedings in furtherance of the action appealed unless the chairman of the Board certifies to the Court Clerk, after notice shall have been

filed, that by reasons of fact stated in the certificate, a stay would cause imminent peril to life of property. In such case proceedings shall not be stayed other than by a restarting order granted by the District Court.



## **CHAPTER 14 AMENDMENTS**

- 1400 GENERAL
- 1410 POLICY ON ZONING MAP AMENDMENTS
- 1420 ZONING TEXT AMENDMENTS
- 1430 ZONING MAP AMENDMENTS

### **SECTION 1400 GENERAL**

The regulations, restrictions, prohibitions, and limitations imposed and the districts created by chapters 1-15 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 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 1410 POLICY ON ZONING MAP AMENDMENTS**

It shall be the policy of the City of Sapulpa, Oklahoma 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 1420 ZONING TEXT AMENDMENTS**

The Planning Commission, upon its own motion, may, or at the direction of the City Commission shall, hold a public hearing, giving notice thereof, of a proposed text amendment. After holding the public hearing, the Planning Commission shall within fifteen (15) days transmit its report and recommendation to the City Commission.

### **SECTION 1430 ZONING MAP AMENDMENTS**

#### 1430.1 Initiated by Application

- A. An amendment to the Zoning Map shall be initiated by the filing of an application with the City Clerk an application shall be in such form and content as the Planning Commission may by resolution establish and shall be accompanied by the payment of \$35 fee. Cost of notice and posting or signs shall be billed to the applicant.
- B. An application shall be filed with the Planning Commission and shall set for public hearing according to their deadline schedule.

### 1430.2 Initiated by The Planning Commission

In any instance, the Planning Commission, upon its own motion may, or at the request of the City Commission shall hold a public hearing giving notice thereof, of a proposed map amendment after holding the public hearing, the Planning Commission shall within fifteen (15) days transmit its report and recommendation to the City Commission.

### 1430.3 Notice Required

The Planning Commission shall give twenty (20) days' notice of a public hearing on the proposed map amendment by publication in a newspaper of general circulation. In addition, twenty (20) days' notice of public hearing shall be given by posting the property sought to be rezoned, and by mailing notice to all owners of property within a three hundred (300) foot radius of the exterior boundary of the property. The notice shall contain:

- A. Date, time, and place of public hearing.
- B. Legal description of the property and the street address or approximate location of the property.
- C. Present zoning district classification of the property and the proposed zoning district classification, provided:
  - 1. Notice of a proposed RM-2 rezoning shall confer jurisdiction on the Planning Commission and the City Commission to consider and act upon RMT, RM-2, RM-1, RD, RS-3, RS-2, RS-1, and RE, or combinations thereof in the disposition of the application, and in like manner, notice of any R District, including RM, shall confer jurisdiction to consider and less dense R District, except RMH.
  - 2. Notice of a proposed CG rezoning shall confer jurisdiction on the Planning Commission and City Commission to consider and act upon CG, CS, OM, and OL or combination thereof in the disposition of the application, and in like manner, notice of any C District shall confer jurisdiction to consider and less intense C District or and O District, and notice of any O District shall confer jurisdiction to consider and less intense O District.
  - 3. Notice of proposed IH rezoning shall confer jurisdiction on the Planning Commission and City Commission to consider and act upon IH, IM, IL, or combination 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.

4. Specific notice of a proposed AG or RMH District shall be required to confer jurisdiction on the Planning Commission and City Commission to consider such AG or RMH District.

#### 1430.4 Planning Commission and Action On Zoning Map Amendments

After notice and public hearing, the Planning Commission shall vote to:

- A. Recommend to the City Commission that the application be approved as submitted, or as amended, or be approved subject to modification or,
- B. Recommend to the City Commission that the application be denied.

An application recommended for approval, or approval subject to modification, shall be transmitted, with the report and recommendations of the Planning Commission, to the City Commission within fifteen (15) days from the date of Planning Commission action.

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 Auditor for a hearing by the City Commission. The request for hearing shall be accompanied by the payment of a Fifteen Dollar (\$15) fee. Upon notice of such request, the Planning Commission shall forthwith transmit the application, its report and recommendation to the City Commission.

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 Commission within fifteen (15) days from the date of Planning Commission action.

#### 1430.5 City Commission Action on Zoning Map Amendments

The City Commission 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 to 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 twenty percent (20%) or more of the area of the lots included in such proposed change, or by the owners of fifty percent (50%) or more of the area of the lots immediately abutting any side of the territory included in such proposed change, or separated therefrom only by an alley or street less than three hundred (300) feet wide, such amendments shall not become effective except by the favorable vote of three-fifths (3/5) of all the members of the City Commission.





## CHAPTER 15 DEFINITIONS

### SECTION 1500 DEFINITIONS

Abutting: In the context of a screening or enclosure requirement, abutting shall mean contiguous or separated therefrom only by a non-arterial street. In other instances, abutting shall mean contiguous (sharing a common border; touching).

Accessory Uses or Structure: A use of structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

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

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

Bar: see "Tavern".

Board of Adjustment: The Board of Adjustment of the City of Sapulpa, Oklahoma.

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 Height: The vertical distance measured from the average ground elevation at the building wall to the highest horizontal point of the structure, provided that Height Exceptions listed under Section 220 shall apply.

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.

Care Home: Premises used for the housing and caring for the aged or infirmed, and includes convalescent (a person who is recovering from and illness or operation) homes, homes for the aged and nursing homes.

Cemetery: Land used or intended to be used for the interment of human remains and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Certificate of Occupancy: An official certificate issued by the City through the enforcing official which indicated conformance with the zoning regulations and authorizes legal use of the premises for which it is issued.

Child Care Center: Any place, home, or institution which cares for six (6) or more children under the age of sixteen (16) years, apart from their parents, guardians, or custodians for regular periods of time for compensation; provided, however, that the term “child center: shall not include or apply to bona fide (genuine; real) schools, custody fixed by a court, children related by blood or marriage within the third degree of the custodial person, or churches and other religious or public institutions caring for children within an institutional building.

City Commission: the governing and legislative body of the City of Sapulpa, Oklahoma.

City Manager: The chief administrative officer of the City of Sapulpa, Oklahoma or his designee.

Copy Area: The net geometric area enclosed by the smallest rectangles encompassing the outer extremities of all letters, figures, characters, and delineations, contained in the sign.

Cluster Housing Development: A residential development containing attached or detached unites on a limited portion of land with the remaining land areas consolidated into common open space areas.

Community Group Home: A community-based residential facility for independent living that provides room and board, personal care, habilitation services in a family environment as a single- housekeeping unit of 6-12 resident mentally retarded and/or physically limited persons with at least 1 but not more than 3 resident staff persons. Personal care and habilitation services excludes on-site institutional type educational training, medical or nursing care.

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.

Day Care: See “Child Care”.

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

Dwelling, Single-Family: A building, other than a manufactured home containing one dwelling unit designed for occupancy by not more than one family, and certified as complying with the building code of this jurisdiction whether constructed on or off site.

Dwelling, Duplex: A building containing two dwelling units designed for occupancy by not more than two families. Included are all forms of manufactured duplex dwellings but excluding mobile homes.

Dwelling, Manufactured: A structure designed and intended for human occupancy on a year-round or temporary or seasonal basis which has undergone at least partial prefabrication or preassembled sub-elements such as roof trusses, floor trusses, plumbing trees, or wiring harness. Included are the following sub-classes:

Pre-fabricated – a manufactured dwelling involving no preassembly but all components have been cut and fabricated and then assembled on-site.

Panelized – A manufactured dwelling partially preassembled into roof, wall, floor, and ceiling components (which may range from exposed wood to having all finishing completed which are assembled on-site, and constructed to national building code standards.

Sectionalized or Modular – a manufactured dwelling partially preassembled into two or more sections, none of which are habitable individually, permanently joined together and, utilized customary residential siding and roofing materials, built to national building code standards and are either:

Wood frame units designed to be transported by flat-bed truck and installed on conventional permanent foundations; or,

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.

Mobile Home or Trailer Home – a manufactured dwelling other than recreational vehicle either:

Fully preassembled into one unit or one expandable/telescoping unit of more than thirty-five feet (35') 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

A dwelling manufactured in two (2) or more units but either fails to utilize customary, residential roofing and siding materials or retains chassis or other equipment related to being towed or is not placed on a conventional permanent foundation.

Dwelling Multi-Family: A building containing three or more dwelling units. Included are all forms of manufactured multi-family dwelling, but excluding mobile homes.

Elderly/Retirement Housing: A residential complex containing multi-family dwellings designed for and principally occupied by senior citizens. Such facilities may include a congregated meals program in a common dining area, but excluding institutional care such as medical or nursing care and distinguished from life care retirement centers as elsewhere defined.

Emergency & Protective Shelter: A residential facility which provides room and boards 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, provided that unless all members are related by blood, marriage, or other domestic bonds, no such family shall contain over three persons, but further provided that domestic servants may be housed on the premises without being designated as a family. Individuals not related by blood, marriage, or adoption occupying a single dwelling unit for on-site institutional education, training, supervision, medical or nursing care shall not be considered a family as defined herein. Further provided a family, as defined herein, does not include a foster home or a neighborhood group home as elsewhere defined.

Family Day Care Home: Any home which cares for five (5) or less children under the age of sixteen (16) years, for regular periods of time for compensation. This shall include the family day care parents own preschool children under the age of two (2) years of age living at home.

Floodplain: The land area adjoining a watercourse or drain way which would be inundated by the floodwater of the 100-year frequency flood, based on full urbanization of the watershed, as predicted by the City Engineer, or as predicted by the U.S. Corps of Engineers and confirmed by the City Engineer.

Floodway Fringe: Those portions of the floodplain which are not reasonably required to carry and discharge the floodwater of the 100-year frequency flood as predicted by the City Engineer, or as predicted by the U.S. Corps of Engineers and confirmed by the City Engineer.

Floor Area, Gross: The total floor space within the outside dimensions of a building including each floor level.

Floor Area, Net: Is the area actually occupied not including accessory unoccupied areas such as corridors, stairs, closets, thickness or walls, columns, toilet room, mechanical area or other features.

Floor Area Ratio: 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 or 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 (2) or younger, if no children are under two (2) years, the maximum number of children residing in the home is six (6).

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 cubed non-major street or cul-de-sac.

Habitable Floor: Any floor usable for living purposes, which includes working, sleeping, heating, cooking or recreation or a combination thereof.

Halfway House: A building used in whole or in 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 or drug abuse.

Height Building: See Building Height.

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

Home Occupation: Any occupation or activity conducted within a dwelling unit which is clearly incidental and subordinate to the use of the premises for dwelling purposes.

Hundred Year-Frequency Flood: A flood having an average frequency of occurrence one 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 runoff characteristics in the general region of the watershed, as predicted by the City Engineer, or as predicted by the U.S. Corps of Engineers and confirmed by the City Engineer.

Kennel: The use of land or building for the purpose of selling, breeding boarding or training cates or dogs or both, excluding uses such as pet shops in which all activities are carried on within an entirely enclosed building. Enclosed shall mean: with exterior walls built from floor to ceiling with a solid material such as rock, brick, wood, metal or glass, no fencing or other wire like materials shall be used as a part of the exterior walls or the building.

Land Area: The area of a lot plus one-half (1/2) or thirty (30) feet, whichever is less, or the right-of-way of an abutting street of which the lot has access.

Life Care Retirement Center: A residential facility containing dwellings designed for a 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 parking 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 fourteen (14) feet, designed and located

on a lot for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

Lot: A lot or record, said lot which is part of an addition, the plat of which has been recorded in the office of the County Clerk or a parcel of land the deed of which is recorded in the office of the County Clerk.

Lot Area: The total horizontal area within the lot lines of a lot.

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

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 not 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 Width: The average horizontal distance between the side lot lines.

Major: A street designated on the Major Street Plan as a primary major or secondary major.

Major Street Plan: "The City of Sapulpa, Oklahoma Major Street Plan," as adopted by the Town Board of Trustees Oklahoma by Ordinance Number 49 on October 15, 1973 and revised by resolution on the 6<sup>th</sup> day of July, 1981 or as it may hereafter be amended by ordinance or resolution.

Mini-Storage: A building containing small partitioned storage spaces, which are separately and individually rented or leased, for the storage of personal goods of merchandise, but excluding commercial warehousing as described in Use Unit 22.

Mobile Home: See dwelling, manufactured.

NA: Not Applicable.

Nameplate: A sign, attached flush against a building, identifying the name of the building or the name of an occupant thereof.

Nightclub: A place of entertainment open at night usually serving food and liquor, having a floorshow, and providing music and space for dancing.

NEC: Not Elsewhere Classified

Neighborhood Group Home: 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 five (5) residents mentally retarded and/or physically limited persons with at least one (1) but not more than two (2) resident staff persons. Personal care and habilitation services excludes on-site institutional type educational training, medical or nursing care.

Nursing Home: A residential health care facility licensed and regulated by the State of Oklahoma which provides lodging, personal care and supervision for aged, chronically ill, physically infirm, or convalescent patients.

Parking Duration: The length of time an individual vehicle remains in a given parking space, duration is a function of the driver's trip, purpose and increases with increasing city size.

Parking Space, Off-Street: A space on a lot intended and reserved for the parking of an automobile. Such space to be of at least nine and one half feet (9.5") in width by nineteen (19) feet in length, together with a driveway connecting the space with a street or alley and permitting safe ingress or egress of an automobile.

Planning Commission: The Sapulpa Metropolitan Area Planning Commission

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

Private Club: An establishment having the chief activity of service and is not operated as a business or for profit, and which hold and maintain an income tax exempt status. Includes charitable, eleemosynary, educational and recreational establishments.

Recreational Vehicle: A vehicular structure portable or self-propelled designed as a temporary dwelling for travel use or recreational use not exceeding thirty-five (35) feet in length.

Residential Treatment Center: A community-based residential facility providing diagnostic or therapeutic services and long-term room and board in a highly structured environment for its residents for alcoholism and drug abuse, mental illness or behavioral disorders.

Restaurant, Carry Out or Drive Thru: A restaurant when the principle intent is that food will be picked up by the customer or delivered by the restaurant for consumption off the premises.

Restaurant, Drive-In: A restaurant when the principle intent is that customers remain in their cars on the premises for consumption of their food.

Rooming & Boarding House: A facility where congregate meals and lodging are provided for its residents exclusive of a supervised living or residential care facility as elsewhere defined, and exclusive of a hotel or motel.

Salvage Yard: The outdoor storage of something extracted (as from rubbish) as valuable or useful, including, but not limited to: automobiles, building materials, scrap metal, and junk.

Sanitary Landfill: Any place subject to and in substantial compliance with standards developed by the Oklahoma State Board of Health at which solid waste is dumped, abandoned or accepted for permanent disposal by shredding, compaction, baling and/or landfill.

Satellite Receiving Dish: Any parabolic antennae positioned so that it receives signals from a satellite in a geo synchronous orbit.

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 work or words such as "parking area" the setback shall in its application include, but not be limited to, buildings.

Sign: Any fabricated display structure including its support, consisting of any letter, figure, character, mark, poster pointer, marquee advertisement, design, picture, stripe, trademark, reading matter, or illuminating device, constructed, attached, erected, fastened or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise and displayed in any manner for recognized advertising purposes.

Sign, Bulletin Board: A changeable message board used to announce onsite activities.

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

Sign, Canopy: A sign wholly supported by a canopy projecting from a building or an extended roof or pitched roof and which does not extend above the mean height level of the roof of the building



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 attached to or is a part of a self-supporting structure, other than a building or portion of a building.

Sign, Identification: A sign which states only the name of a residential development, mobile home park, multi-family development or non-residential development.

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.

Sign, Portable: A sign which is not permanently affixed to the ground or a building.

Sign, Projecting: A sign affixed to a building and which extends horizontally more than twelve feet (12") from the sign supporting portion of the building.

Sign, Real Estate: A temporary sign advertising the sale, rental, or lease of the premises.

Sign, Roof: A sign which is affixed to a roof, extended roof, pitched roof or canopy and which extends above the mean height of the roof.

Sign, Wall: A sign affixed to a building wall which does not project horizontally more than twelve feet (12") from the wall nor extend above the height of the wall.

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 effects, 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.

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

Structure: Anything constructed or erected with a fixed location on the ground, or attached to something have a fixed location on the ground, and includes building, walks, fences, and signs.

Tavern: An establishment where alcoholic beverages are sold to be consumed on the premises.

Temporary Construction Facility: Site built or pre-manufactured structure to be used for supervising on-site construction, not to include residential or "night watchman" use without approval of the Board of Adjustment.

Townhouse Development: A row of at least three attached dwelling units each separated by a party wall on individual lots and designated for separate ownership of the individual dwelling units with no separate dwelling unit constructed above another dwelling.

Trailer Park: See Mobile Home Park or Recreational Vehicle.

Trash Dump: Any Place where solid waste and /or trash is dumped, abandoned or accepted for disposal that is not in substantial compliance with standards developed by the Oklahoma State Board of Health.

Transitional Living Center: A community-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, mental illness alcoholism or drug abuse.

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 or a particular property, the literal enforcement of the code restriction would result in unnecessary hardship.

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

Wind Energy Conversion System: (WECS, wind turbine, wind generator, windmill, and wind machine) – A machine that converts the kinetic energy in the wind into a usable form of electrical or mechanical energy. The WECS includes all parts of a system except the tower and the transmission equipment.

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 required front yard and the required rear yard.

## **CHAPTER 16 PLANNED UNIT DEVELOPMENT**

- 1600 Description
- 1610 Purposes
- 1620 General Provisions
- 1630 Uses Permitted in Planned Unit Developments
- 1640 Bulk and Area Requirements
- 1650 Perimeter Requirements
- 1660 Off-Street Parking and Loading
- 1670 Administration of Planned Unit Development

### **SECTION 1600**

Planned Unit Development is an alternative to conventional development where the particular tract is under common ownership or control, and a detailed plan (outline 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 Commission as a prerequisite to the Planned Unit Development.

### **SECTION 1610 PURPOSES**

The purposes of the Planned Unit Development are to:

- A. Permit the innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining the proximate properties;
- B. Permit flexibility within the development to better utilize the unique physical features of the particular site;
- C. Provide and preserve meaningful open space; and
- D. Achieve a continuity of function and design within the development.

### **SECTION 1620 GENERAL PROVISIONS**

Planned Unit Development is permitted on tracts having the supplemental 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. No modification of use or bulk and area requirements of the applicable general use district or incorporating the provisions and requirements of the 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. No land shall be classified in the PUD

designation unless it is in an area with an approved and adopted master plan which recommends development of the land which is the subject of the application.

## **SECTION 1630 USES PERMITTED IN PLANNED UNIT DEVELOPMENT**

### 1630.1 Principal Uses

The development may consist of one or more of the uses permitted by right or exception within the general zoning district or districts within which the Planned Unit Development is located, provided; (a) that if any part of the Planned Unit Development is located within a residential district, the permitted uses may additionally include one or more of the dwelling types contained in Use Unit 6, Single Family Dwelling, Use Unit 7, Duplex Dwelling, Use Unit 8, Multi-Family Dwelling; (b) that Use Unit 9, Mobile Home Dwelling, is a permitted use only within Planned Unit Development which are located in whole or in part in an RMH District. The permitted uses may be reallocated within the development irrespective of the general zoning district boundaries.

### 1630.2 Accessory Uses

Accessory uses customarily incident to the principal uses within a PUD are permitted.

#### A. Accessory Commercial

In addition to accessory uses customarily incidental to a permitted principal residential use, accessory commercial facilities may be included within the residential portion of a PUD in accordance with the following standards:

- A. Accessory commercial signs 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.
- B. The accessory commercial uses shall be internally oriented, 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.
- C. Business signs accessory to principle office, commercial or industrial uses shall not exceed the general code provisions of the City of Sapulpa Zoning Code; Section 921, Use Unit 21; providing the authority may impose such additional restrictions as are necessary to maximize compatibility with adjacent land use.

## SECTION 1640 BULK AND AREA REQUIREMENTS

### 1640.1 Intensity of Use

It is the intent of this code that the aggregate intensity of use within the Planned Unit Development remain substantially the same as that which would be permitted if the area were developed conventionally, but that within the development, the intensity may be reallocated irrespective of the general zoning district boundaries.

#### A. 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 \* of property located within a residential district

Divided by

Minimum land area per dwelling unit permitted in the applicable use district.

The minimum land area per dwelling unit, for the purpose of the above described computation, shall be the lease restrictive minimum land area per dwelling unit permitted in the applicable district as set forth in Section 430.1, Section 430.2. Each six hundred (600) square feet of a quasi-dwelling, such as a care home, shall constitute a dwelling unit. If the PUD is within two 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. 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 any principal use other than dwelling, quasi-dwellings, residential open space and recreation areas.

#### B. Nonresidential Intensity

The nonresidential intensity shall not exceed a maximum permitted floor area computed as follows:

Maximum Permitted Floor Area =

Gross area\* of property located within a nonresidential district multiplied (x) by the floor area ratio permitted either by right or exception 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 .75 shall apply.

The intensity of use of a PUD located within two or more zoning districts of the following differing general classifications:

Residential  
Office  
Commercial  
Industrial

Shall be separately calculated and allocated within the Planned Unit Development by said general classification.

\*For the purpose of intensity computations, gross area shall mean the lot area plus 1/2 of the right of way of any abutting street to which the lot has access.

#### 1640.2 Lot Width and Lot Area Minimums

Within a PUD, a minimum lot size requirement of eight hundred (800) square feet shall apply to lots utilized for dwelling purposes. A minimum lot width requirement of twenty (20) feet shall apply to lots utilized for dwelling purposes.

#### 1640.3 Livability Space

Within a PUD livability space shall be provided in an aggregate amount of not less than the amount of livability space required by the applicable use district (Section 430.1) for conventional development of a comparable number of dwelling units. Required livability space shall be provided on the lot containing the dwelling unit or units on which computed, or in common areas. Common liability space shall be designed and located so as to be accessible to the dwelling units it is intended to serve. Provisions for the ownership and maintenance of common livability space as will insure its continuity and conservation shall be incorporated in the subdivision plat, in compliance with the provisions of Section 1670.5.

#### 1640.4 Building Height and Yards

Within a PUD, the Planning Commission shall prescribe building height limitations and minimum yards, which shall be incorporated within the subdivision plat in compliance with the provisions of Section 1670.5.

#### 1640.5 Setbacks from Abutting Public Streets

Within a PUD every structure shall be set back from the centerline of an abutting public street a horizontal distance of not less than 1/2 of the right of way designated on the Major Street and Highway Plan, or twenty-five (25) feet if said street is not designated on the major Street and Highway Plan.

### **SECTION 1650 Removed per Ordinance #2364**

## **SECTION 1660 OFF-STREET PARKING AND LOADING**

Off-street parking and loading spaces shall be provided as specified in the applicable use units and in conformance with the requirements of Chapter 10, Off-Street Parking and loading; provided, however, that Sections 1020.B and 1030 shall not apply. 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 space as will insure its continuity and conservation shall be incorporated in the subdivision plat, in compliance with the provisions of Section 1670.5.

## **SECTION 1670 ADMINISTRATION OF PLANNED UNIT DEVELOPMENT**

### 1670.1 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 an outline development plan processed in the manner set forth in Sections 1670.2, 1670.3, and 1670.4.

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

### 1670.2 Application and outline Development Plan

An application for a Planned Unit Development shall be filed with the Planning Commission. The application shall be accompanied by a fee in accordance with the established fee schedule. Such fee shall not include advertising and sign costs which shall be billed to the applicant. The application shall be in such form and content as the Planning Commission may by resolution establish, provided that three (3) copies of an outline development plan shall accompany the filing of the application; the outline development plan shall consist of maps and text which contains:

- A. A Site Plan and Preliminary Plat reflecting:
  - 1. Proposed location of uses, including off-street parking, open spaces and public uses;
  - 2. Development standards for location, height, setback and size of buildings and other structures;
  - 3. Public and private vehicular and pedestrian circulation;

4. The approximate intensity of residential uses expressed in number of dwelling units and the approximate intensity of nonresidential uses expressed in floor area, allocation to each identifiable segment of the Planned Unit Development;
  5. Proposed screening and landscaping;
  6. Proposed location, height and size of any ground sign;
  7. Sufficient surrounding are to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed.
- B. Existing topographic character of the land including identification of flood plain areas, treed areas, both existing and proposed
- C. An Explanation of the character of the PUD;
- D. The expected schedule of development;
- E. Conformance to the City Subdivision Regulations and Engineering Design Standards.

#### 1670.3 Public Hearing and Planning Commission Action

The Planning Commission, upon the filing of an application for the supplemental district designation PUD shall set the matter for public hearing and give twenty (20) days' notice of public hearing by posting a sign or signs on the property sought to be rezoned. (See Section 1630.3 for contents of notice.) Within sixty (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 harmonized with the existing an expected development of surrounding areas.
- C. Whether the PUD is a unified treatment of the development possibilities of the project site.
- D. Whether the PUD is consistent with the stated purposes and standards of this Chapter.

The Planning Commission shall forward its recommendation, the application, and the outline development plan to the Board of City Commissioners for further hearing as provided in Section 1670.4.



#### 1670.4 City Council Action

Upon receipt of the application, outline development plan, and Planning Commission recommendation, the City Council shall hold a hearing, review the outline development plan and approve, disapprove, modify, or return the outline 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 outline development plan.

#### 1670.5 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:

- A. Details as to the location of uses and street arrangement.
- B. 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.
- C. Such covenants as will reasonably insure the continued compliance with the approved outline development plan. The Planning commission may require covenants which provide for detailed site plan review and approval by said Commission prior to the issuance of any building permits within the PUD. In order that the public interest may be protected, the City of Sapulpa shall be made beneficiary of covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants shall provide that the City of Sapulpa may enforce compliance therewith, and shall further provide that the Planning Commission and the filing of record of a written amendment to the covenants, endorsed by the Planning Commission.

#### 1670.6 Issuance of Building Permits

After the filing of an approved PUD subdivision 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. A building permit for a freestanding or separate 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.

#### 1670.7 Amendments

Minor changes in the PUD may be authorized by the Planning Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as a 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 plat shall require compliance with the notice and procedural requirements of an original Planned Unit Development.

#### 1670.8 Abandonment

Abandonment of a Planned Unit Development shall require 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. Upon final action authorizing the 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.

## **CHAPTER 17 LANDSCAPE REQUIREMENTS**

- 1700 Purpose
- 1701 Applicability and Exceptions
- 1702 Landscape Requirements
- 1703 Administration

### **SECTION 1700 PURPOSE**

The purposes of the Landscape requirements are:

- A. To promote the beautification of the City of Sapulpa and to enhance the quality of life;
- B. To promote reasonable preservation and replenishment of valued trees and vegetation;
- C. To aid in establishing an 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.

### **SECTION 1701 APPLICABILITY AND EXEMPTIONS**

The landscape herein established shall be applicable to all land for which a building permit is sought; provided, however, that the landscape requirements shall not be applicable to the following:

- A. Individual single family or duplex lots where only one such structure is to be constructed on the lot; or barns and similar types of structures on AG (Agriculture) zoned property;
- B. Restoration of buildings constructed prior to the adoption date of this ordinance which are damaged by fire, flood or other catastrophe;
- C. Interior remodeling; or
- D. Construction of a structure, other than a building, which does not increase the developed area of a lot more than thirty (30) square feet.

### **SECTION 1702 LANDSCAPE REQUIREMENTS**

- A. Frontage and perimeter requirements:

1. Not less than fifteen percent (15%) 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 seven and one-half (7.5) feet in width and which extends along the entirety of the abutting street right of way. For lots abutting arterial streets a landscaped area shall be established which is not less than ten (10) feet in width.
3. Within a lot used for office, commercial, industrial, or multi-family residential purposes, off street parking shall be separated from an abutting residential district or residential development area (as in a PUD) by a landscaped area of not less than ten (10) feet in width.
4. Required building setbacks shall be landscaped with street yard standards.
5. Street yard landscaped areas shall be included in the minimum computation of Section 1702. A.1.
6. New single family or duplex residential additions abutting arterial streets shall provide a landscaped buffer of not less than ten (10) feet in width. Setbacks from the arterial, which are larger than ten (10) feet, will be provided at each side of the project entry, drive at its intersection with an arterial.
7. For lots abutting state highway rights of way, a landscaped area shall be established which is not less than fifteen (15) feet in width and which extends along the entirety of the abutting arterial.
8. Landscaping shall not be required in vehicular access points and shall not be allowed to obstruct site triangles.

B. Parking Area Requirements – within surface off-street parking areas, landscaped areas shall be established and maintained as follows:

1. For lots two and one-half (2.5) acres or less in size, no parking space shall be located more than fifty (50) feet from a landscaped area which contains at least thirty (30) square feet having a minimum width or diameter of five (5) feet. A landscaped area must contain at least one (1) tree.
2. For lots greater than two and one half (2.5) acres in size, no parking space shall be located more than seventy-five (75) feet from a landscaped area which contains at least one hundred (100) square feet having a minimum width or diameter of seven feet. A landscaped area must contain at least one tree; however, all landscape areas two hundred (200) square feet or more on size shall contain at least two (2) trees.

C. Tree Requirements – trees, as defined herein, shall be selected from those listed in Appendix C. Additional tree requirements include the following:

1. Within the street yard, trees shall be preserved, planted and maintained, or replaced as follows:
  - a. One tree for each one thousand (1,000) square feet, or fraction thereof, of street yard.
  - b. Each existing tree in the required street yard which is at least six inches in caliper, and which is removed for the development of the parking area, shall be replaced at a 2:1 ratio within the required street yard. In other words, two (2) replacement trees shall be counted as one (1) tree purposes of compliance with street yard planting requirements.
2. One tree for each ten (10) parking spaces shall be required for surface parking areas, located outside the street yard, in all zoning districts except CBD. Each required landscape area shall require at least one tree.
3. If surface parking areas, located in the CBD zoning district and designed for twenty (20) or more spaces, have parking areas within twenty-five (25) feet of a public street right of way, then trees shall be preserved, planted and maintained, or replaced as follows:
  - a. One tree for each thirty-five (35) lineal feet of parking area located along and parallel to the street boundary; and
  - b. Required trees shall be located within ten (10) feet of the 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 trees for the purpose of determining compliance with the requirements of subsection 1702. C.1., provided that there is no alteration of the soil grade under the existing tree's drip line.
5. Planted trees shall be planted in 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 not be less than six (6) feet in height and one (1) inch in caliper;
  - b. Conifers and 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 feet in height and two (2) inches in caliper.
7. Surface parking areas designed for ten (10) or more and located within twenty-five (25) feet of state highway rights of way trees shall have trees planted, preserved and/or replaced as follows:
- a. One (1) tree for each lineal foot of parking area which is located along and parallel to the street boundary; and
  - b. Each existing tree in the required street yard which is less than six (6) inches in caliper and which is removed for development of the parking area shall be replaced at a 3:1 ratio within the required street yard. In other words, three (3) trees shall count as one (1) for the purpose of compliance with street yard planting requirements.
8. Landscaped buffers separating new single family or duplex residential additions from arterial streets shall be treated as follows:
- a. A minimum of one (1) tree shall be planted for each fifty (50) feet of lineal street frontage.
  - b. Tree sizes shall conform to the standards outlined in this section.
  - c. Each existing tree which is removed or caused to be removed by the developer of the addition during grading or utility placement and which is larger than six inches in caliper when measured at three feet above the ground, shall be replaced at a 2:1 ratio with trees sized as designated in this section. The new trees shall be located within the 10-foot landscaping buffer area adjacent to the arterial street or the expanded entry area setbacks. Two (2) replacement trees count as one (1) tree toward the satisfaction of the 1 per 50 linear foot requirement in Section 1702.C.8.a.
  - d. Preservation or planting of trees, larger than six (6) inches in caliper, within the required landscaped areas shall be considered as two (2) for the purpose of determining compliance with the requirements of subsection 1702.C.8.a., provided there is no alteration of the soil under the existing tree's drip line.

#### D. Miscellaneous Requirements

- 1. Artificial vegetation of any type will not satisfy the requirements of this chapter.
- 2. Required landscaping will be irrigated by one of the following methods:

- a. An underground sprinkler system;
  - b. A drip system; or
  - c. A hose attachment within one hundred (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.
  5. Required landscaping shall be maintained in alive and healthy condition and shall be replaced as necessary to comply herewith. In addition, landscape area will be neatly trimmed and mowed and free of weeds.
  6. Required landscaped areas shall be maintained free of debris and litter.

#### E. Incentive Credits

To encourage preservation of existing mature trees and or planting of larger trees, each square foot of landscaped area which is permeable and within the drip line of a tree of at least six inches in caliper shall constitute one and one half (1.5) square feet of landscaped area for the purpose of meeting the fifteen percent (15%) street yard landscaping requirement. The following conditions shall apply:

1. Overlapping drip line areas shall be counted only once.
2. At least one-half (1/2) of the drip line shall be permeable.
3. The original grade of the drip line shall not be changed.
4. The one-fifth (1/5) square foot credit shall not constitute more than twenty-five percent (25%) of the landscape requirement.

#### F. Parking Credits – All nonresidential development, requesting a building permit prior to the adoption date of this ordinance shall be given one acre or less in size, the following parking credit:

The required number of off street parking spaces shall be reduced by one (1) space for each three hundred (300) square feet of street yard which is required to be landscaped by Subsection 1702. A.1.

## **SECTION 1703 ADMINISTRATION**

- A. Landscape Plan – An application for a building permit for uses requiring landscaping, as set forth in Section 1701, shall include a landscape plan which provides the following:
1. The date, scale, north arrow, project name and name of owner.
  2. The location of the 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 utility easements and overhead utility lines on or adjacent to the lot; and the existing and proposed sidewalks on or adjacent to the lot.
  4. The location, size and type (trees, shrub, ground cover, or grass) of proposed landscaping and the location and size of the proposed landscaping areas.
  5. Planting details and or specifications.
  6. The method of protecting damage to the existing trees which are to be retained during construction.
  7. The proposed irrigation system, including a drawing of the nature and the location of the system.
  8. The schedule of installation of required landscaping and appurtenances shall occur prior to the hookup of utilities. The planning staff may grant approval of hook up prior to the completion of tree installation, based upon a specific tree planting schedule, not to exceed a temporary occupancy permit time limit.
- B. Certification of Installation – Prior to utility hook up, the owner, an architect or a professional engineer licensed to practice in the State of Oklahoma shall certify in writing to the City that the installation of the landscaping and appurtenances has been accomplished in accordance with the approved landscape plan. In the event that the Urban Development Staff has granted approval for hook up of utilities prior to the completion of tree planting, the owner, an architect, landscape architect or a professional engineer licensed to practice in the State of Oklahoma shall provide written certification that all trees have been installed in accordance with the approved plan. Such certification shall be provided prior to issuance of the occupancy permit or within the time frame approved in the specific tree planting schedule and shall not exceed the time allowed in the temporary occupancy permit. If certification is not received within this time frame, it will be considered a violation of the Zoning Code and the developer will be subject to fines until certification has been received.



C. Administrative Review – After receipt of the landscaping plan, the Urban Development staff shall:

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

D. Alternative Compliance – If the City Planner rejects the landscape plan, the application may request, after payment of a Fifty Dollar (\$50.00) fee, that the Board of Adjustment review the plan and determine that the plans as presented implements the intent of the Chapter although it does not meet the technical requirements of this Chapter. However, in the case of such an appeal, public notice shall be given to abutting property owners and a notice published in the paper.

E. Right-of-Way Use Agreements Required

1. Any construction subject to this chapter that is adjacent to or will affect the City owned right-of-way must have an approved Right-of-Way Use Agreement prior to the beginning of construction.
2. The Right-of-Way Use Agreement shall be in the form as approved by the City.



## **CHAPTER 18 SPECIFIC USE PERMIT**

- 1800 General Purpose
- 1801 Conditions for Approval
- 1802 Specific Use List
- 1803 Use Conditions
- 1804 Administration

### **SECTION 1800 GENERAL PURPOSE**

The City Council may, after a public hearing and recommendation by the Sapulpa Metropolitan Area Planning Commission and after conducting a public hearing as is required in accordance with the provisions of this section, authorize for specific parcels of land, the issuance of a Specific Use Permit.

The use 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.

The designation of a Specific Use Permit as possible on the Specific Use 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 not be approved or denied as the findings indicate appropriate

### **SECTION 1801 CONDITIONS OF APPROVAL**

- A. Application: Prior to submission of a request for a Specific Use Permit, the Urban Development Director 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 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.
- B. Planning Commission Requirements: The Planning Commission may recommend to the City Council the requirement of certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangements and location or construction of buildings and uses and operation. If the Planning Commission fails to review and make a recommendation within 45 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, in the interest of the public welfare and to assure compliance with the intent of this ordinance and the Sapulpa Comprehensive Plan, may deny a specific request or 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 dedication of sufficient right-of-way or easement as necessary to further the public good. The City Council may impose conditions including, but not limited to, 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 density as may be indicated depending upon the proposed use and its potential effect on adjacent areas or the community.
- D. Site Plans: A site plan (plot plan) 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. 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 one year 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 1802 SPECIFIC USE PERMIT LIST**

Specific uses –The following uses are allowed in all zoning districts by Specific Use Permit Process approved by the City Council:

Accessory Dwelling Units-ADU (guest cottages, in-law quarters)  
 Airport  
 Automobile Sales-New of Used  
 Automobile Salvage Yard  
 Bars, Taverns, Night Clubs  
 Bed and Breakfast Inn - including Air BNB (Short term rental) \*  
 Bus Station  
 Cemetery  
 Churches  
 College or University  
 Commercial Theme Parks  
 Convalescent Homes

Convict Pre-Release Center  
 Commercial Resort Facilities (Minimum acreage requirement of 40 acres)  
 Crematory  
 Cultural or Heritage Centers, Public or Private Attractions  
 Day Care Center  
 Detention Center Juvenile-Adult  
 Electric Generation Plant and/or substation  
 Fire Protection Facility  
 Fire Station  
 Flea Market (indoor or outdoor)  
 Golf Course  
 Golf Driving Range  
 Governmental Services  
 Gun Club  
 Halfway House  
 Heliport  
 Hospital  
 Industrial Uses: Use Units 24, 25, 26 (minimum acreage requirement 40 acres)  
 Juvenile Delinquency Center  
 Kennel  
 Library  
 Mausoleum  
 Marijuana Commercial Growth Facility\*\*  
 Marijuana Processor/Packager/Storage Facility\*\*  
 Marijuana Retail Dispensary/Establishment\*\*  
 Mini-Storage  
 Museum  
 Nursing Homes  
 Offices: Use Unit 11 when located on a 40-acre or greater tract  
 Other Residential Uses:  
     Tiny Home (structure less than nine hundred (900) square feet  
     Transitional Living Center  
     Homeless Shelter  
     Multi-Family in Multi-Story Structure  
 Post Office  
 Private Schools, with comprehensive education curriculum  
 Public Schools  
 Recreational Vehicle Park  
 Recycling Center  
 Refuse Transfer Station  
 Retail Nursery  
 Rifle and Skeet Range  
 Sanitary Landfill  
 Sewer Disposal Facility  
 Sexually oriented Businesses  
 Sober Living Facility

Trade Schools  
Transmitting Tower (excluding amateur radio tower)  
Water Treatment Facility and/or Water Storage Facility  
Use Unit 20 (Outdoor Recreational Facilities)  
Use Unit 23 (Mining and Mineral Processing)

\*Short term rental (STR) uses

1. Two types of short-term rentals
  - a. Type 1: owner occupied (single family residence or duplex)
  - b. Type 2: not owner occupied (single family residence or duplex)
2. STR can only be rented for a period of less than 30 consecutive days.
3. Only one (1) rental contract at a time is allowed. Maximum of two (2) guests per bedroom; no more than eight (8) guests at one time. Hosts required to leave a welcome packet for guests that includes appropriate contact information and instructions on City services.
4. STR locations cannot be used for special events, parties, or receptions.
5. Property owner must obtain a City Business License in addition to obtaining an STR License.
6. An application fee will be assessed annually in accordance with the Master Fee Schedule and shall expire on April 30 of each year. Renewals shall be reviewed every year.
7. STR licensees will be required to pay a fee of 5.5% of the listing price, including any fees for reservations, and any other applicable fees associated with their STR.
8. There is not a requirement of an in-person inspection but the licensee must certify that under penalty of perjury that their STR has a fire extinguisher, CO detector, smoke alarm, and liability insurance to cover bodily and property damage.
9. License number is required to be placed in advertisements.
10. STR must have public access to the location, adequate off-street parking, and be in compliance with all City Codes.
11. An Accessory Dwelling Unit may be used for STR by a property owner who is living in the primary structure on the property. Only one (1) STR license will be allowed per property.

\*\*

1. Each Commercial Medical Marijuana Facility shall be operated from the permitted premises on the permitted property. No Commercial Medical Marijuana Facility shall be permitted to operate from a moveable, mobile or transitory location, except for a permitted and licensed secure transporter when engaged in the lawful transport of Marijuana.
2. Commercial operators will need to submit their security plan with their application for a Specific Use Permit, and shall include the following:
  - a. Security surveillance cameras installed to monitor all entrances, along with the interior and exterior of the permitted premises;
  - b. Alarm systems which are professionally monitored and operated 24 hours a day, seven days a week;
  - c. A locking safe permanently affixed to the permitted premises that shall store all Marijuana and cash remaining in the facility overnight;
  - d. All marijuana in whatever form stored at the permitted premises shall be kept in a secure manner and shall not be visible from outside the permitted premises, nor shall it be grown, processed, exchanged, displayed or dispensed outside of the permitted premises; and
  - e. All the security recordings shall be preserved for at least seven (7) days by the permit holder and made available to any law enforcement upon request for inspection.
3. Operating hours. No retail dispensary/establishment shall operate between the hours of 8:00 pm and 8:00 am.
4. No Commercial Medical Marijuana Facility shall be located within one thousand (1000) feet of another Medical Marijuana Facility; unless and except the Medical Marijuana Facility is located within the Central Business District then no Commercial Medical Marijuana Facility shall be located within three hundred feet (300) of another Commercial Medical Marijuana Facility.
5. Sign Restrictions. No pictures, photographs, drawings or other depictions of Marijuana or Marijuana paraphernalia shall appear on the outside of any permitted premises nor be visible outside of the permitted premises on the permitted property. The words "Marijuana", "cannabis" and any other words used or intended to convey the presence or availability of Marijuana shall not appear on the outside of the permitted premises nor be visible outside of the permitted premises on the permitted property.

6. All activities of Commercial Medical Marijuana Facilities, including without limitation, distribution, growth, cultivation, or the sale of Marijuana, and all other related activity under the permit holder's license or permit must occur indoors. The facility's operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system so that no odor is detectable outside the permitted premises.
7. A patient may not grow his or her own Marijuana at a Commercial Medical Marijuana Facility.
8. All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the permitted premises.
9. The permit holder, owner and operator of the facility shall use lawful methods in controlling waste or by-products from any activities allowed under the license or permit.
10. The City Council may impose such reasonable terms and conditions on a Commercial Medical Marijuana Facility Specific Use Permit as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of applicable law.

#### **SECTION 1803 USE CONDITIONS**

- A. Compliance with District and Use Unit Requirement. 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 as specified in Use Unit 2 or identified use unit for a particular use of the City of Sapulpa Zoning Code, except as may be modified by City Council as provided in Section 1801.C.
- B. No oil or Gas Related Wells Drilled after Granting of Specific Use Permit.
  1. No permit for the drilling of any oil or gas related well shall be allowed in an AG or IM zoned area if a Specific Use Permit affecting the area has been previously approved by the Sapulpa City Council unless the previous Specific Use Permit was Oil or Gas Well related.
  2. Drilling operations for oil and gas require additional permits as specified under Chapter 5-1101 through 5-1102 of the Sapulpa City Code. Conditions established under the required City Code application shall be in addition to the land use requirements established through the Specific Use Permit process.

#### **SECTION 1804 ADMINISTRATION**

- A. Filing of a Petition for Specific Use Permit. An application for a Specific Use Permit shall 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 Commission. 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. Fees for permit. An application fee and a processing fee shall be required with the Specific Use Permit application in accordance with the Master Fee Schedule. All costs associated with required postings in newspaper having general circulation within the community will be billed to the applicant.

C. Notice of Hearing (ref: 11O.S. §43-104 (A) & (B)).

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 staff to the Planning Commission to all owners of property within a three hundred-foot (300') radius of the exterior boundary of the subject property. 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 the street address or approximate location in the municipality.

2. In addition to the notice required in subsection 1 of this section, if the Specific Use Permit requests the use of treatment facilities, multiple family facilities, transitional living facilities, halfway houses and any housing or facility that may be used for medical or nonmedical detoxification as these terms are defined pursuant to Section 3-403 of Title 43A of the Oklahoma Statutes, the entity proposing the change in district regulation, restriction or boundary shall mail a written notice within thirty (30) days of the hearing to all real property owners within one-quarter (1/4) of a mile where the area to be affected is located and shall be responsible for all costs incurred in mailing this notice.

D. Appeals. An applicant may appeal a recommendation of denial by the Planning Commission to the City Council by providing written notice of its intent to appeal with the City Clerk within fifteen (15) days of the date of recommended denial by the Planning Commission. The City Council may reverse the recommendation of the Planning Commission by a two-thirds vote of the members of City Council.